

**CITY OF LOS ANGELES  
OFFICE OF THE CITY CLERK  
NEIGHBORHOOD AND BUSINESS  
IMPROVEMENT DISTRICT DIVISION**

# **REQUEST FOR QUALIFICATIONS**

**SEEKING CONSULTING FIRMS  
QUALIFIED IN THE AREA OF  
BUSINESS IMPROVEMENT DISTRICT  
FORMATION**

**August 27, 2015**

## TABLE OF CONTENTS

|                                       | <u>PAGE</u> |
|---------------------------------------|-------------|
| I. PURPOSE                            | 1           |
| II. INTRODUCTION                      | 1           |
| III. DEFINITIONS                      | 1           |
| IV. QUALIFICATIONS                    | 3           |
| V. ELIGIBILITY                        | 4           |
| VI. SCOPE OF WORK                     | 5           |
| VII. CONTRACT TERM AND AMOUNT         | 8           |
| VIII. ADDRESS FOR SUBMISSION          | 8           |
| IX. SUBMISSION REQUIREMENTS           | 9           |
| X. ADDITIONAL SUBMISSION REQUIREMENTS | 11          |
| XI. PROPOSAL EVALUATION PROCESS       | 17          |
| XII. QUESTIONS                        | 18          |
| XIII. ATTACHMENTS                     | 19          |

## I. PURPOSE

The City of Los Angeles wishes to create a List of pre-qualified Consultant Firms experienced in the creation of successful business improvement districts. The City of Los Angeles is committed to ensuring that the whole process is conducted in a fair, open and transparent manner. The purpose of this Request for Qualifications (RFQ) is to determine whether or not respondees meet the qualifications to be added to the List. levels of private sector interest in the Project and, if possible, to shortlist proponents who demonstrate appropriate qualifications to carry out the Project. This RFQ includes sufficient summary level information to assist proponents in preparing their RFQ Submission.

## II. INTRODUCTION

The City of Los Angeles is creating an updated List of Qualified Consulting Firms (“List”) experienced in the area of business improvement district (“BID”) formation. Qualified Firms placed on the List will receive copies of Request for Proposals for services related to the establishment of business improvement districts in the City of Los Angeles as they are released and given the opportunity to submit proposals for award of contracts for each project. Consulting Firms interested in being added to the List may respond to this Request for Qualifications and the City Clerk will determine whether or not they meet the qualifications to be added to the List.

## III. DEFINITIONS

- A. **“ADMINISTRATIVE CONTRACT”** means a contract between the CITY of Los Angeles and the NON-PROFIT ORGANIZATION approved by CITY Council to provide services to the BID if the proposed BID is established by CITY.
- B. **“ASSESSMENT BALLOT”** means a document that meets the requirements of California Government Code Section 53753(c). The ASSESSMENT BALLOT may be generated by the CITY CLERK in a format that can be tallied electronically through a document imaging process.
- C. **“BEST PRACTICES”** means professional procedures for BID formation and establishment that are deemed as being correct or most effective by the CITY.
- D. **“BEST PRACTICES SEMINAR”** means a presentation by the CITY CLERK regarding the correct or most effective professional procedures for BID formation and establishment. Personal attendance at all BEST PRACTICES SEMINARS is mandatory for CONSULTING FIRMS KEY PERSONNEL.
- E. **“CITY”** means the City of Los Angeles, California, a municipal corporation.

- F. **“CITY CLERK”** means the City of Los Angeles’ Office of the City Clerk. CITY CLERK may be used interchangeably with “CITY.”
- G. **“CONTRACT”** means the particular CONTRACT awarded as a result of an RFP process to select a Consulting Firm for BID formation and executed by a CONSULTING FIRM and CITY, of which the original RFP, including the Standard Provisions for City Contracts and Certifications, are a part.
- H. **“CONSULTING FIRM”** means the person, partnership, firm or corporation, to whom CITY awards a CONTRACT as a result of an RFP process to form a BID.
- I. **“DATABASE”** means a spreadsheet in a Microsoft Office Excel spreadsheet electronic format that includes, but is not limited to, the following information: Assessor’s Parcel Number, current name of property owner, situs address, parcel and/or improvement measurements (as applicable), individual assessment amounts, the total assessment amount and that has been reviewed for current business and/or property owner information.
- J. **“ENGINEER’S REPORT”** means a document prepared by a REGISTERED PROFESSIONAL ENGINEER, which, at a minimum, incorporates information detailed in Section VI (D) of this RFQ.
- K. **“FEASIBILITY STUDY”** means a report created by CONTRACTOR which provides documented support for the possibility of forming a BID within a specific area which may include part or all of the TARGET AREA.
- L. **“KEY PERSONNEL”** means personnel that may be assigned to work on any projects with the City.
- M. **“MANAGEMENT DISTRICT PLAN”** means a document that meets the requirements of California Streets and Highways Code Section 36622 and any State or local requirements.
- N. **“NON-PROFIT ORGANIZATION”** means a California non-profit 501(c) organization legally operating within the State of California, and physically located within the vicinity of the BID area, and who has an interest in the BID and who is capable of administering the services to be located in the BID.
- O. **“PETITION”** means a document signed by a property owner signifying support for the establishment of a business improvement district in which the property owner will be a potential assessee.
- P. **“POTENTIAL ASSESSEE”** means any person who might be responsible for the payment of an assessment should the proposed BID be established.
- Q. **“PROPONENT GROUP”** means the core group of community members leading the effort to establish the BID.

- R. **“PROPOSAL”** means a formal written response prepared and delivered in accordance with an RFP.
- S. **“REGISTERED PROFESSIONAL ENGINEER”** means an engineer registered pursuant to the Professional Engineers Act (Chapter 7 of Division 3 of the California Business and Professions Code).
- T. **“REQUEST FOR PROPOSAL (RFP)”** means this document, which is used by the PROPOSERS as a basis for preparing and submitting their PROPOSAL.
- U. **“TARGET AREA”** means the geographic area which was identified through City Council action as having possible potential to be, in part or in whole, within a feasible BID boundary.
- V. **“WORK”** means services, labor, and/or materials provided to CITY according to contract provisions.

#### **IV. QUALIFICATIONS**

This Request for Qualifications seeks to create a List of Firms with the following skills, knowledge and expertise:

- A. Knowledge of State of California laws (Streets and Highways Code, Government Code and State Constitution) relative to the establishment of business improvement districts;
- B. Experience working with property and business owners, community leaders, non-profit organizations and public officials;
- C. Experience in community redevelopment and revitalization;
- D. Experience in building consensus and gaining support through the use of community meetings, focus groups, surveys, and other outreach methods;
- E. Experience in determining the feasibility of success implementation of projects and providing a report detailing the findings of how and why a project is feasible;
- F. Knowledge of key components required for the formation of business improvement districts, including but not limited to:
  - 1. Assessment Methodologies;
  - 2. BID improvements, services, and activities;

3. Budget development;
  4. Preparation of a MANAGEMENT DISTRICT PLAN and ENGINEER'S REPORT, if necessary;
  5. Property and business data collection and compilation, and DATABASE development;
  6. PETITION and ASSESSMENT BALLOT Drives;
  7. CITY requirements.
- G. Knowledge of legal requirements in establishing a California non-profit 501(c) organization with experience in organization formation procedures such as; filing for incorporation with the State of California, filing for tax-exempt status with the United States Internal Revenue Service, creation of organization bylaws, etc.
- H. Knowledge of BID Administration, including but not limited to: the California Public Records Act ("CPRA"), the Ralph M. Brown Act ("Brown Act") (Cal. Government Code Sec. 54950 et seq.) requirements, researching and selecting vendors for services and providing insurance, aiding the Board in advertising and selecting an Executive Director.

## **V. ELIGIBILITY**

Submittals will be accepted only from Firms that meet the following standards:

- A. Are qualified to conduct business in the State of California;
- B. Are qualified to conduct business in the City of Los Angeles, have a current Business Tax Registration Certificate with the City of Los Angeles, and are in good standing with regard to payment of business taxes;
- C. If the Firm is a corporation or limited liability company, then it must be in good standing with the Secretary of State;
- D. Have not been determined to be non-responsible or been debarred by the CITY pursuant to the Contractor Responsibility Ordinance, and not currently on probation status in any CITY contract;
- E. Have not been debarred by the federal government, State of California, or local government; and

- F. Are not restricted by any other reason that would prohibit the Firm from contracting with the CITY.
- G. Have successfully established a business improvement district in the State of California.
- H. Agree to personally attend at least one of each Best Practices Seminars presented by the City Clerk regarding BIDs.
- I. Agree to submit the first draft of the Management District Plans for new BIDs by July 15<sup>th</sup> and renewal BIDs by August 1<sup>st</sup> twelve (12) months prior to the County Assessor submissions deadlines.

## **VI. SCOPE OF WORK**

The Scope of Work for BID formation projects with the CITY include, but are not limited to the following listed below. All references to a REGISTERED PROFESSIONAL ENGINEER are applicable only for property-based BIDs.

- A. Determine the feasibility of establishing the proposed BID or any alternative to the proposed BID that would provide basic services similar to those that would be provided by a business improvement district and submit a report of feasibility to the Office of the City Clerk;
- B. Develop, implement, and document a process that actively engages all POTENTIAL ASSESSEES, to include (at a minimum) property owners, property management businesses, community leaders, and elected officials to educate and build a consensus for the establishment of the BID;
- C. Assist the PROPONENT GROUP through the legislative and other CITY processes necessary for the establishment of the BID, if a BID is determined to be feasible;
- D. Have a REGISTERED PROFESSIONAL ENGINEER on staff, or subcontract with one, to perform all necessary services under the contract. The REGISTERED PROFESSIONAL ENGINEER'S duties, if applicable, shall include, but not be limited to:
  - 1. Preparation of a detailed ENGINEER'S REPORT, which:
    - a. Is a complete and stand-alone document;
    - b. Identifies all parcels that will have a special benefit conferred upon them and upon which an assessment will be imposed;
    - c. Identifies with particularity any CITY properties contained in the proposed BID;

- d. Identifies and defines special and general benefits;
  - e. Separates the general from the special benefits conferred on each parcel and calculates the percentage and dollar amount of general benefit derived from BID services and activities;
  - f. Provides evidentiary support for all assessments to be imposed on each parcel;
  - g. Clearly identifies benefit zones and differences in assessments;
  - h. Identifies all formulas used to calculate assessments for each parcel;
  - i. Provides clear and convincing evidence to support any finding or conclusion that publicly-owned parcels actually receive no benefit, and are therefore exempt from assessment;
  - j. Demonstrates that the assessment imposed on each parcel does not exceed the reasonable cost of the proportional special benefit conferred;
  - k. Identifies the percentage of the total assessment CITY will pay under the proposed BID;
  - l. Specifies the total assessment amount CITY will pay for each proposed year of BID operation;
  - m. Complies with all applicable law requirements.
2. Consultation with the CITY CLERK in the initial stages of the BID boundary formation process, which includes informing the City Clerk of potential boundaries before the feasibility report is prepared, submitting a draft of the ENGINEER'S REPORT to verify and support the boundaries, assessment formulas, and assessment methodology contained in the BID MANAGEMENT DISTRICT PLAN, described herein, and in the development of the BID MANAGEMENT DISTRICT PLAN, including the possible inclusion of CITY-owned property.
- E. Consult with the CITY CLERK and the REGISTERED PROFESSIONAL ENGINEER, if applicable, to develop a BID MANAGEMENT DISTRICT PLAN that includes, but is not limited to:
- 1. The proposed BID's Governance/Management structure;
  - 2. Assessment formula and methodology, including the formulas and methods used to assess any specified CITY-owned property within the BID, if applicable, supported and accompanied by the ENGINEER'S REPORT;
  - 3. Assessor Parcel Numbers, supported and accompanied by, if applicable, the ENGINEER'S REPORT;
  - 4. Appeal process during BID operation, if applicable;



5. Annual budget for each year of operation, including the general benefit amount and actual assessment amount incorporated into each annual budget;
  6. Initial year operating budget;
  7. BID improvements and activities;
  8. Assessment boundary and benefit zone map(s), in accordance with California Streets & Highways Code Section 36622 or other applicable laws, if applicable, supported and accompanied by the ENGINEER'S REPORT.
- F. Submit drafts of the following documents to the CITY CLERK for review, and refrain from releasing any of these documents to non-CITY CLERK personnel without written CITY CLERK approval:
1. ENGINEER'S REPORT, if applicable;
  2. MANAGEMENT DISTRICT PLAN;
  3. PETITION;
  4. ASSESSMENT BALLOT;
  5. Any other documentation required by the CITY CLERK.
- G. Evaluate potential boundaries with the assistance of a REGISTERED PROFESSIONAL ENGINEER, identify potential benefit zones within the proposed BID (if appropriate), and make recommendations to the PROPONENT GROUP;
- H. Create, implement, and execute communication and marketing programs aimed at developing a consensus of support for the establishment of the BID;
- I. Coordinate and attend all necessary meetings with POTENTIAL ASSESSEES and the CITY CLERK;
- J. Work with representatives of the CITY Council to gain authorization for the establishment of the BID, if a BID is determined to be feasible;
- K. Provide an updated current DATABASE satisfactory to the CITY CLERK, and update the DATABASE as needed;
- L. Provide a map and a description of the BID boundaries to the CITY CLERK as required by California Streets & Highways Code Section 36622 or other applicable laws;
- M. Advise the CITY CLERK of all CITY-owned and Government-owned properties that may be included in the proposed BID as soon as such information is known;

- N. Prepare and deliver, in a form acceptable to the CITY CLERK, property assessment data or other information required by the CITY CLERK to bill for any assessments that may be imposed;
- O. Create and manage the proposed BID PETITION Campaign and ASSESSMENT BALLOT Drive;
- P. Provide additional periodic status reports or intermittent progress reports in a timely fashion as requested by the CITY CLERK and CITY Council members or their authorized representatives;
- Q. Assist in the creation of a non-profit organization, which would serve as the owners' association that administers the BID, in accordance with California Streets and Highways Code § 36614.5 or other applicable laws, and;
- R. Work with BID Board to ensure operating non-profit organization has bank account establishment, compliance with Brown Act requirements, insurance as required by City policy, and an executed administration contract with the CITY CLERK.

## **VII. CONTRACT TERM AND AMOUNT**

The Firms placed on the List resulting from this RFQ will be sent Request for Proposals that are released for services relative to the establishment of business improvement districts in the CITY. The term of the contract awarded for each project will be for approximately twenty-four (24) months for an amount determined by the CITY, but not to exceed \$40,000. Matching funds may be requested of the BID proponent group and may be paid for tasks completed after City Council establishment of the BID, but the total amount of the contract with matching funds will not exceed \$80,000. The CITY reserves the right to extend the term and/or vary the amount of each contract as deemed necessary. The Firm awarded each contract will be required to comply with the CITY's Standard Provisions for City Contracts. See Section X(D) below.

## **VIII. ADDRESS FOR SUBMISSION**

**ALL SUBMITTALS MUST BE RECEIVED AT THE ADDRESS BELOW :**

Office of the City Clerk  
Neighborhood and Business  
Improvement District Division  
200 North Spring Street, Room 224  
Los Angeles, CA 90012

## **IX. SUBMISSION REQUIREMENTS**

This section identifies the information to be submitted in response to this RFQ and the order in which it shall appear in your submittal:

### **A. Cover Letter**

Each submittal must include a cover letter. The cover letter must include the title, address, telephone number, and e-mail address of the person(s) authorized to represent the Firm regarding all matters related to the submittal.

### **B. Qualifications**

The submittal shall include a narrative detailing the qualifications of the Firm, including skills, knowledge and abilities to perform work related to the establishment of business improvement districts. Additionally, the submittal must include documentation supporting that the qualifications in Section IV of this RFQ are met. Documentation may include, but is not limited to, examples with each subsection as indicated:

- a. LAWS – identify and list the actual laws that apply to BID formation.
- b. PUBLIC OFFICIAL AND PROPERTY OWNER INTERACTION – summarize all experience and provide documentation of a recent example (i.e.; xxxxxxx)
- c. COMMUNITY REDEVELOPMENT – summarize all experience and provide documentation of a recent project.
- d. SUPPORT DRIVES – summarize all experiences and provide thorough documentation of a specific outreach campaign.
- e. FEASIBILITY – summarize your methods of determining feasibility and supply a copy of a recent feasibility report.
- f. DISTRICT FORMATION – list all BIDs that have been established in the State of California by the Firm and all BID formation projects in which the Firm has been engaged.
- g. NON-PROFIT CREATION – identify the steps to creating a non-profit in California. Provide examples of organizations created by your Firm.

- h. BID ADMINISTRATION – summarize your Firm’s knowledge and compliance of the Brown Act.

C. Eligibility

The submittal shall include copies of documents which prove or pledge that the Firm is eligible to be a consultant:

- a. Copy of your Certificate of Status from the State of California;
- b. Copy of your BTRC;
- c. Affidavit statement that you are in good standing;
- d. Statement that you are able to work with the City of Los Angeles (attachment A);
- e. Statement that you are not barred from government work (Attachment B);
- f. Statement that you are not restricted from contracting (Attachment C);

NOTE: Firms that declare eligibility and are subsequently found to be ineligible will be rejected and may be prevented from future filings.

D. List of Projects and References

- a. The submittal shall include a list of past and ongoing relevant projects along with a narrative describing the details of the project, location and timeframe. Also include name and contact information of a reference person(s) for each project listed;
- b. The submittal shall include a sample of the Firm’s most recent completed management district plan and engineer’s report.

E. Key Personnel

The submittal shall identify, by name, title, key personnel that may be assigned to work on any projects with the City.

F. Business Organization

The submittal shall include an overview of the Firm including the following information:

1. Date Firm was established;
2. Location of headquarters;
3. Website address, if applicable;
4. Total number of employees;
5. Brief history and Description of Firm.

G. Litigation Disclosure

The submittal shall contain information clearly identifying any past or current litigation that the Firm was/is involved in which also involves or involved the CITY.

H. Best Practices for Consultants Workshop

Agree that the Firm's KEY PERSONNEL will attend a Best Practices for Consultants Workshop.

**X. ADDITIONAL SUBMISSION REQUIREMENTS**

Firms submitting responses to this RFQ agree to the following:

A. Period for Acceptance of Offer

In compliance with this RFQ, the proposer agrees to perform the services required at the prices and costs offered, within the time specified in the delivery performance schedule, if the offer (i.e., its Management, Technical and Cost Offers, collectively) is accepted and the proposer is selected for award of contract. The proposal shall include a statement that affirms that the minimum period for acceptance of the offer will expire no earlier than 90 days after submission of the offer.

B. Disposition of Proposals

All proposals submitted in response to this RFQ shall become the property of the City and may be subject to disclosure under the California Public Records Act ("CPRA") (Cal. Government. Code Sec. 6250 et seq.) or the Ralph M. Brown Act (the "Brown Act") (Cal. Government Code Sec. 54950 et seq.).

Proposers must identify all trade secrets or other intellectual property (collectively, "Proprietary Information") in the RFQ response that the proposer claims is exempt from the CPRA. In the event a proposer claims such an exemption, the proposer is required to state in the proposal that: "The proposer will indemnify the City and hold it harmless from any claim or liability and defend any action brought against the City for its refusal to disclose copyrighted material, trade secrets, or other proprietary information to any person making a request therefore."

Failure to include such a statement shall constitute a waiver of the proposer's right to exemption from disclosure and authority for the City to provide a copy of the proposal or any part thereof to the requester.

All proposals, whether or not including information that the Firm proposing considers exempt from the California Public Records Act (CPRA), shall include the following signed statement in their proposal:

"I have read and understand Section XI(B) of the RFQ regarding "Disposition of Proposals" and agree that the City may release any materials and information contained in the proposal submitted by the undersigned's Firm in the event that the required hold harmless statement is not included in the proposal."

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Signature of person authorized to bind Firm

Proposers claiming exempt Proprietary Information must also provide an unbound copy of their proposal that does not contain any Proprietary Information. The City reserves the right to make an independent determination as to whether any information that is claimed to be exempt from the CPRA or the Brown Act is actually entitled to such exemption.

C. Non-Collusion Statement

With each proposal, a signed statement (see Attachment, the "Proposal Signature Declaration Page") shall be submitted by the proposer that: (1) the proposal is genuine, not sham or collusive; (2) the proposal is not made in the interest or on the behalf of any person not named therein; (3) the proposer has not directly or indirectly induced or solicited any person or Firm to submit a false or sham proposal or to refrain from proposing; or (4) the proposer has not in any manner sought by collusion to secure an advantage over any other proposer.

D. City Contract Requirements

- a. Insurance Requirements, Gen. Liability and Workers Comp (EXHIBIT1)
- b. Compliance with Child Support Obligations (EXHIBIT 2)

- c. Living Wage Ordinance Compliance (EXHIBIT 3)
- d. Americans with Disabilities Act Compliance (EXHIBIT 4)
- e. Contractor Responsibility Questionnaire & Pledge of Compliance (EXHIBIT 5)
- f. Equal Benefits Ordinance Compliance (EXHIBIT 6)
- g. Affirmative Action Plan (EXHIBIT 7)
- h. Slavery Disclosure Affidavit (EXHIBIT 8)
- i. W-9 Taxpayer Identification (EXHIBIT 9)
- j. First Source Hiring Ordinance (EXHIBIT 10)
- k. Bidder Certification of Compliance with Los Angeles Municipal Lobbying Ordinance (EXHIBIT 11)
- l. Workforce Information (EXHIBIT 12)

E. Standard Provisions

The City's Standard Provisions for City Personal Services Contracts (as revised March 2009) will be incorporated into the contract. The standard provisions are attached (Appendix A).

All City of Los Angeles contractors, including BIDs, are now required to download, complete, sign, and upload applicable contract documents onto the Los Angeles Business Assistance Virtual Network (BAVN) website located at:

[http://www.labavn.org/misc/docs/BAVN\\_Registration.pdf](http://www.labavn.org/misc/docs/BAVN_Registration.pdf)

In order to do this, go to the web address above, follow the instructions to create an account and follow the instructions to upload the applicable contract documents.

F. Workforce Information

The City Council requires the City to gather information on the headquarters address of firms contracting with the City and certain information on the Firm's employees.

Please provide the following information:

- a. The headquarters address of your Firm;
- b. The address of any branch office(s) within the City;
- c. Total workforce;
- d. Percentage of total workforce residing in the City;
- e. Percentage of total workforce employed in the City;
- f. Workforce in each Los Angeles Branch Office(s);
- g. Percentage of workforce in each Los Angeles Branch Office(s) residing in the City; and
- h. Percentage of workforce in each Los Angeles Branch Office(s) employed in the City.

G. Affirmative Action

The Los Angeles Administrative Code (Sections 10.8) establishes an Affirmative Action Program requirement for vendors doing business with the City. The Contractor will be required to submit one of the following with the proposal: the Contractor's own affirmative action plan which meets all of the requirements of the City's affirmative action program or an executed copy of the Los Angeles City Affirmative Action Plan. The Affirmative Action forms attached to the RFQ (EXHIBIT 7), as well as Section PSC-29 of the Standard Provisions, provide additional information regarding this requirement. Any questions should be directed to the City's Office of Contract Compliance (213) 847- 1922. Additional information may be available on the City's Office of Contract Compliance website at <http://bca.lacity.org>

H. Living Wage and Service Contract Worker Retention Ordinances

Unless approved for an exemption, contractors under contract primarily for the furnishing of services to or for the City and that involve an expenditure or receipt in excess of \$ 25,000 and a contract term of at least three (3) months, shall comply with the provisions of Los Angeles Administrative Code Section 10.37 et seq., Living Wage Ordinance (LWO) and 10.36 et seq., Service Contractor Worker Retention Ordinance (SCWRO). Proposers shall refer to Exhibit 3 "Living Wage Ordinance and Service Worker Retention Ordinance" for further information regarding the requirements of the Ordinances.

Proposers who believe that they may meet the qualifications for one of the exemptions described in the LWO List of Statutory Exemptions shall apply for exemption from the Ordinance by submitting with their proposals the Bidder/Contractor Application for Non-coverage or Exemption (Form OCC/LW-10), or the Non-Profit/One Person Contractor Certification of Exemption) OCC/LW-13). The list of Statutory Exemptions, the Application and the Certification are included in EXHIBIT 3.

I. Compliance with Equal Benefits Ordinance

Proposers are advised that any contract awarded pursuant to this procurement process shall be subject to the applicable provisions of Los Angeles Administrative Code Section 10.8.2.1, Equal Benefits Ordinance (EBO). Proposers shall refer to EXHIBIT 6 for further information regarding the requirements of the Ordinance.

Each proposer shall complete and return, with its proposal, the Equal Benefits Ordinance Compliance form. The Application for Reasonable Measures Determination and the Application for Provisional Compliance have been included but should be submitted only if applicable. Unless otherwise specified in this procurement package, proposers do not need to submit supporting documentation with their bids or proposals. However, supporting documentation verifying that the benefits are provided equally shall be required of the proposer that is selected for award of a contract.

J. Insurance Requirements



The indemnity requirements for agreements resulting from this RFP and the conditions governing acceptability of any insurance which may be required are set forth in detail in the Appendix A, Standard Provisions for Personal Services Contracts, sections PSC-20 & PSC-21 for Indemnity and PSC-24 Insurance. These paragraphs are incorporated herein by reference. Attachment 1a PSC - Exhibit 1 details the insurance requirements for this project. Proposers shall refer to the City's Risk Management website (<http://cao.lacity.org/risk/index.htm>) for forms and further information regarding insurance requirements.

K. Business Tax Registration Certificate

The selected Firm will be required to demonstrate compliance with the City's business tax laws by acquiring/maintaining one of the following: Business Tax Registration Certificate, Vendor Registration Number or Certificate of Exemption. This Certificate or Registration number must remain in force during the entire period of the contract. For forms/questions contact the Office of Finance at (213) 473-5901 or visit its website at <http://finance.lacity.org/>

L. Contractor Responsibility Ordinance

Proposers are advised that any contract awarded pursuant to this procurement process shall be subject to the provisions of the Los Angeles Administrative Code Section 10.40 et seq., Contractor Responsibility Ordinance (CRO). Proposers shall refer to EXHIBIT 5, "Contractor Responsibility Ordinance", for further information regarding the requirements of the Ordinance. Each proposer shall complete and return, with its proposal, the Responsibility Questionnaire included in the Appendix A. Failure to return the completed Questionnaire may result in the proposer being deemed non-responsive.

M. Slavery Disclosure Ordinance

Unless otherwise exempt, in accordance with the provisions of the Slavery Disclosure Ordinance, any contract awarded pursuant to this RFQ will be subject to Section 10.41 of the Los Angeles Administrative Code. Proposers shall refer to EXHIBIT 8 for further information regarding the requirements of the Ordinance.

N. Internal Revenue Service W9 Form

The selected Firm will be required to complete the Internal Revenue Service Form W-9, which is also attached as EXHIBIT 9. Further information is available at the IRS website at [www.irs.gov](http://www.irs.gov).

O. Contract Bidder Certification of Compliance with Lobbying Laws.

Any bidder for a contract, as those terms are defined in Los Angeles Administrative Code Section 10.40.1, shall submit with its bid a certification, on a form prescribed by the City Ethics Commission, that the bidder acknowledges and agrees to

comply with the disclosure requirements and prohibitions established in the Los Angeles Municipal Lobbying Ordinance (EXHIBIT 11) if the bidder qualifies as a lobbying entity under Section 48.02 of this article. The exemptions contained in Section 48.03 of this article and Los Angeles Administrative Code Section 10.40.4 shall not apply to this subsection.

P. First Source Hiring Ordinance

Unless approved for an exemption, contractors under contracts primarily for the furnishing of services to or for the City, the value of which is in excess of \$25,000 and a contract term of at least three (3) months, and certain recipients of City Loans or Grants, shall comply with the provisions of Los Angeles Administrative Code Sections 10.44 et seq., First Source Hiring Ordinance (FSHO). Bidders/Proposers shall refer to EXHIBIT 10, "First Source Hiring Ordinance" for further information regarding the requirements of the Ordinance. The Anticipated Job Opportunities Form (FSHO-1) and Subcontractor Information Form (FSHO-2) contained in the EXHIBIT 10 shall only be required of the Bidder/Proposer that is selected for award of a contract.

Q. Acceptance of Conditions of Contract

a. The proposal shall include positive statements concerning the proposer's willingness to accept the following conditions that will be included in the contract between the City and the proposer's Firm.

b. Fifteen percent (15%) of each task order progress payment will be withheld pending acceptance by the City of a completed final report, or other work product as defined by the specific task order.

c. Final payment including all amounts withheld will be made only on the acceptance of each final report.

d. The Contractor will agree that they will not use or otherwise make public in any manner, either for profit or nonprofit, any of the information, procedures or systems developed pursuant to a contract with the City without the written permission of the Mayor and City Council.

e. The Contractor will agree to submit a monthly report which summarizes the status of each assigned project, hours expended and costs incurred to date, and estimate of the time and cost to complete each project.

f. The Contractor will agree to have their work papers available for review by the City's contract coordinator or his/her designee for a period of up to 3 years past the completion of the contract.

g. The Contractor will be required to show evidence of a valid Business Tax Registration Certificate issued by the City of Los Angeles to remain in force during the period of this contract.

h. The Contractor agrees to fully indemnify the City from patent or copyright infringements resulting from this contract.

i. All reports and documents generated by the project will be the property of the City of Los Angeles and may be used for any City purpose.

R. Authorized Negotiators

The proposal shall include in the names of individuals who are authorized to negotiate on its behalf in connection with this RFQ with the titles, telephone numbers and emails of the authorized negotiators.

S. Past Failure to Complete Work Awarded

If the proposer has had a contract terminated for default during the past five years, all such incidents must be described. Termination for default is defined as notice to stop performance due to the proposing Firm's non-performance or poor performance and the issue was either not litigated; or litigated and such litigation determined the proposing Firm to be in default. Submit full details of all termination for default experienced by the Firm during the past five years including the other party's name, address, and telephone number. Present the Firm's position on the matter. The City will evaluate the facts and may, at its sole discretion, reject the Firm's proposal if the facts discovered indicate that completion of a contract resulting from this RFQ may be jeopardized by selection of the Firm. NOTE: Firms that declare eligibility and are subsequently found to be ineligible will be rejected and may be prevented from future filings.

**XI. PROPOSAL EVALUATION PROCESS**

A. Proposal Evaluation

The City Clerk's Evaluation Team will conduct an analysis of all submittals and will rank proposals of Firms that offer the most favorable terms and experience for the services required. A List of qualified audit firms will be prepared based on the Office of the City Clerk's needs.

B. Evaluation Criteria

The Office of the City Clerk's selection of the contractor(s) will be based upon the following criteria:

| CRITERIA | WEIGHT |
|----------|--------|
|----------|--------|

|  |      |
|--|------|
| Qualifications and experience of the Firm(s) and its personnel, as well as demonstrated experience in performing the services required herein  | 40%  |
| Documented ability to perform on a timely basis (resources, evidence of past performance, financial capability, City Contracting Requirements) | 35%  |
| Demonstrated Likability, Honesty and Integrity   | 15%  |
| References   | 10%  |
| TOTAL  | 100% |

**XII. QUESTIONS**

All questions concerning this RFQ shall be directed to Rick Scott at (213) 978-1121 or by email to : [rick.scott@lacity.org](mailto:rick.scott@lacity.org).

ATTACHMENT

[CREATE STATEMENT OF ELIGIBILITY, see Section IX(C)]

**PROPOSAL SIGNATURE DECLARATION PAGE**

The undersigned hereby offers and agrees to furnish the goods and/or routine services in compliance with all the service level requirements, instructions, specifications, and any amendments contained in this RFQ document and any written exceptions in the proposal accepted by the City.

This proposal is genuine, and not sham or collusive, nor made in the interest or in behalf of any person not herein named; the proposer has not directly or indirectly induced or solicited any other proposer to put in a sham proposal, or any other person, firm or corporation to refrain from submitting a proposal; and the proposer has not in any manner sought by collusion to secure for themselves an advantage over any other proposer.

Each proposal must be signed on behalf of the proposer by an officer authorized to bind the proposer to the offer with the following text:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and I agree to the terms and conditions in this proposal.

Company Name:

Address:

City State Zip Code:

Signature of Authorized Person(s):

Printed Name(s):

Title(s):

Date:

The proposer hereby acknowledges receipt of and agrees this submittal is based on the RFQ and the following addenda. Failure to indicate receipt of addenda may result in the proposal being rejected as non-responsive.

To constitute a responsive proposal you must return all pages of the proposal forms.

ADDENDUM # \_\_\_\_\_ DATED \_\_\_\_\_

ADDENDUM # \_\_\_\_\_ DATED \_\_\_\_\_

(If additional addenda are issued, attach a complete listing when submitting this proposal.)