

State of Minnesota

Department of Health



REQUEST FOR PROPOSALS

Marketing Services for Youth E-cigarette Prevention and Cessation Initiative

Date Posted: February 28, 2022

- Responses must be received no later than 4 p.m., Central Time, March 29, 2022.
- Late responses will not be considered

Minnesota's Commitment to Diversity and Inclusion

The State of Minnesota is committed to diversity and inclusion in its public procurement process. The goal is to ensure that those providing goods and services to the State are representative of our Minnesota communities and include businesses owned by minorities, women, veterans, and those with substantial physical disabilities. Creating broader opportunities for historically under-represented groups provides for additional options and greater competition in the marketplace, creates stronger relationships and engagement within our communities, and fosters economic development and equality.

To further this commitment, the Department of Administration operates a program for Minnesota-based small businesses owned by minorities, women, veterans, and those with substantial physical disabilities. For additional information on this program, or to determine eligibility, please call 651-296-2600 or go to [the Office of Equity in Procurement home page, at www.mn.gov/admin/oep](#).

SPECIAL NOTICE: This is a request for proposal. It does not obligate the State of Minnesota to award a contract or complete the proposed program, and the State reserves the right to cancel this solicitation if it is considered in its best interest.

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Solicitation Attachments

To complete and submit:

- Attachment A: Responder Declarations
- Attachment B: Exceptions to State's Terms and Conditions
- Attachment C: Cost Proposal
- Attachment D: Responder Forms
 - Veterans Preference Form
 - Workforce Certification
 - Equal Pay Certificate Form
- Attachment E: Commercial Tobacco-free Organizational Commitment

For reference:

- Attachment F: Strategic Assignment Scoping Document
- Attachment G: Sample Application Questions

Sample Contract

- Exhibit A: Contract Terms
- Exhibit B: Insurance Requirements
- Exhibit C: Specifications, Duties, and Scope of Work
- Exhibit D: Pricing

SECTION 1 – INSTRUCTIONS TO RESPONDERS

Steps for Completing Your Response	Follow the steps below to complete your response to this Solicitation: Step 1: Read the solicitation documents and ask questions, if any Step 2: Write your response Step 3: Submit your response
Incomplete Submittals	A response must be submitted along with any required additional documents. Incomplete responses that materially deviate from the required format and content may be rejected.

STEP 1 – READ THE SOLICITATION DOCUMENT & ASK QUESTIONS, IF ANY

How to Ask Questions	Submit all questions at Youth E-cigarette Prevention and Cessation Initiative: Request for Proposals for Marketing Services (www.health.state.mn.us/communities/tobacco/initiatives/youth/marketing.html). The last day to submit questions is March 25, 2022, at 4 p.m. Other personnel are not authorized to answer questions regarding this solicitation. See Attachment G: Sample Application Questions for the questions included in the online application for this solicitation.
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STEP 2 – SUBMIT NOTICE OF INTENT

Prospective responders are strongly encouraged to submit a non-binding Notice of Intent at [Youth E-cigarette Prevention and Cessation Initiative: Request for Proposals for Marketing Services](http://www.health.state.mn.us/communities/tobacco/initiatives/youth/marketing.html) (www.health.state.mn.us/communities/tobacco/initiatives/youth/marketing.html) by 4 p.m. Central Time on March 7, 2022.

While prospective responders are strongly encouraged to submit a Notice of Intent, a Notice of Intent is not a mandatory requirement of this request for proposals (RFP). This means that a proposal may still be considered even if the responder did not submit a Notice of Intent; likewise, a responder is not obligated to submit a proposal just because they submitted a Notice of Intent.

STEP 3 – WRITE YOUR RESPONSE

The Proposal Content section is in Section 4. Prepare a written response and supply all requested content. Responses should address the requested information and documents detailed in Section 4. **DO NOT INCLUDE** Non-Public/Trade Secret data (as defined by Minn. Stat. § 13.37).

Review, sign, and include the Responder Declarations with your response.

STEP 4 –SUBMIT YOUR RESPONSE

Where to Send
Your Response

Submit your response online at [Youth E-cigarette Prevention and Cessation Initiative: Request for Proposals for Marketing Services](http://www.health.state.mn.us/communities/tobacco/initiatives/youth/marketing.html) (www.health.state.mn.us/communities/tobacco/initiatives/youth/marketing.html). Send required forms and work samples by email to tobacco@state.mn.us with the subject “Marketing RFP Submission Documents”.

Proposals must be received no later than 4 p.m., Central Time, March 29, 2022. **Late responses will not be considered.**

By submitting a response, responder is making a binding legal offer for the period of time set forth below in Section 6, Conditions of Offer.

SECTION 2 – SUMMARY OF SCOPE

1. Procurement Overview and Goals.

The Minnesota Department of Health (“MDH” or “the Department”) is responsible for administering a new initiative to address youth e-cigarette and other commercial tobacco product use and cessation. The initiative includes coordinated counter-marketing communications, community grants, technical assistance and training, and surveillance and evaluation.

Commercial tobacco products are tobacco products manufactured and sold by the tobacco industry and include products like cigarettes, e-cigarettes, cigars, and chew. Commercial tobacco is different from traditional or sacred tobacco, also known as Cansasa, Asemaa, or Kinnikinnick, and which are used by American Indian communities for sacred purposes.

The Department requests proposals to design and implement a statewide counter-marketing campaign that engages youth as essential partners to raise awareness and change social norms around e-cigarette and commercial tobacco use in their communities. This campaign will be a seamless part of the aforementioned youth initiative.

1.1 Goals

The primary goal of this campaign is to help reduce overall youth e-cigarette use by 25% by 2026. The Department will measure progress via the Minnesota Youth Tobacco Survey (MYTS) and compare baseline levels from the 2019 Minnesota Student Survey (MSS) and 2020 (MYTS). Subgoals include baseline levels reported in 2020 and projected 2026 results.

- Reduce the prevalence of youth e-cigarette use among high school students from 19.3% to 14.5%.
- Reduce youth e-cigarette use among middle school students from 2.9% to 2.2%.
- Reduce menthol use prevalence among cigarette, cigar, and smokeless tobacco users from 30.6% to 23%.
- Decrease direct retail purchase of e-cigarettes among youth from 20.2% to 15.2%.
- Increase quit attempts among current e-cigarette users from 63.5% to 79.4%.

1.2 Background Information

The U.S. Surgeon General has issued a call to action to accelerate programs and policies to reduce e-cigarette use among youth.¹ Rising e-cigarette and nicotine use is a significant public health threat to young people in Minnesota. The number of youth who have tried and regularly use e-cigarettes has surged dramatically. E-cigarettes are the most commonly used form of commercial tobacco among youth in Minnesota. For example, new data from the MSS revealed a record high one in four (26%) 11th grade students had used e-cigarettes in the past 30 days. This reflects a 54% increase in e-cigarette use in three years. This is a significant threat to the health and well-being of youth and young people.

According to the 2016 U.S. Surgeon General’s Report on E-cigarette Use Among Youth and Young Adults,² most e-cigarettes contain nicotine, which can cause addiction and harm the developing adolescent brain. Nicotine is a

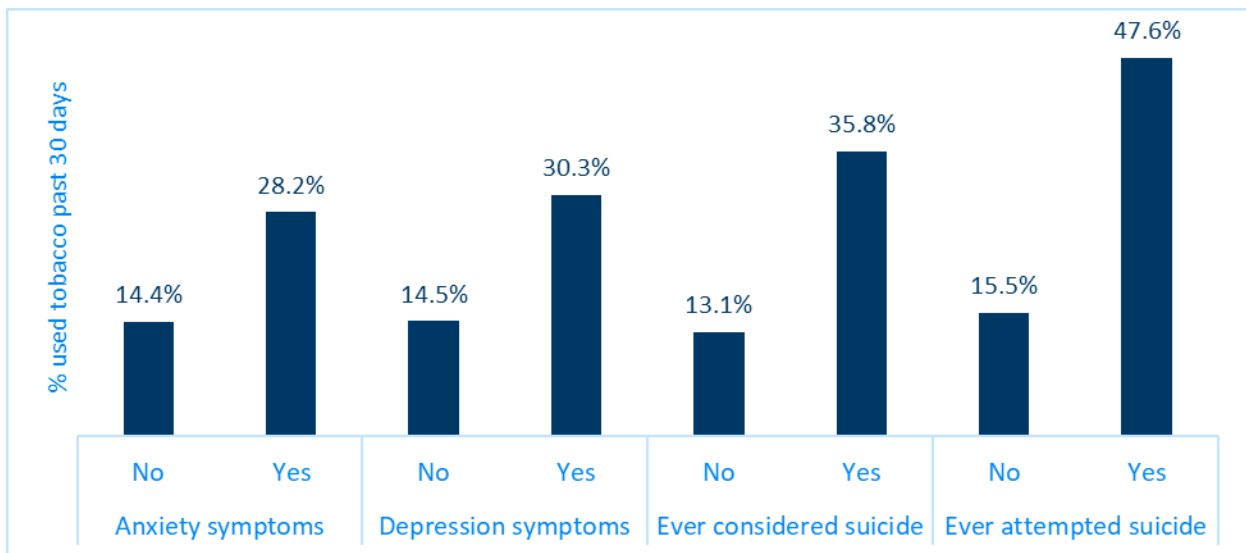
¹ Morris, M., Pennucci, A., Aos, S., Drake, E., Fumia, D., Miller, M., Nicolai, C. & Bauer, J. (2014). Tobacco and e-cigarette prevention, (Doc. No. 14-12-3401). Olympia: Washington State Institute for Public Policy.

² U.S. Department of Health and Human Services. E-Cigarette Use Among Youth and Young Adults. A Report of the Surgeon General. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2016.

powerful psychoactive drug that is often underestimated because it is legal. The human brain continues to develop from before birth into the mid-20s and is especially vulnerable to the effects of addictive substances before it is fully developed. Sustained nicotine use changes the developing brain and increases susceptibility to nicotine addiction and other drug and alcohol use long term. According to the Centers for Disease Control and Prevention (CDC), youth using e-cigarettes are four times more likely to take up smoking cigarettes than non-users.

Studies consistently show an association between commercial tobacco use and poorer mental health. Commercial tobacco use during adolescence may increase risk for development of mental health problems. Poor mental health during adolescence and young adulthood is associated with chronic commercial tobacco use in adulthood, including use of e-cigarettes. Data from the 2019 MSS show that students who reported having recently used commercial tobacco were more likely to report symptoms of anxiety, depression, suicidal ideation, and suicide attempts than those who were commercial tobacco-free (Figure 1 and Table 1).

Figure 1. Percent of students who used tobacco in the past 30 days, by mental health indicator



Source: 2019 Minnesota Student Survey (grades 8, 9, 11)

Table 1. Percent of students who used tobacco in the past 30 days, by mental health indicator

Mental Health Indicator	Percent of students who used tobacco in the past 30 days
Anxiety symptoms: No	14.4%
Anxiety symptoms: Yes	28.2%
Depression symptoms: No	14.5%
Depression symptoms: Yes	30.3%
Ever considered suicide: No	13.1%
Ever considered suicide: Yes	35.8%
Ever attempted suicide: No	15.5%
Ever attempted suicide: Yes	47.6%

Source: 2019 Minnesota Student Survey (grades 8, 9, 11)

Data from the 2019 MSS show that developmental assets or personal strengths, such as feeling empowered, can mitigate the risks of poorer mental health on commercial tobacco use (Figure 2 and Table 2).

Figure 2. Among students with poorer mental health, percent of students who used tobacco in the past 30 days, by empowerment score on the Developmental Assets Scale

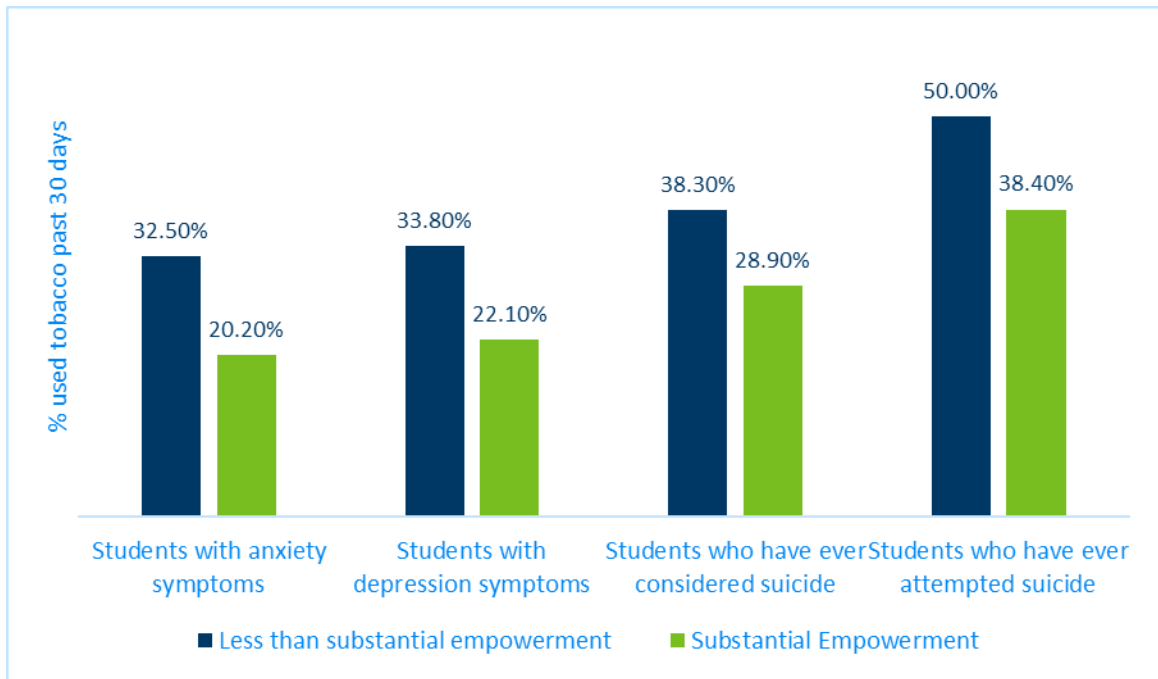


Table 2. Among students with poorer mental health, percent of students who used tobacco in the past 30 days, by empowerment score on the Developmental Assets Scale

Indicator of poor Mental Health	Among students with less than substantial empowerment, percent who used tobacco in the past 30 days	Among students with substantial empowerment, percent who used tobacco in the past 30 days
Students with anxiety symptoms	32.5%	20.2%
Students with depression symptoms	33.8%	22.1%
Students who have ever considered suicide	38.3%	28.9%
Students who have ever attempted suicide	50.0%	38.4%

Source: 2019 Minnesota Student Survey (grades 8, 9, 11)

2. Sample Tasks and Deliverables.

In addition to developing and implementing a statewide commercial tobacco counter-marketing campaign targeting youth, deliverables also include:

- Staying current with emerging commercial tobacco-related topics, emerging commercial tobacco use trends, and new tobacco use data. Being knowledgeable about the following topics:
 - Youth commercial tobacco use rates and disparities in Minnesota
 - Social determinants of health and how they influence or cause commercial tobacco use

- The difference between commercial and traditional tobacco, and the significance of traditional tobacco for American Indian communities
- Tobacco industry marketing practices targeting youth
- The importance of diverse youth engagement and leadership in commercial tobacco prevention and cessation
- Barriers to cessation for Minnesota's youth that use commercial tobacco
- Best practices in health communications for youth commercial tobacco prevention and cessation
- Past campaigns targeting and engaging youth on the topic of commercial tobacco prevention and cessation in Minnesota
- The Department's mission and values
- Staying current and adhering to the state of Minnesota's accessibility requirements. State law requires state agencies, including their contractors, to adhere to federal standards for accessible documents and websites.
- Ensuring all content meets accessibility standards.
- Coordinating a kick-off meeting to discuss and develop a table of deliverables, associated activities, frequency, and due dates.
- Coordinating approvals of timelines, work plans, media plans, creative assets, and all other deliverables with the Department. All collateral and assets developed as part of this work will need to be approved by the Department.
- Developing, implementing, producing, and delivering all creative assets, which would include developing, hosting and maintaining a website and all related digital media, print, and translations. Ensuring youth are stakeholders at all points in the development and implementation of the campaign.
- Ensuring all work complements existing commercial tobacco-related campaigns in Minnesota, especially those sponsored by the Department.
- Coordinating counter-marketing campaign activities with statewide promotion of Quit Partner programs, including My Life, My Quit, which falls under a separate marketing contract. My Life, My Quit provides free quit-nicotine support to teens.
- Coordinating submission of relevant campaign assets to the CDC's [Media Campaign Resource Center \(https://nccd.cdc.gov/mcrc/Index.aspx\)](https://nccd.cdc.gov/mcrc/Index.aspx).
- Providing strong management and outstanding client service, including, but not limited to, detailed billings, creative briefs, weekly status reports, regular reports on key performance indicators, production timelines and calendars, and service reports to record decisions and next steps.
- Participating in evaluations and reporting as directed by the Department.
- Providing access to staff in the company that are well-established and senior.

SECTION 3 – PROPOSAL INSTRUCTIONS AND ADDITIONAL INFORMATION

1. Anticipated Contract Term.

The term of this contract is anticipated to be from May 16, 2022, to May 15, 2024, with the option to extend up to an additional three years in increments determined by the State.

2. Funding.

Total funding available for this project is up to \$2,980,000 for the contract period. Costs, except for out-of-pocket media costs, will be a significant factor in the evaluation of proposals.

The Department reserves the right not to review a proposal if the proposal does not meet the criteria in this Request for Proposals. The Department also reserves the right to award less than \$2,980,000.

3. Mandatory Requirements.

- Responses must be received by the due date and time specified in this RFP.
- Responses must include all required forms and requested documents.
- Responder must have at least two years of experience developing social marketing public health campaigns.
- Responder must make an affirmative statement that it has total annual billings of \$1,000,000 or more.
- Responder must make an affirmative statement that it will comply with the Department's Commercial Tobacco-Free Organizational Commitment.

4. Preferred Skills and Qualifications.

The Department prefers a responder who:

- Has worked on social marketing campaigns in Minnesota.
- Has worked on campaigns focused on youth.
- Has knowledge of diverse Minnesota audiences.
- Is based in Minnesota.

5. Contractor Evaluation.

The Department is committed to rigorously evaluating its marketing and communications efforts to measure progress and identify areas for improvement. The contract for this work will be evaluated annually using the following criteria. These factors, as well as progress made toward achieving departmental goals, are considered for annual contract renewals, new projects, and continuation of work.

- **Goals:** The selected Contractor meets or exceeds work plan process and outcome goals and objectives.
- **Budget:** The selected Contractor completes assignments within the specified budget.
- **Return on Investment:** The selected Contractor delivers significant impact with the Department's resources in meeting communication goals and objectives and helping to advance the Department's mission. The selected Contractor works efficiently to maximize budget, strives to exceed expectation in what is delivered for the money, and acts as a tenacious steward of the Department's budget.
- **Community Engagement:** The selected Contractor includes community stakeholders in planning and developing creative assets and media buys.
- **Timeliness:** The selected Contractor meets or beats deadlines and responds to requests in a timely manner.
- **Counsel:** The selected Contractor anticipates client needs, demonstrates solution-oriented problem-solving ability, provides candid counsel, and works with partners and other vendors as requested.
- **Staff:** The selected Contractor assigns appropriate staff by matching skills, experience, and cultural competency with the assignment. The selected Contractor's staff members serve as ambassadors for the Department and its mission and behave professionally when representing the Department.

- **Organizational Skills:** The selected Contractor uses the State’s time efficiently. Communications are clear, concise, and timely.
- **Creativity:** The selected Contractor consistently demonstrates outstanding creativity in work product.
- **Cultural Competency:** Given the Department’s service to high priority populations and its work to reduce disparities in commercial tobacco use, the selected Contractor consistently demonstrates cultural sensitivity and competency in all elements of its contracted work.
- **Evaluation:** The selected Contractor participates in evaluation efforts.

6. Question and Answer Instructions.

All questions should be submitted no later than the date and time listed in Section 1, Instructions to Responders. The State is not obligated to answer questions submitted after the due date and time for submitting questions.

No personnel are authorized to discuss this solicitation with responders. Contact regarding this solicitation with any personnel could result in disqualification. This provision is not intended to prevent responders from seeking guidance from state procurement assistance programs regarding general procurement questions.

If a responder discovers any significant ambiguity, error, conflict, discrepancy, omission, or other deficiency in this solicitation, please email tobacco@state.mn.us with notice of such error and request modification or clarification of the document.

All questions and answers will be posted publicly at [Youth E-cigarette Prevention and Cessation Initiative: Request for Proposals for Marketing Services \(www.health.state.mn.us/communities/tobacco/initiatives/youth/marketing.html\)](http://www.health.state.mn.us/communities/tobacco/initiatives/youth/marketing.html). Questions and answers will be updated every Tuesday until proposals are due.

7. Additional Tasks or Activities.

Responders are encouraged to propose additional tasks, activities, or goods above and beyond the scope of what is requested in this solicitation if they will substantially improve the results of this procurement. Any costs associated with these additional tasks, activities, or goods should be clearly marked and separated from costs associated with the tasks, activities, or goods specifically requested under this solicitation. Because cost is a factor in the evaluation of responses to this solicitation, failure to separate costs for additional tasks, activities, or goods may result in those costs being included in a responder's cost proposal and result in a lower cost score for that proposal.

SECTION 4 – PROPOSAL CONTENT

Please submit the following information:

- 1) **General Responder Information.** Responder should provide general background information for its organization that includes the number of years the responder has been in business, types of services provided (which must include marketing for public health), number of employees in each of the organization's departments (include an outline of diversity of staff in both experience and cultural representation), and an active client list indicating the length of each client relationship, as well as where MDH would rank on the list in terms of account size.
- 2) **Qualifications and Experience.** Responder should provide an outline of experience with examples of similar work done by the responder and a list of personnel who will conduct the project, detailing their training and work experience, including how the Responder meets the Mandatory Requirements and Preferred Skills and Qualifications listed in above Section 3. Information about project personnel should not, if possible, contain personal telephone numbers, home addresses, or home email addresses. If it is necessary to include personal contact information, please clearly indicate in the response that personal contact information is being provided.

Please also include information that describes the responder's experience in the following areas:

- Developing and implementing brand identities, including but not limited to, brand platform, graphic components and assets like logos, and brand guidelines.
 - Developing, implementing, and measuring content strategies, including but not limited to digital advertising, using data analytics to optimize campaigns, website development, and compliance with the state of Minnesota's accessibility standards. See [Accessibility Policies & Standards \(https://mn.gov/mnit/government/policies/accessibility/\)](https://mn.gov/mnit/government/policies/accessibility/).
 - Developing and implementing a public relations plan, including but not limited to generating earned media, measuring results, building and maintaining relationships with media, and event support.
 - Creating and producing impactful creative, including but not limited to message or concept testing and evaluating effectiveness of creative.
 - Planning, negotiating, and buying media across Minnesota.
 - Effective account management and client service.
 - Evaluating the effectiveness of marketing campaigns targeting diverse audiences, including youth.
 - Collaborating with other organizations.
 - Creating cause-related, social norm and behavior change campaigns or health-related work, preferably on commercial tobacco prevention or cessation.
 - Engaging or working directly with youth in the design and implementation of a media campaign.
- 3) **Work Plan.** Responder should provide a description of the deliverables to be provided by the responder, along with a detailed work plan that identifies the major tasks to be accomplished and that will be used as a scheduling and management tool, as well as the basis for invoicing. **Do not list cost detail.** If cost detail is included for this section, the State may disqualify the proposal as non-responsive. Responder should provide a statement of the objectives, goals, and tasks to show or demonstrate the responder's view and understanding of the nature of the contract.

- 4) **Case Study.** Include one case study demonstrating the development and implementation of a public health social marketing campaign focused on youth. If the Responder does not have a case study focused on youth, they may provide a case study of a public health social marketing campaign focused on a diverse community.

The case study should reflect work completed by the responder with the last five years, and details should include the case's challenge or opportunity, strategic approach, focus audience(s), approach to achieve cultural relevancy in focus audience(s), program elements, results achieved, evaluation, and collateral and work samples.

- 5) **Interview and Strategic Assignment Presentation.** Interviews and a Strategic Assignment Presentation will be completed by proposal finalists, as determined by the Department in accordance with the evaluation process described in Section 5. Finalists will be notified if they will be invited for an interview and to present on the strategic assignment. Finalists will have the opportunity to interview and present their strategic assignment during the week of April 19-20, 2022.

- a) The interview and presentation format will be: Introductions (10 minutes), interview (30 minutes), strategic assignment presentation (30 minutes), and time for questions and answers (20 minutes).
- b) Strategic assignment: For this strategic assignment, assume a new premium energy drink has entered the market and has become wildly popular with youth. The public health and health care communities, as well as school staff and parents, are concerned about consumption of this beverage, particularly among youth, as it contains high amounts of sugar, caffeine, and unhealthy chemical additives. Despite their concerns, youth continue to consume it at high rates – including at home, in school, and even at sporting events.

You've been tasked with providing strategic direction for designing and implementing a campaign to help reduce youth consumption of these beverages. This campaign must also both engage youth to inform its direction and motivate and empower youth to be leaders for healthy change. See Attachment F for more details.

- 6) **Accessibility of Services or Products.** The responder should complete, in an accessible format, the Section 508 and Web Content Accessibility Guidelines (WCAG) sections in a Voluntary Product Accessibility Template (VPAT®) for all software, hardware, and websites (as applicable) as proposed in response to the solicitation. Vendors can use the VPAT form from the [ITIC VPAT site](#). (Under "Resources," select the "508" option, as it contains both 508 and WCAG forms.) For systems with multiple interfaces (such as an admin and user interface), complete a VPAT for each interface. These documents will be scored according to the solicitation evaluation.

Responders are encouraged to reference the "[Vendor VPAT Guidance](#)" in the "Products" tab on the [Accessible IT Procurement page](#) (<https://mn.gov/mnit/about-mnit/accessibility/it-procurement.jsp>) for information and instructions on completing the VPATs. Respondents should also review the related guidance documents on the same site for solicitation reviewers to understand expectations. The responder is strongly encouraged to provide remarks and explanations that both support compliance and detail any deficiencies. Even if you claim "supports," unless there are remarks and explanations, you may score low.

- 7) **Cost Proposal.** Complete and submit Attachment C, "Cost Proposal."
- 8) **Sample Transaction Documents.** Prior to award, a potential successful responder must submit samples of any transaction documents proposed for use under the resulting contract. The State will review the transaction documents to ensure they contain sufficient detail and to review additional terms and conditions contained therein, if any. The State reserves the right to request additional detail in the transaction documents or to reject additional terms and conditions within transaction documents. Once approved by the State, the contractor may not materially change transaction documents unless a change has been approved in writing by the Commissioner of Administration, as delegated to the Office of State Procurement. Any terms and conditions included in transaction documents but not approved by the State are voidable by the State. Any terms and conditions that are in conflict

with Minnesota law or in conflict with the terms of the State Contract are void. Failure to void a non-approved term or condition included in a transaction document does not waive the State's right to void any non-approved term or condition.

- 9) **License Agreements, Maintenance Agreements, or Other Terms and Conditions.** The State may require responder to provide any license agreements, maintenance agreements, or any other terms and conditions relevant to the work under a resulting contract. Review and approval by the State will be required prior to contract execution. In the event responder fails to comply with a request under this provision, responder agrees that it will not seek to enforce terms and conditions of any such agreement against the State. Further, failure to provide any of the pertinent documents upon request may result in the State not agreeing to sign any additional documents, rejecting your response, or cancelling the award.

Submit all requested documentation, including the following documents:

1. Attachment A: Responder Declarations
2. Attachment B: Exceptions to State's Standard Terms and Conditions
3. Attachment C: Cost Proposal
4. Attachment D: Responder Forms
 - a. Veterans Preference Form
 - b. Workforce Certification
 - c. Equal Pay Certificate Form
5. Attachment E: Commercial Tobacco-Free Organizational Commitment
6. Voluntary Product Accessibility Template (VPAT®) Form

DO NOT INCLUDE Non-Public/Trade Secret data (as defined by Minn. Stat. § 13.37).

SECTION 5 – EVALUATION PROCEDURE AND CRITERIA

The State will conduct an evaluation of responses to this solicitation. The evaluations will be conducted using a two-tier scoring methodology described below.

8. TIER 1

8.1 Phase 1 - Responsiveness and Pass/Fail Requirements. The purpose of this phase is to determine if each response complies with mandatory requirements. The State will first review each proposal for responsiveness to determine if the responder satisfies all mandatory requirements. The State will evaluate these requirements on a pass/fail basis.

Mandatory Requirements. The following will be considered on a pass/fail basis:

- Responses must be received by the due date and time specified in this RFP.
- Responses must include all required forms and requested documents.
- Responder must have at least two years of experience developing social marketing public health campaigns.
- Responder must make an affirmative statement that it has total annual billings of \$1,000,000 or more.
- Responder must make an affirmative statement that it will comply with the Department’s Commercial Tobacco-Free Organizational Commitment.

8.2 Phase 2 - Evaluate Responses. Only responses found to have met Phase I criteria will be considered in Phase II.

In Tier 1, responses will be rated as follows:

The factors and weighting on which responses will be judged are:

1. General Responder Information	100 points
2. Qualifications and Experience	300 points
3. Work Plan	350 points
4. Case Study	150 points
5. Cost Proposal	<u>100 points</u> 1000 points
6. Preference Points (if applicable)	60 points (in addition to 1,000 available)

Preferences points are described under Solicitation Terms and will be applied to the total score after points have been awarded. Each responder’s total score in Tier 1 will consist of the technical score (items 1-4 above), cost score (item 5 above), and preference points (item 6 above), if applicable.

8.3 Phase 3 - Shortlist. Each responder will be ranked based on their Tier 1 total score. The State will determine the group of the highest scoring responders by determining the natural break in responders’ scores. Only the highest scoring responders in Tier 1 will advance to Tier 2.

9. TIER 2

9.1 Phase 1 - Evaluate Responders. All responders’ scores will be re-set to zero prior to beginning Tier 2.

In Tier 2, responders will be rated as follows:

The factors and weighting on which responses will be judged are:

- | | |
|--------------------------------------|--|
| 1. Interviews | 300 points |
| 2. Strategic Assignment Presentation | 300 points |
| 3. Cost Proposal | <u>400 points</u> |
| | 1000 points |
| 4. Preference Points (if applicable) | 60 points (in addition to 1,000 available) |

Preferences points are described under Solicitation Terms and will be applied to the total score after points have been awarded. Each Responders' total score in Tier 2 will consist of the technical score (items 1-2 above), cost score (item 3 above), and preference points (item 4 above), if applicable.

9.2 **Phase 2 - Select Finalist(s)**. The State will make its selection based on best value, as determined by this evaluation process. Each responder will be ranked based on their Tier 2 total score. The State will begin negotiating with the highest scoring responder in Tier 2. The State reserves the right to pursue negotiations on any exception taken to the State's standard terms and conditions. In the event that negotiated terms cannot be reached, the State reserves the right to terminate negotiations and begin negotiating with the next highest scoring responder.

It is anticipated that the evaluation and selection will be completed by April 22, 2022.

SECTION 6 – SOLICITATION TERMS

1. Competition in Responding

The State desires open and fair competition. Questions from responders regarding any of the requirements of the Solicitation must be submitted at [Youth E-cigarette Prevention and Cessation Initiative: Request for Proposals for Marketing Services \(www.health.state.mn.us/communities/tobacco/initiatives/youth/marketing.html\)](http://www.health.state.mn.us/communities/tobacco/initiatives/youth/marketing.html) before the due date and time for submitting questions. If changes are made the State will issue an addendum.

Any evidence of collusion among responders in any form designed to defeat competitive responses will be reported to the Minnesota Attorney General for investigation and appropriate action.

2. Addenda to the Solicitation

Changes to the Solicitation will be made by addendum with notification and posted in the same manner as the original Solicitation. Any addenda issued will become part of the Solicitation.

3. Data Security - Foreign Outsourcing of Work is Prohibited

All storage and processing of information shall be performed within the borders of the United States. This provision also applies to work performed by subcontractors at all levels.

4. Joint Ventures

The State allows joint ventures among groups of responders when responding to the solicitation. However, one responder must submit a response on behalf of all the others in the group. The responder that submits the response will be considered legally responsible for the response (and the contract, if awarded).

5. Withdrawing Response

A responder may withdraw its response prior to the due date and time of the Solicitation. For solicitations in the SWIFT Supplier Portal, a responder may withdraw its response from the SWIFT Supplier Portal. For solicitations done any other way, a responder may withdraw its response by notifying the Solicitation Administrator in writing of the desire to withdraw.

After the due date and time of this Solicitation, a responder may withdraw a response only upon showing that an obvious error exists in the response. The showing and request for withdrawal must be made in writing to Solicitation Administrator within a reasonable time and prior to the State's detrimental reliance on the response.

6. Rights Reserved

The State reserves the right to:

- Reject any and all responses received;
- Waive or modify any informalities, irregularities, or inconsistencies in the responses received;
- Negotiate with the highest scoring Responder[s];
- Negotiate with more than one responder if the State anticipates multiple awards;
- Terminate negotiations and select the next response providing the best value for the State;
- Consider documented past performance resulting from a State contract may be considered in the evaluation process;
- Short list the highest scoring responders;
- Require Responders to conduct presentations, demonstrations, or submit samples;
- Interview key personnel or references;
- Request a best and final offer from one or more responders;
- The State reserves the right to request additional information; and

- The State reserves the right to use estimated usage or scenarios for the purpose of conducting pricing evaluations. The State reserves the right to modify scenarios, and to request or add additional scenarios for the evaluation.

7. Samples and Demonstrations

Upon request, responders are to provide samples to the State at no charge. Except for those destroyed or mutilated in testing, the State will return samples if requested and at the responder's expense. All costs to conduct and associated with a demonstration will be the sole responsibility of the responder.

8. Responses are Nonpublic during Evaluation Process

All materials submitted in response to this Solicitation will become property of the State. During the evaluation process, all information concerning the responses submitted will remain private or nonpublic and will not be disclosed to anyone whose official duties do not require such knowledge. Responses are private or nonpublic data until the completion of the evaluation process as defined by Minn. Stat. § 13.591. The completion of the evaluation process is defined as the State having completed negotiating a contract with the selected responder. The State will notify all responders in writing of the evaluation results.

9. Trade Secret Information

9.1 Responders must not submit as part of their response trade secret material, as defined by Minn. Stat. § 13.37.

9.2 In the event trade secret data are submitted, responder must defend any action seeking release of data it believes to be trade secret, and indemnify and hold harmless the State, its agents and employees, from any judgments awarded against the State in favor of the party requesting the data, and any and all costs connected with that defense.

9.3 The State does not consider cost or prices to be trade secret material, as defined by Minn. Stat. § 13.37.

9.4 A responder may present and discuss trade secret information during an interview or demonstration with the State, if applicable.

10. Conditions of Offer

Unless otherwise approved in writing by the State, responder's cost proposal and all terms offered in its response that pertain to the completion of professional and technical services and general services will remain firm for 180 days, until they are accepted or rejected by the State, or they are changed by further negotiations with the State prior to contract execution.

11. Award

Any award that may result from this solicitation will be based upon the total accumulated points as established in the solicitation. The State reserves the right to award this solicitation to a single responder or to multiple responders, whichever is in the best interest of the State, providing each responder is in compliance with all terms and conditions of the solicitation. The State reserves the right to accept all or part of an offer, to reject all offers, to cancel the solicitation, or to re-issue the solicitation, whichever is in the best interest of the State.

12. Requirements Prior to Contract Execution

Prior to contract execution, a responder receiving a contract award must comply with any submittal requests. A submittal request may include, but is not limited to, a Certificate of Insurance.

13. Targeted Group, Economically Disadvantaged Business, Veteran-Owned and Individual Preference

Unless a greater preference is applicable and allowed by law, in accordance with Minn. Stat. § 16C.16, businesses that are eligible and certified by the State as targeted group (TG) businesses, economically disadvantaged (ED) businesses, and veteran-owned businesses will receive points equal to 6% percent of the total points available as preference.

For TG/ED/VO certification and eligibility information visit [Office of Equity in Procurement \(https://mn.gov/admin/business/vendor-info/oep/\)](https://mn.gov/admin/business/vendor-info/oep/) or call the Division's Helpline at 651.296.2600.

14. Reciprocity

State shall comply with Minn. Stat. § 16C.06, subd. 7, as that applies to a non-resident vendor. This paragraph does not apply for any project in which federal funds are expended.