Fiscal Year 2018 – Request for Proposals
Tobacco Enforcement
Baltimore City Health Department

Key Dates:

Information Conference Call: June 6, 2017 10:00-11:00 am,
443-984-1696, Conference ID # 0176712

Letters of Intent: June 12, 2017 11:59 pm

Application Due Date: June 30, 2017 11:59 pm

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I. Background and Process

A. Purpose
Funding for Cigarette Restitution Fund Programs is provided by Maryland Senate Bill 896, passed into law in 2000. Funds are managed by the Maryland Department of Health and Mental Hygiene (DHMH), and granted to 24 local jurisdictions according to population and prevalence of tobacco-related illness. The grant award to Baltimore City is administered by the Baltimore City Health Department (BCHD).

The intent of the Cigarette Restitution Fund Program (CRFP) is to assist local jurisdictions "to reduce tobacco use among women, minority individuals, and individuals under the age of 18 years"\(^1\) and "to increase availability of and access to cessation programs for uninsured individuals and medically underserved populations"\(^2\). The long-term goal is to reduce morbidity and mortality caused by the use of tobacco products. Major components of the CRFP include youth, community, cessation, and enforcement.

The enforcement component of the CRFP is intended to ensure Baltimore City and the State of Maryland are in compliance with federal Synar regulations. In July 1992, Congress enacted the Alcohol, Drug Abuse, and Mental Health Administration Reorganization Act, which includes an amendment aimed at decreasing youth access to tobacco. This amendment, named for sponsor Congressman Mike Synar of Oklahoma, requires states to enact and enforce laws prohibiting the sale or distribution of tobacco products to youth under the age of 18. States must comply with the Synar regulations (no more than 20% non-compliance) in order to receive their full Substance Abuse Prevention and Treatment Block Grant (SABG) awards.

BCHD conducts enforcement checks on tobacco retailers to ensure compliance with Synar regulations and local tobacco control laws, specifically minimum age sales laws prohibiting the sale of any tobacco products, including electronic smoking devices, to youth under the age of 18. Funding available under this RFP supports a vendor who is responsible for employing, supervising, and transporting youth during field enforcement checks using the BCHD tobacco enforcement protocol. The project is fully described in Section II of this RFP.

B. Funds Available
A total of $65,000 is available from July 1, 2017– June 30, 2018 on a cost reimbursement basis using the pay for performance model as specified in Section II part C.

C. Applicant Eligibility
Eligible applicants are nonprofit organizations: government, health advocacy/education, community, religious, health centers, substance abuse/mental health, family planning, prenatal clinics, colleges, universities, senior citizens, and ethnic. Previously-funded vendors must complete their performance measures in order to be eligible for another award.

The following are not eligible:

- Individuals
- National organizations*

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\(^{1}\) Maryland Code, Article - Health - General, Subtitle 10, Section 13-1008(C)(8)
\(^{2}\) Maryland Code, Article - Health - General, Subtitle 10, Section 13-1008(C)(9)
FY18 – GRANT GUIDELINES and REQUEST FOR PROPOSALS
Tobacco Enforcement – Baltimore City Health Department

- For-profit entities
- Prior vendor that did not complete performance measures.

*Local chapters may apply if they meet the definition of a community-based organization, provide the grant-funded activity entirely within the jurisdiction boundaries of Baltimore City, and serve only Baltimore City residents.

D. Information Session
An Information Session will be held (SEE COVER PAGE FOR DATE). Before the Information Session, you may email questions to Emilie Gilde at emilie.gilde@baltimorecity.gov and your questions will be answered at the Information Session.

E. Letter of Intent
An informal letter of intent is requested by email on the Monday following the Information Session (SEE COVER PAGE FOR DATE). The letter is not binding. The Letter of Intent should be sent by email to: emilie.gilde@baltimorecity.gov. While LOIs are requested, organizations that do not submit an LOI may still submit a full application by June 30, 2017.

F. Submitting the Application
Applications are due electronically by June 30, 2017 by 11:59 pm. Applicants must submit the entire application by email as a Word document or PDF. Paper copies will not be accepted. Please submit applications with a required read/received receipt in order to confirm the application was successfully submitted.

Applications received after the due date are late and will not be reviewed. Please do not request an exception to these guidelines.

Send the application to:

Emilie Gilde
Director, Tobacco Use and Cardiovascular Disease Prevention
Office Chronic Disease Prevention
Baltimore City Health Department
Emilie.gilde@baltimorecity.gov

G. Application Review
BCHD will establish a review committee to score the applications. Applications will not be accepted from organizations that are represented on the review committee because of the conflict-of-interest. Each reviewer must sign a Conflict of Interest Assurance for each application reviewed. The Assurance attests that the reviewer is not on the board of the organization nor does the reviewer, or a family member or partner, have a financial or political relationship with the organization and its application.

Numeric evaluation values are assigned to each section (Section I). Three reviewers score each application; these are summed and averaged to achieve a final score. Only applications with an average total score exceeding 60 of the 100 points will be considered for funding. The reviewers will then recommend the highest-scoring application and award letters are provided by the Office of Chronic Disease Prevention.
II. Project Description
The selected applicant will enter into a memorandum of understanding that will delineate responsibilities for the vendor and BCHD.

A. Vendor Responsibilities
The vendor is responsible for recruiting, employing, supervising, and transporting youth under 18 for tobacco sales compliance checks. The vendor will:

1. Recruit youth under the age of 18 and obtain parental consent for participation in the project
2. Verify and provide documentation to BCHD of the youths’ date of births
3. Coordinate youth stings days and times with BCHD tobacco enforcement officers
4. Ensure project staff and youth checkers are available at a minimum of two afternoons a week and one Saturday or Sunday per month for durations of at least 3 hours in the daytime or evening
5. Transport youth during compliance checks (typically youth work in pairs)
6. Provide and track cash for all youth purchases, including the amounts in pocket prior to entering and exiting tobacco retail establishments, including:
   A. Amounts spent on ancillary products such as chips, beverages and other products that serve to normalize the tobacco purchase
   B. Amounts spent on tobacco products
   C. Ensuring youth attempt to purchase tobacco products in the following breakdowns:
      1. Single cigarettes – 20%
      2. Little cigars – 50%
      3. Cigarette packs – 10%
      4. Electronic cigarettes – 10%
      5. Other tobacco products (snus, chewing tobacco, etc.) – 10%
7. Submit timely documentation of the BCHD youth enforcement form and ensure the following articles of evidence are submitted to BCHD using chain of custody protocols:
   A. All tobacco products purchased
   B. Any receipts obtained
   C. End of day photographs of youth holding the tobacco product(s) purchased that identifies their date of birth, date of the compliance check, and the location where the tobacco product was purchased
   D. Other evidence as available and necessary
8. Attend monthly data dashboard meetings with BCHD staff to monitor progress and address/streamline any issues in the field
9. Follow all BCHD enforcement protocols

B. BCHD Responsibilities
10. Employ tobacco enforcement officers and a Synar Coordinator
11. Coordinate compliance locations, routes, and other logistics
12. Track, monitor, and document compliance activity data in the field, once submitted by vendor
13. Collect evidence provided by vendor following chain of custody protocols, including tobacco products, end of day photos, and other evidence as necessary
14. Serve citations to retailers who fail compliance checks
15. Send passing certificates to retailers who pass compliance checks
16. Draft and submit affidavits to Environmental Control Hearing Officers
17. Attend Environmental Control Board hearings and submit evidence
18. Submit repeat offenders to the Maryland State Comptroller’s Office
19. Coordinate and conduct one-on-one retailer education on State and local tobacco control laws
20. Report activities to the Maryland Department of Health and Mental Hygiene
21. Coordinate data dashboard meetings to monitor and track project progress and navigate any field issues.

C. Pay for Performance
The vendor will be reimbursed at the rate of $65 per compliance check performed, documented, and for which all evidence is submitted. Vendors are reimbursed for each tobacco retailer check where underage youth attempt to purchase tobacco products, regardless of whether a tobacco sale occurs. Generally, within a 3 hour period of time 15-25 youth checks can be completed for an estimated $975 - $1625 per daily operation. The amount of time necessary to conduct each check can vary based on a number of factors including weather, number of retailers who sell tobacco to youth checkers, location, and time of day (rush hour traffic, etc.). $65,000 is available for 1,000 compliance checks.

III. Application and evaluation criteria
Please number all pages consecutively, including appendices, use a 12 point font, and set the margins at one inch. The page limit is 8 pages, not including any attachments.

- **Cover Page** – 10 points
  Includes organization name, federal tax ID number, contact person, address, email, and phone number
- **Capability of the Organization** – 20 points
  What is the mission of your organization? What experience do you and/or your organization have in employing and coordinating youth workers?
- **Fiscal and Accounting Procedures** – 10 points
  Who is your financial/accounting officer? Do you undergo an annual audit? Who performs your audits?
- **Workplan** – 40 points
  Describe the organization’s ability to recruit, employ, supervise, and transport youth to conduct compliance checks, including recruitment strategies and staffing plans. Describe the organizations capacity and ability to complete 1,000 compliance checks by June 30, 2018.
- **Budget Template and Narrative**– 20 points
Please use the template in Attachment A in addition to writing a budget justification/narrative. Describe the basis for arriving at your costs. Describe what the staff member or position will do, relationship to other staff, and role in the project. Briefly state why the position or purchase is necessary to support the project.

Up to 7% of the $65,000 can be allocated towards indirect costs, for a maximum of approximately $4,252, for a total direct and indirect cost of $65,000.

III. Contract Terms, Conditions, and Requirements

A. Contract Documents
Every Vendor that receives an award is required to enter into contract with the City of Baltimore. A contract that results from the FY18 awards must be completed, approved and signed by all parties within BCHD and other City agencies (Law Department, Finance, Audits, Board of Estimates, Bureau of Disbursements), and the Vendor, before payment can be disbursed. Payment is a reimbursement for services provided. Payment on an approved contract is processed in response to an approved invoice from the Vendor. These are standard City of Baltimore fiscal and contract procedures.

The following items are conditions of award and must be provided in order to initiate a contract:

- Signatory Letter on your agency letterhead.
- Minority Report and Assurance
- Nonprofit and/or IRS letter; for example: 501(c)(3) or other status.
- Certificate of current liability insurance
- Certificate of good standing: MD Department of Assessments and Taxation
- Budget Forms -- BCHD Forms 432A-I

B. General Terms and Conditions
1. BCHD is responsible for reimbursement of services performed under this program. Payment is based on approved invoices with supporting source documentation. Every effort will be made to make payment under the contract agreement within 45 days of receipt of an invoice.
2. Contractors are required to submit programmatic and fiscal reports to BCHD. Noncompliance may reduce or terminate a contract.
3. BCHD is responsible for the proper stewardship of all grant funds and activities. Vendors are expected to establish sound and effective business management systems to assure the proper stewardship of funds and activities. These systems must meet the requirements outlined by the Office of Management and Budget (OMB) since these standards are followed by the City. The OMB Circulars are available online.
   A. OMB Circular A-110 - Uniform Administrative Requirement for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations. Circular provides vendors with the minimum requirements or
explanations for standards for financial management systems, purpose of: property standards, procurement standards, reports and records, termination and enforcement, and closeout procedures.

B. The following three resources establish principles and standards for determining costs applicable to grants, contracts and other agreements:
   1. OMB Circular A-122 - Cost Principles for Non-Profit Organizations
   2. OMB Circular A-87 - Cost Principles for State and Local Governments
   3. OMB Circular A-21 - Cost Principles for Educational Institutions
   4. Vendor must obtain an audit in accordance with the revised OMB Circular A-133 - Audits of Institutions of Higher Education and Other Non-Profit Institutions.
   5. Compliance with Tax Obligations - Prior to the execution of a contractual agreement, the Vendor must be in Good Standing to do business in the State of Maryland.
   6. Confidentiality - all records and other identifying information should be maintained in a secure place, preferably in locked files.
   7. City of Baltimore contract item- City reserves the right to increase or decrease the award within the funding period related to achievement of contracted goals and objectives.

C. City of Baltimore Contract Requirements
Prospective Vendors must comply with Baltimore City contracting requirements:

1. Insurance- Based on the proposed scope, applicants may be asked to provide proof of professional liability insurance, commercial general liability insurance, criminal liability insurance, and/or business automobile liability insurance. If services of personnel are involved, Workers’ Compensation coverage will be required for work done under the agreement as required by the State of Maryland. Such insurance shall include
   a. Contractual liability insurance;
   b. Sexual and/or physical abuse liability coverage;
   c. For required coverages, the Mayor and City Council of Baltimore, its elected/appointed officials, employees, and agents shall be covered, by endorsement, as additional insureds as respects to: liability arising out of any activities performed by or on behalf of the contractor in connection with the Agreement;
   d. Insurance that is required shall be placed with insurers with a Best's rating of no less than A: VII, or, if not rated with Best's, with minimum surpluses the equivalent of Best's surplus size VII and said insurers must be licensed/approved to do business in the state of Maryland.
2. The contractor shall comply with the City’s conflict of interest policies, non-discrimination policies, unfair labor practice policies as specified in contract.
Attachment A - Budget Template & Narrative

Briefly state why the position or purchase is necessary to support the project. If personnel costs are included, describe what the staff member or position will do, relationship to other staff, and role in the project.

<table>
<thead>
<tr>
<th>LINE ITEMS MAY NOT BE CHANGED</th>
<th>FUNDING REQUEST</th>
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<tbody>
<tr>
<td>SALARIES</td>
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<td>FRINGE</td>
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<td>EQUIPMENT</td>
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<td>PURCHASE OF SERVICE</td>
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<td>FOOD</td>
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<td>OFFICE SUPPLIES</td>
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<td>TRANSPORTATION/TRAVEL</td>
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<td>POSTAGE</td>
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<td>PRINTING/DUPLICATION</td>
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<td>CLIENT ACTIVITIES</td>
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<td>ADVERTISING</td>
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<td>OTHER</td>
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<td>TOTAL REQUESTED FUNDING</td>
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Salary and Fringe Worksheet

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<tr>
<th>JOB TITLE OR CLASSIFICATION</th>
<th>NAME OF PERSON FILLING POSITION</th>
<th>SALARY</th>
<th>FRINGE</th>
<th>% OF TIME DEDICATED TO PROJECT</th>
<th>TOTAL REQUESTED SALARY AND FRINGE</th>
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TOTAL

Budget Justification/Narrative

- Example:
  - NAME, % FTE: JUSTIFICATION
  - Ex: Jane Doe, 25% FTE: Jane Doe is the outreach coordinator for ABC organization. Jane will conduct the proposed education sessions in the target community, coordinating all community outreach, enrollment, and collection of evaluation metrics.
- Insert bullets for each line item requested in the budget template.