

**TOBACCO GRANT PROGRAM
FY 2023-24
REQUEST FOR PROPOSAL
DOJ-PROP56-2023-24-1**



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Attorney General

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I. GENERAL INFORMATION

A. Introduction

This Request for Proposal (RFP) relates to the California Department of Justice (DOJ), Tobacco Grant Program and furnishes grant applicants with the following:

- Information about procedures for preparing and submitting grant proposals
- Information about the selection process
- The Grantee Handbook, which contains more detailed information on certain topics
- A budget template
- A proposal template

Information must be provided as directed. This includes following all instructions, using specific formats and providing all requested information. Failure to provide the required information or to provide the information in the manner directed will disqualify the proposal.

Once an RFP is issued, DOJ staff members may promote the Tobacco Grant Program in general terms and may answer technical questions about the RFP and Grantee Handbook, but may not assist applicants with the preparation or review of proposals. Individuals who serve on DOJ's Tobacco Grant Program Merits Review Committee shall be insulated so that they do not comment on the grant program to any applicant or potential applicant, or respond to questions about the RFP or Grantee Handbook asked by any applicant or potential applicant.

Questions regarding this grant may be directed to TobaccoGrantRFP@doj.ca.gov.

B. Submission of Proposals

APPLICATIONS MUST BE SUBMITTED VIA E-MAIL BY:

DATE: 11:59 p.m. PST on June 21, 2023

E-MAIL Address: TobaccoGrantRFP@doj.ca.gov.

The subject line for email submissions must include the following information in this format:

“PROP56_RFP_PROPOSAL_2023-24_[Agency Name]”

Hard copy proposals sent via mail will not be accepted. All proposals are time stamped upon receipt by DOJ. Proposals received after the deadline shall not be eligible for consideration. It is the responsibility of the applicant to ensure their proposal is **received** by the specified deadline. DOJ will not be responsible for late delivery of a proposal due to mistakes, delays, or technical issues experienced by the applicant or server used by the applicant.

DOJ will not notify applicants regarding omissions nor accept any late additions to proposals. All proposals will be rated solely on timely-submitted content.

All grant applicants must strictly adhere to the following:

- Each proposal must be completed by the applicant in its entirety. Templates for each section are included and must be utilized.
- Proposals must be typed or computer-generated using the application templates provided. Font size shall not be modified.

If the applicant does not adhere to the items listed above, DOJ will disqualify the applicant’s proposal.

C. Funding Priorities and Duration

DOJ’s Tobacco Grant Program application process is highly competitive. To best fulfill its purposes, DOJ will prioritize funding of tobacco-related enforcement operations, specifically retailer education and enforcement, over funding of other expenses, such as School Resource Officers (SRO) or any other type of enforcement personnel on school campuses, vape detectors, expensive signage, and training. Assisting localities with implementation of statewide retail flavor ban (Health and Safety Code § 104559.5 and similar local retail flavor ordinances will be an area of particular emphasis this cycle. Where appropriate, DOJ may award partial grants.

Agencies selected for funding will be funded for either 24 or 36 month terms. The grant period is expected to begin on/about October 1, 2023 and will terminate on the grant expiration date specified in the grantee’s Memorandum of Understanding (MOU).

D. Resolution from Governing Body

Applicants selected for funding must provide a resolution of the applicant’s governing body. The resolution must authorize the applicant to enter into a contract with DOJ and to incur grant-related expenses and receive reimbursement for those expenses. Also, the resolution should expressly authorize future amendments, if any, for the purpose of increasing funding provided in the original contract, without an additional resolution from the governing body.

Once notified of selection, the successful applicant should promptly request the resolution to avoid funding delays (if accepting the award).

E. Proposal Components

The proposal submission must contain the following **required** components in the order listed below. Templates are provided by DOJ and must be utilized.

- Proposal Template
- Budget Detail Template (Excel format)
- Letter of Intent*

* If an applicant agency plans to partner or contract with another agency/entity to achieve the stated goals and objectives, then a letter of intent from the partner agency/entity is required to be submitted with the proposal. If an application involves partnerships between local law enforcement agencies and educational agencies, the application must also explain how the proposed partnerships will focus on tobacco-related restorative support practices rather than punitive consequences for tobacco violations by minors and youth.

Failure to include all information will result in the rejection of the proposal. DOJ will not advise applicants that their proposal is incomplete prior to its rejection.

Applicants will receive an acknowledgement email from DOJ when their submission is received. However, this email is not confirmation the package is complete. An Application Checklist is provided and should be utilized to ensure the applicant is submitting a completed package. Please note, certain aspects of the proposal can result in additional required documents.

F. Eligibility Criteria

In accordance with the State Budget Act and Proposition 56 (i.e. the California Healthcare Research and Prevention Tobacco Tax Act), any local government or local government agency in California that has authority to enforce tobacco-related state laws or local ordinances is eligible to receive funds. This includes agencies which support programs enforcing state and local laws related to the illegal sale and marketing of tobacco products (including e-cigarettes) to minors, investigate those activities, conduct retail compliance checks to reduce illegal sales of tobacco products to minors and youth, or prosecute cases arising from the illegal sales of tobacco products to minors and youth. More information about the eligibility criteria is contained in the Grantee Handbook.

Eligible agencies with an existing Tobacco Grant Program award may submit a proposal to supplement the objectives of their existing award; a proposal for a new award to fund new objectives; or if their grant is expiring, a new grant award.

G. Evaluation Criteria

In accordance with Proposition 56, funds will be awarded to applicants demonstrating the capacity to support and/or hire law enforcement officers for programs which include, but are not limited to: enforcing state laws and local ordinances relating to the illegal sale and/or marketing of tobacco products to minors and youth; and increasing investigative activities and compliance checks of tobacco retailers and online services that deliver tobacco products in order to reduce illegal sales of tobacco products to minors and youth. More information about the evaluation criteria is contained in the Grantee Handbook.

II. PREPARING PROPOSALS

A. General

When completed, the following documents become the proposal to be submitted to DOJ for consideration: Proposal Template and Budget Detail Template. The templates provided with this RFP must be used.

B. Cover Sheet and Signature Page

The Proposal Cover Sheet is the cover page for the Proposal Template. The Cover Sheet must contain contact information for those authorized to submit a grant on behalf of the requesting agency. It must also contain contact information for two separate individuals who are aware of the grant submission. The Proposal Signature Page must contain signatures of those authorized to submit a grant application on behalf of the requesting agency. Both the Proposal Cover Sheet and Signature Page must be filled out in their entirety.

C. Project

The Project is the main body of information. It describes the applicant’s proposed use of funding and the plan to address a community’s problems/issues through appropriate and achievable objectives and activities.

When preparing the proposal, utilize the template provided and address each of the following five areas.

i. Summary – Description of Request

Information in this section must explicitly address the following components.

Description	Describe agency mission, agency size, structure and staffing.
Funding Requested	Dollar amount requested. The amount should match the total from the Budget Detail Template.
Funding Duration	Agency may choose a funding duration of 24 or 36 months.
Goals and Objectives Summary	Goals and objectives in order of highest to lowest priority. They must be measurable and include an anticipated timeline for completion.

ii. Problem Statement – Describe the issues or problems to be addressed with grant funds.

Geographic Area to be Served	Population data, relevant demographic and socio-economic characteristics of the community.
Tobacco Use Rates and Patterns	Rates and patterns of use of tobacco products in the community including youth; the number of tobacco retailers within the jurisdiction; data about sales of tobacco products to minors at stores; data about specific problem locations.
Other Factors	Any other factors contributing to the tobacco problems in the agency’s jurisdiction.

iii. Project Description – Describe the goals and objectives of the proposed project

Goals	List goals in priority order, starting with highest and ending in lowest priority.
Measurable Outcomes	Each goal must include a measurable outcome, and must include either the number of accomplishments (if a quantifiable goal) or desired outcome.
Timelines	Each goal must include a timeline the agency anticipates it will accomplish the stated goal. Goals should be measurable in three-month increments to adequately submit mandatory <u>Quarterly Progress Reports</u> to DOJ.
Narrative Description	Summarize the key characteristics and description of each goal. Include any relevant information DOJ’s Merits Review Committee should take into consideration.

iv. Project Personnel – Describe the staffing required to carry out the grant objectives as supported by the proposed budget.

Personnel Needed to Complete Goals & Objectives	<p>All positions funded under this grant program <u>must</u> be clearly dedicated to tobacco-related work as described under the California Healthcare, Research and Prevention Act of 2016 (Proposition 56). These positions must also provide <u>direct service</u> to grant activities.</p> <p>This section must include personnel titles, a description of duties, and percentage allocation of time attributed to said duties. If an agency intends to redirect existing staff to new tobacco-related duties, the application must clearly describe the current duties and proposed duties of each staff member.</p> <p>If an applicant agency plans to partner or contract with another agency/entity to achieve the stated goals and objectives, then a letter of intent from the partner agency/entity is required to be submitted with the proposal.</p>
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v. Budget – Describe and include all costs associated with this application on the Budget Detail Sheet and in the narrative in this section.

Budget Detail Template	This excel worksheet must clearly describe ALL expenditures the applicant wishes to fund under this grant. All project costs must be reasonable and directly related to the objectives and activities of the project.
Budget Narrative	All costs that are included in the Budget Detail Sheet must be adequately justified in the narrative. All Personnel-related costs must be described in Section II(C)(iv). Any

	costs outside of personnel expenditures MUST be described in this section of the narrative. Any costs identified in the Budget Detail Template that do not have a sufficient justification may be subject to removal or reduced funding.
Travel	All travel-related expenditures are subject to State rates, rules, and regulations. These can be found at: http://www.calhr.ca.gov/employees/Pages/travel-reimbursements.aspx . Rates are subject to change without notice.
Restricted Items	<p>Unallowable expenses include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Ammunition • Awards • Award Certificates or Ribbons • Balloons • Briefcases • Calendars (Decorative) • Cleaning supplies • Coffee pots and supplies • Eating utensils • Facilities lease/rent • Fans or heaters • Firearms and related accessories (scopes, holsters, racks, etc.) • Food, beverages, and any other consumables (including for meetings/conferences) • Gift cards • Hand sanitizer • K9 • Kleenex/tissue paper • Luggage • Luggage carriers • Pepper spray • Personalized products used to advertise an agency and/or programs (e.g., pens, magnets, drawstring bags, etc.) not specific to anti-smoking/anti-tobacco campaigns. Note: any products in this category require prior approval from the Tobacco Grant Program. • Picture frames • Refrigerators • Uniforms and standard complement items (Battle Dress Uniforms, vests, boots, etc.) • Vehicles and/or vehicle trailer purchases (vehicle usage, leases, fees, and mileage/fuel reimbursement are allowable).

Other Funding Sources	If the agency currently receives funding for similar work, describe the other funding and explain how the proposed funds will not supplant the existing funding.
Previous Award(s) Narrative	If the agency received a previous Tobacco Grant award(s) from DOJ, a narrative MUST be provided in this section. Describe the agency's previous award(s) and the successes and challenges. Include the impact of the agency's previous actions (relevant to the previous grant award(s)) on tobacco use by minors and youth and the impact of enforcement actions. Describe any interaction between this proposal and previous award(s).

III. SELECTION OF PROPOSALS FOR FUNDING

A. Administrative Review

All grant applications will be reviewed by an independent reviewer upon submission to DOJ to ensure all requirements are met under Sections I and II of the RFP. This administrative review will render a pass/fail score. Any proposals which do not meet the requirements of the RFP will fail and will not proceed to the Merits Review Committee.

B. Merits Review

All grant applications which pass the administrative review will move forward to the merits review. The Merits Review Committee will be comprised of four individuals selected by the Attorney General or their designee, to read, evaluate, and rate all proposals that pass administrative review.

The committee will consist of a senior member of DOJ's policy staff, a member (peace officer) of the Division of Law Enforcement, a member of DOJ's Budget Office, and a member of DOJ's Healthcare, Rights and Access Section, Tobacco Unit. The committee will receive instruction, as set forth below, regarding scoring. Each committee member will make a written declaration, prior to reviewing any proposal, regarding the confidentiality of the procedure and attesting to the absence of a conflict of interest.

The committee members will score each application which passes administrative review. The initial assessment will be whether or not the proposed project is within the scope of the Tobacco Grant Program. If the project is within the scope, it will be scored according to the following criteria: (1) the problem to be addressed; (2) the proposed project, its goals and objectives, and the extent to which the proposed project addresses the problem in a manner that does not focus on punitive measures against minors/youth and promotes restorative practices; (3) the relevant experience of the personnel

required to implement the project; (4) the completeness, accuracy, and reasonableness of the estimated budget; and (5) the capacity of the applicant to achieve its stated goals and objectives. In assessing the capacity, committee members may consider indicators of community support for the proposed project. Examples include letters of stakeholder support and information about the applicant's community outreach efforts, as well as prior compliance under other mandates. In assessing capacity of an applicant that is a party to an existing/prior grant agreement, committee members shall consider the applicant's historical performance under the existing/prior grant agreement. The committee members may score based on individual review of the proposals, discussion with other members of the committee, or a combination thereof. A committee member may ask DOJ staff for additional information relevant to scoring an application and staff may provide this information; such information shall be provided to all committee members.

More information about the evaluation criteria is contained in the Grantee Handbook.

C. Selection

The Merits Review Committee's recommendations for funding will be submitted to the Attorney General or designee for final selection.

IV. PROCESSING AND FINALIZING GRANT AWARDS

A. Processing of Grant Award

- i. The following are the steps DOJ will take in processing grant proposals and awards:
 - a. DOJ receives proposals.
 - b. DOJ performs administrative review.
 - c. Merits Review Committee reads and evaluates proposals.
 - d. Merits Review Committee submits scoring and recommendations to DOJ staff. Staff submit the results of the administrative review, and the scoring and recommendations of the Merits Review Committee to the Attorney General for approval.
 - e. Attorney General approves or modifies final recommendations.
 - f. DOJ sends selection notification letters to all applicants, both successful and unsuccessful.
 - g. Upon receipt of the Letter of Intent from the awarded agency, DOJ emails the MOU to successful grant applicants for signature. Applicants execute and return the MOU, with the required award summary document, resolution of the governing body, and Government Taxpayer ID form.

- h. DOJ reviews completed MOUs from awarded agencies and signs completed forms.
- i. DOJ sends fully-executed copy of MOU to applicant with further instructions on the reimbursement process.

B. Project Funded

Applicants selected for funding must retain a copy of this RFP and the Grantee Handbook as these materials set forth the requirements for the entire grant award period. The grant award is based on this RFP, Grantee Handbook, the proposal and all documents referenced therein, the completed MOU, and any other documents duly incorporated.

V. SAMPLE GOALS AND OBJECTIVES

The patterns of use of tobacco products in California are increasingly uneven. For example, smoking rates vary widely depending on age, race, national origin, education, income, sexual identification, and region. There are also variations in the use by minors and youth of different types of tobacco products, depending on the community. For example, in some communities, minors and youth may tend to use chew, while e-cigarettes or cigarillos may be popular in others. DOJ encourages applicants to consider strategies that reduce illegal sales and marketing of all tobacco products to minors and youth, and that take into account these variations as they exist locally.

DOJ provides the following sample goals and objectives to help guide applicants and give ideas upon which to build. Applicants may incorporate those that will help solve local problems. DOJ encourages applicants to develop their own strategies to address these problems. Other resources that applicants might find helpful include the California Department of Tax and Fee Administration list of licensed corporate retailers <https://www.cdtfa.ca.gov/taxes-and-fees/cigarette-licensees.htm>, the Food and Drug Administration retailer compliance database https://www.accessdata.fda.gov/scripts/oc/inspections/oc_insp_searching.cfm, and the reports of the California Department of Public Health Tobacco Control Branch <https://www.cdph.ca.gov/Programs/CCDPHP/DCDIC/CTCB/Pages/Data.aspx>.

Sample Goals and Objectives:

- Identify and target problematic retailers of tobacco products.
- Conduct #_____ tobacco-related enforcement operations targeting licensed retailers.
- Conduct #_____ post-enforcement operations targeting non-compliant retailers.
- Conduct #_____ tobacco-related enforcement operations targeting locations where smoking is prohibited.
- Survey and conduct #_____ enforcement operations targeting hookah bars and lounges, particularly relating to sale or service to minors or in areas near college campuses.

- Conduct #_____ "shoulder tap" or other operations involving the furnishing of tobacco products to minors from non-commercial sources.
- Conduct #_____ local tobacco retail license inspection operations.
- Conduct #_____ operations involving the sale of single cigarettes ("loosies").
- Conduct #_____ operations involving the sale of tobacco products in violation of local ordinances, e.g., flavored products, minimum pack size, coupons, samples, etc.
- Conduct #_____ retailer education meetings focusing on furnishing of tobacco products to minors.
- Install #_____ vape detectors in school locations and track alerts and outcomes.
- Create a tobacco cessation or diversion program for students.
- Establish procedures for safe storage and/or disposal of e-cigarettes.
- Increase communication and involvement with youth regarding underage tobacco use.
- Install #_____ signs to inform public of state and local no smoking laws.
- Provide roll call training on tobacco-related issues for all sworn personnel on a regular basis.
- Conduct #_____ tobacco enforcement operations targeted at Internet retailers.
- Develop and implement a retailer diversion program for tobacco-related violations.
- Develop and implement a multi-agency task force, a multi-jurisdiction task force, a community task force, or a multi-issue task force, to identify and address local tobacco-related issues.

VI. FAQs ABOUT DOJ'S TOBACCO GRANT PROGRAM

Is it worthwhile for a small agency in a small city to apply for these funds?

Yes. Previous grantees are from all over the state and include many small cities and rural counties. Lists of previous grantees by award year may be found under the "Grantees" heading on the [Tobacco Grant Program](#) page.

This program looks like it is only for police or sheriffs. Can a local government agency apply?

Police and sheriff's departments are not the only eligible local law enforcement agencies. If an agency enforces a local ordinance or state law relating to tobacco, e.g., inspects tobacco retail licenses or enforces rules against smoking in public areas, it is eligible to apply. If a city, county or public educational institution has a law enforcement branch or function, it is eligible to apply. However, funding for enforcement personnel on school campuses is not a priority in this funding cycle. Agencies charged with implementation of the statewide retail flavor ban (Health & Safety Code § 104559.5) and similar local retail flavor ordinances are encouraged to apply.

Can this grant funding be used for cannabis, alcohol, opioids, or any number of other issues that are big problems? Hardly any kids smoke cigarettes any more.

No. Tobacco remains one of our most serious public health issues. Further, tobacco use often tracks other issues that are of great concern. Addressing tobacco problems has additional benefits that go beyond cigarette smoking. California law defines "tobacco

products” more broadly than just cigarettes – it includes e-cigs, flavored cigarillos, blunts, etc. In many communities, the number of kids using vape products has increased faster than the number of kids using cigarettes has decreased.

It is difficult for a small jurisdiction to conduct effective minor decoy operations. Does this program fund other types of enforcement?

Yes. Funds are available for many different types of tobacco-related enforcement activities, not only for undercover buy operations. DOJ encourages joint partnerships amongst neighboring jurisdictions through contracts, e.g., several adjoining rural counties could collaborate on joint operations using shared enforcement personnel and a local community group. A law enforcement agency could contract with another organization to perform work in support of enforcement efforts. There are many options. If your agency does elect to contract for services and you are awarded, DOJ must receive the contract for review to ensure that all expenses are reimbursable.

Kids get tobacco from friends, or older siblings, or the internet. How does doing more undercover buys at retailers address that reality?

Minors get tobacco products from many sources and DOJ seeks to fund a wide range of enforcement activities – not only undercover buys at brick and mortar retailers. Other funded activities might include undercover internet buys, retailer education, and community outreach by law enforcement.

If a community already has a robust tobacco retailer inspection and education program, will DOJ fund other activities?

Yes. Prop. 56 provides funding to support local law enforcement officers in programs that include, but are not limited to, enforcing state and local laws relating to tobacco. Thus, if other activities will support tobacco enforcement in the community, those activities may be eligible – ranging from paying for anti-tobacco posters on bus benches on routes taken by young people, erecting no smoking signs at parks and playgrounds, developing a retailer diversion program, and enforcement in hookah lounges. DOJ’s grant program gives fiscal support to local agencies to pursue activities that will produce results in their communities and to encourage approaches that do not increase punitive consequences to minors/youth and instead focus on restorative and supportive practices.

Officers and inspectors cite retailers, but the district or city attorney never prosecutes for tobacco-related violations. Can the tobacco grant program help?

Yes. Funds are available for the prosecution of tobacco-related violations, in a judicial or administrative venue. These funds should not be used, however, to increase punitive consequences for minors/youth.

My agency currently has a Tobacco Grant award through DOJ. Can we apply again?

Yes. However, the Merits Review Committee will take into consideration the current award activities from the existing grant. If you are applying for another grant that will

overlap with your current grant, the proposal must include a different project with different goals for the overlap period. An overlap of funds to perform the same functions will not be approved.

Can our proposal include a media campaign?

Yes, media campaigns coordinated with the local school district or community youth programs will be considered. Consideration will be granted dependent on scope of campaign and depth of audience.