

TRANSMITTAL

To:

THE COUNCIL

Date: 12/20/2018

From:

THE MAYOR

TRANSMITTED FOR YOUR CONSIDERATION. PLEASE SEE ATTACHED.

A handwritten signature in blue ink, appearing to read 'Eric Garceiti', is written over the printed name.

ERIC GARCEITI
Mayor

(Ana Guerrero) for



Eric Garcetti, Mayor
Rushmore D. Cervantes, General Manager

Housing Development Bureau
1200 West 7th Street, 8th Floor, Los Angeles, CA 90017
tel 213.808.8638 | fax 213.808.8610
hcidla.lacity.org

December 18, 2018

Council File: 12-0968
Council District: 1, 8 & 9
Contact Persons:
George Guillen (213) 808-8622
Helmi A. Hisserich (213) 808-8662

The Honorable Eric Garcetti
Mayor, City of Los Angeles
Room 300, City Hall
200 N. Spring Street
Los Angeles, CA 90012

Attention: Mandy Morales, Legislative Coordinator

COUNCIL TRANSMITTAL: LOS ANGELES HOUSING + COMMUNITY INVESTMENT DEPARTMENT (HCIDLA) REQUEST FOR AUTHORIZATION TO RELEASE A REQUEST FOR PROPOSALS (RFP) FOR AFFORDABLE HOUSING PROGRAMS AND SERVICES WITHIN THE UNIVERSITY OF SOUTHERN CALIFORNIA (USC) NEXUS STUDY AREA

SUMMARY

The General Manager of the Los Angeles Housing + Community Investment Department (HCIDLA) respectfully requests that your office review and approve this transmittal and forward it to the City Council for further consideration. Through this transmittal, HCIDLA requests authority to release an RFP for three affordable housing programs and services, identified below, within the University of Southern California (USC) Nexus Study Area, and to enter into contracts or a grant agreement with the selected contractors.

On June 13, 2018, the Mayor and City Council authorized HCIDLA to appropriate funds for affordable housing programs and services within the University of Southern California Nexus Study Area.

The Mayor and City Council allocated funds to the following USC Affordable Housing Fund Programs and Services:

- 1) USC Neighborhood Housing Preservation Fund Administrator (\$5,600,000);
- 2) Creation of a USC Area Housing Metrics/Data Dashboard for the purpose of tracking and analyzing local housing conditions (\$75,000); and
- 3) USC Homebuyer Education Counseling (\$50,000)

RECOMMENDATIONS:

The General Manager of HCIDLA respectfully requests that the Mayor and City Council:

- I. AUTHORIZE the General Manager of HCIDLA, or designee, to release a Request for Proposals for contractors to provide the following: 1) serve as a USC Neighborhood Housing Preservation Fund Administrator; 2) create a USC Area Housing Metrics/Data Dashboard for the purpose of tracking and analyzing local housing conditions in the USC Nexus Study Area; and 3) provide homebuyer education in the USC Nexus Study Area, in substantial conformance with the draft RFP included as Attachment 2 to this transmittal, subject to approval by the City Attorney as to form;
- II. AUTHORIZE the General Manager of HCIDLA, or designee, to evaluate the responses to the subject RFPs and negotiate and execute the following: 1) a ten-year Grant Agreement for the USC Neighborhood Housing Preservation Fund Administrator, in the amount of \$5,600,000; 2) a five-year contract for the selected contractor to develop the USC Area Housing Metrics/Data Dashboard, in the amount of \$75,000; and 3) a three-year contract for the selected contractor for the USC Homebuyer Education Provider, in the amount of \$50,000;
- III. AUTHORIZE the Controller to expend from Affordable Housing Trust Fund No. 44G, Account 43L200, \$5,600,000 for the Grant Agreement executed with the contractor selected as the USC Neighborhood Fund Administrator; of this amount, up to \$150,000 per year for a maximum of four years (\$600,000 total) may be used to provide technical assistance to borrowers;
- IV. AUTHORIZE the Controller to expend from Affordable Housing Trust Fund, No. 44G, Account 43L200 as follows: 1) \$75,000 for the contract executed with the selected proposer for the USC Area Metrics/Data Dashboard; and 2) \$50,000 for the contract executed with the selected proposer for the USC Homebuyer Education Provider;
- V. AUTHORIZE the City Clerk to place on the agenda on the first regular Council meeting on July 1, 2019, or shortly thereafter, the following instructions:

AUTHORIZE the Controller, subject to the approval of the Mayor, to:

- a. Transfer appropriation within the Affordable Housing Trust Fund No. 44G as follows:

<u>Account Title</u>	<u>Amount</u>
From:	
43L200 USC Specific Plan	<u>\$120,000.00</u>
To:	
43TBD Housing and Community Investment	\$77,895.69
43TBD Reimbursements to the General Fund	<u>42,104.31</u>
Total	<u>\$120,000.00</u>

- b. Increase appropriations in the amount of \$77,895.69 within HCIDLA Fund No. 100/43 as follows:

<u>Account Title</u>	<u>Amount</u>
001010 Salaries General	\$67,735.38
006030 Leases	<u>10,160.31</u>
Total	<u>\$77,895.69</u>

- VI. AUTHORIZE the HCIDLA General Manager, or designee, to prepare Controller instructions for any necessary technical adjustments consistent with the Mayor and Council actions on this matter, subject to the approval of the City Administrative Officer, and authorize the Controller to implement these instructions.

BACKGROUND

USC Request for Proposals

In June 2018, the Mayor and City Council authorized HCIDLA to allocate funds available from the \$10 million initially provided to the City as part of a Development Agreement with USC to three programs: 1) USC Neighborhood Housing Preservation Fund (\$5,600,000); 2) Creation of a USC Area Housing Metrics/Data Dashboard for the purpose of tracking and analyzing local housing conditions (\$75,000); and, 3) Community Education in Homeownership (\$50,000) (Programs).

The \$10 million in funding comes as a result of a development agreement that the University of Southern California entered into with the City of Los Angeles. The agreement was executed to ensure that USC provided community benefits as part of the implementation of the USC Specific Plan. As part of the agreement, USC agreed to provide up to \$20 million to support affordable housing within the USC Nexus Study Area. The first payment of \$10 million was received by the City upon the issuance of the first building permit of a new structure in the USC Specific Plan Area, with the next payment of \$5 million due in 2023, and the final payment of \$5 million due in 2033.

If by 2033, USC has built 4,038 USC-owned and operated net new student beds (exclusive of housing developed by private, non-USC entities); and offers on-campus housing to 70% or more of its total University Park campus undergraduate population (as calculated in 2032) the final \$5,000,000 installment will be waived.

The USC Nexus Study Area includes areas earlier studied as part of the environmental review process for the USC Specific Plan, and was originally created using year 2000 Census Tracts. The USC Nexus Study Area is bound by Washington Boulevard to the north, Maple Avenue and Main Street to the east, Vernon Avenue to the south, and Normandie and Western Avenues to the west (see Attachment 1).

HCIDLA is also requesting Fiscal Year 2019-20 appropriations for the costs associated with the Sr. Management Analyst position managing the USC Affordable Housing Fund Programs. HCIDLA will use an existing position authority to support the Programs.

USC Neighborhood Housing Preservation Fund Administrator RFP

This RFP seeks to solicit certified Community Development Financial Institutions (CDFIs) to create and manage a revolving loan fund to preserve low- and moderate-income housing in the USC area. CDFIs are financial institutions that specialize in serving individuals and communities that are underserved by traditional financial institutions. CDFI Certification is the U.S. Department of the Treasury's recognition of specialized financial institutions serving low-income communities.

HCIDLA will grant up to \$5,600,000 in USC Funds, for a ten year agreement, to a certified CDFI to provide financing for the development and preservation of affordable housing in the USC area.

Of this amount, \$5,000,000 of the USC funds will provide lending capital for a revolving loan fund to finance the acquisition, rehabilitation, and preservation of existing multifamily housing units and/or the acquisition of land for affordable housing development, and up to \$600,000 of the loan fund dollars (\$150,000 per year with a four-year maximum) will be allocated for the selected CDFI to provide technical assistance to borrowers. The bulk of the USC Neighborhood Housing Preservation Fund Administrator compensation will be provided through origination fees charged on individual loans funded with the loan fund capital.

The primary purpose of the USC Neighborhood Housing Preservation Fund will be to reduce displacement caused by gentrification and rising rents, and to increase the supply of housing for lower income households in the USC Area. Lending priorities of the USC Neighborhood Housing Preservation Fund will include, but not be limited to, providing loans to mission-driven affordable housing developers to acquire and rehabilitate small to medium-sized properties that are subject to the City's Rent Stabilization Ordinance (RSO).

The selected CDFI must demonstrate the ability to leverage USC funds with additional capital at a ratio of no less than one dollar of private capital for every one dollar of USC Funds. Preference will be given to CDFIs that can commit to higher leverage ratio of private funds to USC funds; one point will be awarded for every additional dollar of leveraged capital, up to a maximum of five points.

Qualified proposers must be certified as a CDFI by the United States Department of Treasury, with a primary mission of promoting community development through lending and education. Only certified CDFIs serving the Los Angeles market will be considered eligible proposers. Preference will be given to CDFIs with a successful track record of lending within the USC Area. Preference will also be given to CDFIs who include participation of USC neighborhood stakeholders in setting funding priorities, through a community advisory board. Proposals consisting of more than one CDFI are eligible for submission; however, one CDFI must be designated as the primary organization, and roles and responsibilities of partnering organizations must be clearly defined in the proposal. The selected proposer must have demonstrated experience providing acquisition and construction financing to smaller multifamily properties and/or properties with significant repair needs which will be restricted to households earning at or below 80% of the Area Median Income (AMI).

USC Area Housing Metrics/Data Dashboard RFP

This RFP also seeks to solicit a research firm to develop a metrics/data dashboard (Housing Dashboard) for tracking housing conditions and measuring the effectiveness of investments in affordable housing projects and programs in the USC Area. HCIDLA will enter into a five year agreement in the amount of \$75,000 with the selected contractor.

On January 18, 2018, a "Community Survey and Affordable Housing Issues Report for the USC Nexus Study Area", prepared by Estolano-LeSar Perez Advisors (ELP) and LA-Más, was released for public review to the City Council. The report summarized housing characteristics in the USC area and made recommendations for expenditure of USC funds. Upon review and consideration, the City Council adopted funding recommendations for the use of USC affordable housing funds on May 23, 2018 (Council File 12-0968-S4). Included in the recommendation was the creation of a USC Neighborhood Housing Data Dashboard for monitoring housing conditions in the USC Area.

The USC Area Housing Metrics/Data Dashboard will draw upon current trends in urban data analytics to develop a framework for analyzing housing conditions overtime within the USC Area.

Particular emphasis will be placed on identifying key indicators that will effectively track changes in specific housing concerns identified in the USC Area, such as the displacement of low income households from rent stabilized housing. The indicators should also identify desired outcomes of the investments from the USC funds, and track progress and effectiveness of projects and programs funded by those investments.

HCIDLA seeks an experienced research firm to create and maintain the USC Neighborhood Housing Data Dashboard for a period of five years. The Housing Dashboard is expected to be fully transparent and made accessible to housing policy decision makers and community stakeholders through an easy-to-access online platform. The Housing Dashboard is expected to be hosted on a secure site and made available to the public through a dedicated website. The selected research firm will be responsible for ensuring the accuracy and integrity of the data and system. Ideally, the Housing Dashboard will be a replicable model for collecting and analyzing community-level housing information in other neighborhoods of Los Angeles.

Homebuyer Education Counseling

Finally, the RFP will solicit an organization that is approved by the U.S. Department of Housing and Urban Development (HUD) to provide in-person homebuyer education classes and individual counseling to English and non-English speaking residents in the USC Nexus Study Area. The education and counseling services will include: 1) information, resources, and tools needed to purchase a home, 2) down payment assistance programs, 3) pre-purchase counseling, and 4) providing, when necessary, appropriate referrals to constituents and homeowners. The selected proposer will also be required to provide: 1) an outreach and marketing plan to homeowners and renters, 2) a case management plan detailing the manner in which client objectives and program outcomes and goals will be achieved, 3) in-kind services applicants currently provide, 4) staffing and operating resources for a hotline dedicated to providing information, referrals, and services to constituents and homeowners regarding foreclosure intervention and prevention, and 5) submitting to the City, on a quarterly basis, reports of activity on a City-approved reporting format, which provides the types of services offered, number of constituents and homebuyers assisted, and whether program outcomes and measurable goals have been achieved. HCIDLA will enter into a three year agreement in the amount of \$50,000 with the selected contractor.

Charter Section 1022 Review

On November 20, 2018, HCIDLA requested a determination from the Personnel Department, based on the provisions of Charter Section 1022, on whether or not the City currently has the staff available to perform the required services. The request is currently under review by the Personnel Department.

RFP Evaluation Criteria

The following criteria will be used to select contractors for the above services:

EVALUATION CRITERIA	MAXIMUM POINTS
Demonstrated Ability and Experience Proposer's response to Demonstrated Ability & Experience Narrative.	25
Staff Capacity Staff capacity and operational level to carry out tasks.	25

Services Approach Proposer's approach to providing required services.	30
Cost Reasonableness Accurate and complete proposed budget, with supporting budget narrative.	20
TOTAL POINTS	100
Local Business Preference	5 or 8 points
For USC Neighborhood Housing Preservation Fund Administrator RFP ONLY: Leveraging points	5 bonus points

Timeline

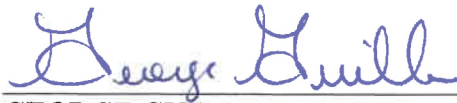
A proposed timeline is provided below:

- RFP Released: February 4, 2019
- Proposers' Conference: February 19, 2019
- Proposals Due: March 18, 2019
- HCIDLA Report Back to City Council: May 27, 2019

FISCAL IMPACT STATEMENT

There is no impact to the General Fund. Funding from the USC Specific Plan proceeds will be deposited into the Affordable Housing Trust Fund.

Prepared by:



GEORGE GUILLEN
Rehabilitation Project Coordinator II

Reviewed by:



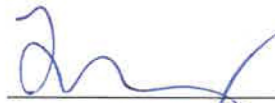
HELMY A. HISSERICH
Director, Housing Strategies & Services

Reviewed by:



SEAN L. SPEAR
Assistant General Manager

Approved by:



LAURA K. GUGLIELMO
Executive Officer

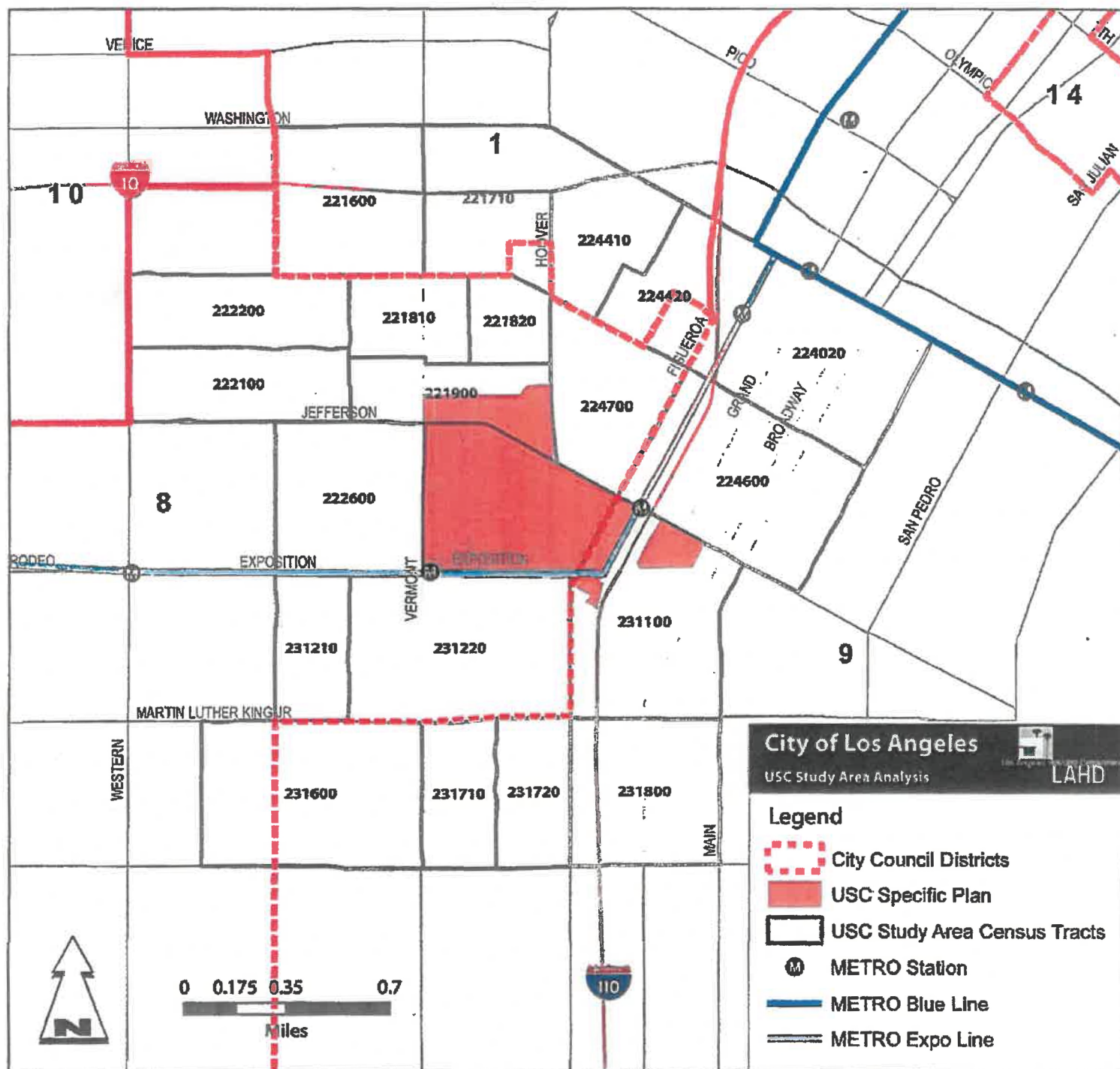
Approved by:



RUSHMORE D. CERVANTES
General Manager

ATTACHMENTS

1. USC Specific Plan Area
2. USC RFP (draft)





City of Los Angeles Housing and Community Investment Department



Eric Garcetti, Mayor
Rushmore D. Cervantes, General Manager

Request for Proposals (RFP)

USC Affordable Housing Fund Programs and Services

Release Date	Monday, February 4, 2019
RFP Submission Deadline	Monday, March 18, 2019 Proposals shall be accepted no later than 4:00 p.m. via hand delivery or courier to address listed below. If mailed, postmarked no later than 11:59 p.m. and addressed to address listed below.
Submission Address	Los Angeles Housing and Community Investment Department Attn: Contracts and Procurement Unit 1200 W. 7 th Street, 1 st Floor, Public Counter Los Angeles, CA 90017
Mandatory Proposers' Conference (Proposers may participate in person or via webinar, see page 5)	Tuesday, February 19, 2019 (2:00 p.m. – 4:00 p.m.) TBD RSVP by Friday, February 15, 2019 via email to: hcidla.contractsprocurement@lacity.org
Request for Technical Assistance Deadline	Tuesday, March 5, 2019 Submit by email only to: hcidla.contractsprocurement@lacity.org All questions and answers will be made available to all proposers on the LABAVN website at: www.labavn.org
Business Inclusion Program (BIP) and Outreach Deadline	Monday, March 4, 2019 No later than 11:59 p.m. (See RFP page 18-19 and Attachment 6 for outreach instructions)

It is the policy of the City of Los Angeles to provide access to its programs and services for persons with disabilities in accordance with Title II of the Americans with Disabilities Act (ADA) of 1990, as amended. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities.

For more information on the City's business outreach opportunities, visit www.labavn.org

**City of Los Angeles
Housing and Community Investment Department
Request for Proposals
USC Affordable Housing Fund Programs and Services**

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Proposal Checklist – Table of Contents

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Living Wage Ordinance and Service Contractor Worker Retention Ordinance

ATTACHMENT 3

LWO Statutory Exemptions

ATTACHMENT 4

Proposer Workforce Information/Non-Collusion Affidavit

ATTACHMENT 5

Business Services Implementation Plan Collaborator Agreements

ATTACHMENT 6

Business Inclusion Program and MBE/WBE/SBE/EBE/DVBE/OBE Outreach

ATTACHMENT 7

Iran Contracting Act of 2010 Compliance Affidavit

ATTACHMENT 8

Corporate Documents

ATTACHMENT 9

Child Support Obligations

ATTACHMENT 10

CEC Form 55 Instructions

ATTACHMENT 11

Narratives

I. BACKGROUND

A. ADMINISTRATIVE ENTITY

The Los Angeles Housing and Community Investment Department (HCIDLA) administers various programs such as the financing of affordable housing, first-time home buyer, housing rehabilitation, the enforcement of the Rent Stabilization Ordinance, Systematic Code Enforcement Program and other services to ensure safe, decent and affordable housing in the City of Los Angeles.

On behalf of the City of Los Angeles (City), the HCIDLA will serve as the administrative entity for this request for proposals (RFP). The HCIDLA has been authorized to release this RFP pursuant to action(s) approved by the Los Angeles City Council and Mayor (City Council File No. 12-0968).

B. OVERVIEW

In June 2018, the Mayor and City Council authorized HCIDLA to allocate funds available from the \$10 million initially provided to the City as part of a Development Agreement with the University of Southern California (USC) for three programs: 1) USC Neighborhood Housing Preservation Fund Administrator (\$5,600,000); 2) Creation of a USC Area Housing Metrics/Data Dashboard for the purpose of tracking and analyzing local housing conditions (\$75,000); and 3) Homebuyer Education Counseling (\$50,000).

The \$10 million in funding comes as a result of a Development Agreement that the USC entered into with the City of Los Angeles. The agreement was executed to ensure that USC provided community benefits as part of the implementation of the USC Specific Plan. As part of the agreement, USC agreed to provide up to \$20 million to support affordable housing within the USC Nexus Study Area. The first payment of \$10 million was received by the City upon the issuance of the first building permit of a new structure in the USC Specific Plan Area, with the next payment of \$5 million due in 2023, and the final payment of \$5 million due in 2033.

The USC Nexus Study Area includes areas earlier studied as part of the environmental review process for the USC Specific Plan, and was originally created using year 2000 Census Tracts. The USC Nexus Study Area is bound by Washington Boulevard to the north, Maple Avenue and Main Street to the east, Vernon Avenue to the south, and Normandie and Western Avenues to the west.

II. RFP SPECIFICATIONS

A. SERVICES SOLICITED

This RFP seeks one or more organizations qualified to provide services under one or more of the following program categories (described in detail in the Scope of Work), in accordance with HCIDLA goals and objectives:

- USC Neighborhood Housing Preservation Fund Administrator
- USC Area Housing Metrics/Data Dashboard
- USC Homebuyer Education Counseling

B. SCOPE OF WORK

USC Neighborhood Housing Preservation Fund Administrator RFP

This RFP seeks to solicit certified Community Development Financial Institutions¹ (CDFIs) to create and manage a revolving loan fund to preserve low and moderate-income housing in the USC area.

HCIDLA will grant up to \$5.6 million in USC Funds, for a ten year agreement, to a certified CDFI to provide financing for the development and preservation of affordable housing in the USC area. The USC funds will provide lending capital for a revolving loan fund to finance the acquisition, rehabilitation, and preservation of existing multifamily housing units and/or the acquisition of land for affordable housing development. The primary purpose of the USC Neighborhood Housing Preservation Fund will be to reduce displacement caused by gentrification and rising rents, and to increase the supply of housing for lower income households in the USC area. Lending priorities of the USC Neighborhood Housing Preservation Fund will include, but not be limited to, providing loans to mission-driven affordable housing developers to acquire and rehabilitate small to medium-sized properties that are subject to the City's Rent Stabilization Ordinance (RSO).

The selected CDFI must demonstrate the ability to leverage USC funds with additional capital at a ratio of no less than \$1 of private capital for every \$1 of USC Funds. Preference will be given to CDFIs that can commit to higher leverage ratio of private funds to USC funds, with one point awarded for every additional dollar of leveraged capital up to a maximum of five points.

Qualified proposers must be certified as a CDFI by the U.S. Department of Treasury, with a primary mission of promoting community development through lending and education. Only certified CDFIs serving the Los Angeles market will be considered eligible proposers. Preference will be given to CDFIs with a demonstrated track record

¹ CDFIs are financial institutions that specialize in serving individuals and communities that are underserved by traditional financial institutions. CDFI Certification is the U.S. Department of the Treasury's recognition of specialized financial institutions serving low-income communities.

of lending within the USC area, and who can demonstrate the ongoing participation of USC neighborhood stakeholders in setting funding priorities through a community advisory board. Proposals consisting of more than one CDFI will be accepted, however one CDFI must be designated as the lead organization, and roles and responsibilities of partnering organizations must be clearly defined in the proposal. The selected proposer must have demonstrated experience providing acquisition and construction financing to smaller multifamily properties and/or properties with significant repair needs, which will be restricted to households earning at or below 80% of the Area Median Income (AMI).

The USC Neighborhood Housing Preservation Fund Administrator compensation will be provided through origination fees charged on individual loans funded with the loan fund capital. In addition, up to \$150,000 per year of the loan fund dollars may be used to provide technical assistance to borrowers. The fund administrator will be required to do the following:

1. Capitalize a \$10 million USC Neighborhood Housing Preservation Fund, consisting of \$5 million in USC Funds and \$5 million from other sources such as private capital, outside grants, donations or other sources;
2. Establish eligibility requirements for borrowers;
3. Determine allowable uses of funds as well as prohibited uses;
4. Establish minimum and maximum amounts for the loans;
5. Establish requirements for equity or other matching funds from borrowers;
6. Determine the length of the loan term(s), terms may vary based on the use of the loan;
7. Determine the amount of the application fee, origination fee, and policies regarding closing costs;
8. Define the default and delinquency terms;
9. Determine interest rate terms, and whether the rates will be variable or fixed and whether the rate will vary based on the project;
10. Create a loan application form;
11. Establish a committee to review loan applications;
12. Develop administrative staffing structure and duties associated with the USC loan program;
13. Prepare a community outreach plan for the loan fund; and
14. Determine the type of technical assistance that will be provided to borrowers.

HCIDLA is seeking proposals that offer innovative financing structures that are not otherwise available for affordable housing programs and are specifically targeted to the housing needs of the USC area. Strong proposals will include clear criteria for borrower selection; well-articulated program guidelines including sample term sheets and application materials; and excellent administrative and operational structures. The selected administrator will be required to initiate lending within one year of receiving funds, and will be required to provide quarterly reports of lending activity to HCIDLA. The administrator must ensure the housing assisted with the USC Neighborhood Housing Preservation Fund remains affordable for a minimum of 30 years.

USC Area Housing Metrics/Data Dashboard RFP

This RFP seeks to solicit research firms to develop a USC area housing metrics/data dashboard (Housing Dashboard) for the use of tracking housing conditions and measuring the effectiveness of investments in affordable housing projects and programs in the USC area.

On January 18, 2018 a "Community Survey and Affordable Housing Issues Report for the USC Nexus Study Area," prepared by Estolano-LeSar Perez Advisors (ELP) and LA-Más, was released for public review to the City Council. The report summarized housing characteristics in the USC area and made recommendations for expenditure of USC funds. Upon review and consideration, the City Council adopted funding recommendations for the use of USC affordable housing funds on May 23, 2018 (Council File 12-0968-S4). Included in the recommendation was the creation of a Housing Dashboard for monitoring housing conditions in the USC area.

In line with this recommendation, HCIDLA is seeking an experienced research firm to create and maintain the Housing Dashboard for a period of five years. The selected firm will be required to create a Housing Dashboard that will:

1. Draw upon current trends in urban data analytics to develop framework for the analysis of housing conditions within the USC area and how these conditions have changed over time;
2. Identify key indicators to effectively track changes in specific housing concerns identified in the USC area (i.e. the displacement of low-income households from rent stabilized housing);
3. Pinpoint desired outcomes of the investments from the USC funds, and track the progress and effectiveness projects and programs funded by those investments through key indicators;
4. Be accessible and fully transparent to housing policy decision makers and community stakeholders through an easy to access online platform;
5. Offer a secure, dedicated website made available to the public; and
6. Ensure accuracy and integrity of collected data and its operating system (Ideally, the Housing Dashboard will be a replicable model for collecting and analyzing community-level housing information in other neighborhoods of Los Angeles).

Partnership with the City's Data Science Federation (Data Federation) is also encouraged, but not required. The Data Federation is a partnership between the City and Los Angeles area universities to help resolve challenges in City Government. The Data Federation aims to work on tough city problems that, if addressed, will make a difference in many areas and will expand on early work in data science and data-driven decision making for City Government. These challenges address social, economic, and policy issues (that have been identified by City departments, City Council, the Mayor's Office and citizens) which could be better-informed through data collection. Extra points will not be provided for partnering with the Data Federation.

Private research firms and university sponsored researchers are encouraged to apply.

USC Homebuyer Education Counseling RFP

This RFP seeks to solicit qualified organizations/contractors that are pre-approved by the U.S. Department of Housing and Urban Development (HUD) to provide in-person homebuyer education classes and individual counseling to English and non-English speaking residents in the USC Nexus Study Area.

The contractor shall provide education and counseling services that include, but are not limited to:

1. Homebuyer education counseling - Information, resources, and tools needed to purchase a home, down payment assistance programs, and pre-purchase counseling;
2. Mortgage assistance evaluation;
3. Program budget and outline of costs;
4. When necessary, appropriate referrals to constituents and homeowners;
5. Outreach and marketing plan to clients;
6. Case Management Plan (detailing the manner client objectives and program outcomes and goals will be achieved);
7. In-kind services that proposers currently provide;
8. Staffing and operation of a hotline dedicated to providing information, referrals and services to constituents and homeowners, regarding foreclosure intervention and prevention; and
9. Submission to the City, on a quarterly basis, reports of activity on a City approved reporting format, which provides the types of services offered, number of constituents and homebuyers assisted, and whether program outcomes and measurable goals have been achieved.

C. ELIGIBLE PROPOSERS (Threshold Requirements)

Proposals will be accepted only from individuals or organizations that meet the following criteria. Proposers must:

1. Be qualified to conduct business in the State of California as evidenced by the organization's business registration with the California Secretary of State;
2. Be in good standing with the California Secretary of State, if a corporation or limited liability company;
3. Have not been determined to be non-responsible or been debarred by the City pursuant to the Contractor Responsibility Ordinance;

4. Have not been debarred by the federal government, State of California or local government;
5. Have a minimum of two years of continuous experience within the past five years in the program categories identified in Section II. A. (Services Solicited) of this RFP for which the proposer is applying; and
6. For the USC Neighborhood Housing Preservation Fund Administrator RFP ONLY: Proposers must be certified as a CDFI by the U.S. Department of Treasury, only certified CDFIs serving the Los Angeles market will be considered eligible proposers (see Section II. B. Scope of Work).
7. Not have an outstanding debt which has not been repaid or for which a repayment agreement plan has not been implemented, if the proposer has previously contracted with the State of California or the City of Los Angeles. If it has contracted with the HCIDLA, it must not have any outstanding disallowed costs or other liability to the City.

D. BUDGET AND SOURCES OF FUNDS

The source of funds for this RFP comes as a result of a Development Agreement that USC entered into with the City of Los Angeles beginning August 1, 2019 until July 31, 2020. Approximately \$5.6 million is anticipated to be available for the USC Neighborhood Housing Preservation Fund Administrator; \$75,000 for the USC Area Housing Metrics/Data Dashboard; and \$50,000 for the USC Homebuyer Education Counseling, subject to the approval by the Los Angeles City Council and the Mayor.

E. CONTRACT TERM

The USC Neighborhood Housing Preservation Fund Administrator grant agreement shall commence on or about August 1, 2019, for a ten-year period, subject to the availability of funds, contractor's continuing compliance with applicable Federal, State, and local government legislation, an evaluation of contractor's performance, and approval by the Mayor and City Council.

The USC Area Housing Metrics/Data Dashboard and USC Homebuyer Education Counseling contract shall commence on or about August 1, 2019, for a three-year period, subject to the availability of funds, contractor's continuing compliance with applicable Federal, State, and local government legislation, an evaluation of contractor's performance, and approval by the Mayor and City Council. A total of three contracts will be issued under this RFP.

F. PRELIMINARY SCHEDULE

<u>Event</u>	<u>Date</u>
Request for Proposals Released	Monday, February 4, 2019
Mandatory Proposers' Conference	Tuesday, February 19, 2019

Proposal Submission Deadline

Monday, March 18, 2019

G. MANDATORY PROPOSERS' CONFERENCE

A Proposers' Conference has been scheduled to answer questions about this RFP. See cover page for Conference date and location. Attendance is mandatory for anyone interested in submitting a proposal in response to the RFP. Please plan to arrive on time as credit may not be given if a proposer's representative arrives late to the conference. If you are not available to attend, you may either send a representative or participate via webinar, which will be held in conjunction with the in-person conference. The registration and webinar information for remote participation will be posted on LABAVN two-three days before the conference. At this Conference, City staff will review the RFP document and respond to questions regarding requirements of the RFP. City staff will not provide assistance regarding a proposer's individual program design. **BRING YOUR OWN COPY OF THE RFP. NO COPIES WILL BE PROVIDED AT THE CONFERENCE.**

The City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services, and activities. Please contact the Contracts and Procurement Unit at (213) 744-7278 seventy-two (72) hours prior to the date of the conference to ensure proper accommodations.

H. TECHNICAL ASSISTANCE

With the exception of the Mandatory Proposers' Conference, all technical assistance questions must be submitted by e-mail to hcidla.contractsprocurement@lacity.org. **Please identify the RFP title on the email subject line to ensure prompt attention from the appropriate City staff.** To ensure a fair and consistent distribution of information, all questions will be answered by a Question-and-Answer (Q&A) document available on the Los Angeles Business Assistance Virtual Network (LABAVN) website at: www.labavn.org. No individual answers will be given. The Q&A document will be updated on a regular basis to ensure the prompt delivery of information.

I. DEADLINE FOR SUBMISSION OF PROPOSALS

Proposals must be hand or courier-delivered in a sealed package to the address listed on the front cover of this RFP by 4:00 p.m. PST by the submission deadline or delivered via U.S. Certified Mail postmarked no later than 11:59 p.m. PST on the submission date.

Proposers must submit one (1) original and four (4) complete copies of the proposal – no copies will be made at HCIDLA or by HCIDLA staff. The proposal designated as original must be marked "ORIGINAL" on the cover letter and must bear the actual "wet" signature of the person(s) authorized to sign the proposal. Proposers must also submit an electronic version in a properly labeled disk or memory stick with the package. A cover letter accompanying the proposal package must be addressed to:

Contracts and Procurement Unit
Los Angeles Housing and Community Investment Department
1200 W. 7th Street, 1st Floor, Public Counter
Los Angeles, CA 90017

Persons who hand-deliver proposals will have their original proposal date and time stamped and will be issued a "Notice of Receipt of Proposal." Proposers are encouraged to submit proposals well in advance of the proposal due date and time to ensure that proposals receive a time and date stamp of 4:00 p.m. or earlier. Please allow sufficient time for traffic, parking, and security checks when entering the building.

Proposers using the U.S. Mail are required to obtain a "Proof of Mailing Certificate" stamped by the Postal Service as evidence that the proposals were mailed not later than 11:59 p.m. on the submission deadline date.

Timely submission of proposals is the sole responsibility of the proposer. The City reserves the right to determine the timeliness of all submissions. Late proposals will not be reviewed. **ALL PROPOSALS HAND DELIVERED AFTER 4:00 P.M. PST ON THE SUBMISSION DEADLINE OR POSTMARKED AFTER 11:59 P.M. PST ON THE SUBMISSION DEADLINE WILL BE RETURNED UNOPENED TO PROPOSERS.**

J. EVALUATION CRITERIA

The Housing and Community Investment Department will review and score each complete and fully responsive proposal. Proposals shall be determined eligible for review and scoring based on the responsiveness and factuality or verifiability of the proposal documentation and information. A minimum score of 70 is required to be considered for funding. The evaluation will be based on the proximity of a proposal's prices to competitive market values and relative to other proposers' pricing, the quality of responses to the RFP, and reasonableness of the proposer's costs relative to other proposers' costs. Proposals shall be evaluated based on the following categories and may include consideration of any or all of the listed factors at the City's sole discretion.

EVALUATION CRITERIA	POINTS
<u>Demonstrated Ability and Experience</u> History and experience in providing services related to the programs proposer is applying for.	25
<u>Staff Capacity</u> Staff capacity and operational level to carry out tasks.	25
<u>Services Approach</u> Proposer's approach to providing required services.	30
<u>Cost Reasonableness</u> Accurate and complete proposed budget, with supporting budget narrative.	20
TOTAL POINTS	100

Local Business Preference	5 or 8 points
<u>USC Neighborhood Housing Preservation Fund Administrator RFP ONLY:</u> Leveraging points	5 bonus points

The City reserves the right to require a pre-award interview, site inspection and/or telephone conference call with proposers. The HCIDLA reserves the right to select more than one contractor.

The City's decision to award a contract(s) will be based on the stated evaluation criteria. The City reserves the right to modify the City's objectives and requirements at any point during the period prior to submittal deadlines (by RFP addendum), without liability, obligation, or commitment to any party, firm or organization for costs incurred in responding to this RFP, RFP addendums or subsequent modifications of the City's terms and conditions prior to execution of a contract.

Proposals will be evaluated against others proposing to provide the same services and to independent cost estimates. The lowest cost proposer may not be determined to be the best proposer when all the evaluation factors have been considered.

K. PROPOSAL REVIEW PROCESS

The proposal review process shall include the following major activities to ensure that the procurement meets audit standards:

1. All proposals shall be reviewed to determine that the minimum eligibility requirements are met (See Section II. C). Ineligible proposers will be informed in writing.
2. All eligible proposals shall be reviewed, scored, and ranked.
3. Each eligible proposal shall be reviewed for costs that are reasonable, allowable, necessary, and competitive, as measured by a review of the line-item budget, and its competitive standing as compared to all other proposals.
4. A proposal's fee schedule pricing will be judged based on its proximity to the Department's competitive market value pricing and other proposers' pricing.
5. At the City's sole discretion, oral interviews may be held with top-scoring proposers. The results of the oral review may determine the final funding recommendations.
6. Proposers shall be notified in writing about funding recommendations and evaluation results.

L. PROPOSAL APPEAL PROCESS

1. Appeal Rights

The City will notify all proposers of the results of the proposal evaluations and of their right to file an appeal. Proposers may appeal procedural issues only.

2. Letters of Appeal

Appeals shall be hand or courier delivered to HCIDLA no later than within five (5) business days from the date that the notification of the results of the RFP was emailed. Applicants may file an appeal by submitting a written request and identifying the specific reason for the appeal to:

Rosa Benavides, Senior Management Analyst II
Los Angeles Housing and Community Investment Department
c/o Contracts and Procurement Unit
RFP Appeal – USC Affordable Housing Fund Programs and Services
1200 W. 7th Street, 1st Floor, Public Counter
Los Angeles, CA 90017

Written appeals may not be more than three (3) typewritten pages and shall request an appeals review be granted. Written appeals must include the following information:

- a. The name, address and telephone number of the proposer.
- b. The name/title of RFP to which the organization responded.
- c. Detailed statement of the grounds for appeal.

Written appeals may not include any new or additional information that was not submitted with the original proposal. Only one appeal per proposal will be permitted. All appeals and protests must be submitted within the time limits set forth in the above paragraphs.

3. Review Panel

A panel composed of selected staff will review the appeal for this RFP. The decision of the panel will be HCIDLA's final recommendation.

M. DISCLAIMER

The City is not responsible for representations made by any of its officers or employees prior to the approval of an agreement by the Los Angeles City Council unless such understanding or representation is included in this RFP or in subsequent written

addenda. The City is responsible only for that which is expressly stated in this solicitation document and any authorized written addenda thereto.

III. GENERAL RFP INFORMATION

A. GENERAL PROPOSAL CONDITIONS

1. **Costs Incurred by Proposers**

All costs of proposal preparation shall be borne by the proposer. The City shall not, in any event, be liable for any pre-contractual expenses incurred by proposers in the preparation and/or submission of the proposals. Proposals shall not include any such expenses as part of the proposed budget.

2. **Best Offer**

The proposal shall include the proposer's best terms and conditions. Submission of the proposal shall constitute a firm and fixed offer to the City that will remain open and valid for a minimum of ninety (90) days from the submission deadline.

3. **Accuracy and Completeness**

The proposal must set forth accurate and complete information as required in this RFP. Unclear, incomplete, and/or inaccurate documentation may not be considered. Falsification of any information may result in disqualification.

If the proposer knowingly and willfully submits false performance or other data, the City reserves the right to reject that proposal. If it is determined that a contract was awarded as a result of false performance or other data submitted in response to this RFP, the City reserves the right to terminate the contract.

Unnecessarily elaborate or lengthy proposals or other presentations beyond those needed to give a sufficient, clear response to all the RFP requirements are not desired.

4. **Withdrawal of Proposals**

Proposals may be withdrawn by written request of the authorized signatory on the proposer's letterhead or by email at any time prior to the submission deadline.

5. **General City Reservations**

Submission Deadline - The City reserves the right to extend the submission deadline should this be in the interest of the City. Proposers

have the right to revise their proposals in the event that the deadline is extended.

Withdrawal of RFP - The City reserves the right to withdraw this RFP at any time without prior notice. The City makes no representation that any contract will be awarded to any proposer responding to the RFP. The City reserves the right to reject any or all submissions.

Reissue of RFP - If an inadequate number of proposals is received or the proposals received are deemed non-responsive, not qualified or not cost effective, the City may at its sole discretion reissue the RFP or execute a sole-source contract with a vendor.

Changes to Proposals - The City shall review and rate submitted proposals. The proposer may not make any changes or additions after the deadline for receipt of proposals. The City reserves the right to request additional information or documentation, as it deems necessary.

Verification of Proposal Information - The City reserves the right to verify all information in the proposal. If the information cannot be verified, and if the errors are not willful, the City reserves the right to reduce the rating points awarded.

Pre-award Interview - The City reserves the right to require a pre-award interview and/or site inspection.

Minor Defects - The City reserves the right to waive minor defects in the proposal in accordance with the City Charter.

Program Personnel - If the selection of the proposer is based in part on the qualifications of specific key individuals named in the proposal, the City must approve in advance any changes in the key individuals or the percentage of time they spend on the project. The City reserves the right to have the contractor replace any project personnel.

Rejection of Proposals - The City reserves the right to reject any or all proposals, to waive any minor defects in proposals received; to reject unapproved alternate proposal(s); and reserve the right to reject the proposal of any proposer who has previously failed to perform competently in any prior business relationship with the City. The rejection of any or all proposals shall not render the City liable for costs or damages.

6. Contract Negotiations

Proposers approved for funding shall be required to negotiate a contract with the City on an offer/counter-offer basis. The best terms and conditions originally offered in the proposal shall bind the negotiations.

The City reserves the right to make a contract award contingent upon the satisfactory completion by the proposer of certain special conditions. The contract offer of the City may contain additional terms or terms different from those set forth herein.

As part of the negotiation process, the City reserves the right to:

- a. Fund all or portions of a proposer's proposal and/or require that one proposer collaborate with another for the provision of specific services, either prior to execution of an agreement or at any point during the life of the agreement;
- b. Use other sources of funds to fund all or portions of a proposer's proposal;
- c. Require that a funded proposer utilize a facility designated by the City for purposes of implementing its project;
- d. Elect to contract directly with one or more of the identified collaborators; and
- e. Require all collaborators identified in the proposal to become co-signatories to any contract with the City.

7. Standing of Proposer

Regardless of the merits of the proposal submitted, a proposer may not be recommended for funding if it has a history of contract non-compliance with the City or any other funding source, poor past or current contract performance with the City or any other funding source, or current disputed or disallowed costs with the City or any other funding source.

Contractors/Organizations that have been sanctioned because of non-compliance with Single Audit Act requirements for managing grant funds will be eligible to apply; however, they will not be eligible to receive any funding, if awarded under this RFP process, until this sanction is removed.

The City will enter into an agreement only with entities that are in good standing with the California Secretary of State.

8. Proprietary Interests of the City

The City reserves the right to retain all submitted proposals, which shall then become the property of the City and a matter of public record. Any department or agency of the City has the right to use any or all ideas presented in the proposal without any change or limitation. Selection or rejection of a proposal does not affect these rights. All proposals will be

considered public documents, subject to review and inspection by the public at the City's discretion, in accordance with the Public Records Act.

Proposers must identify all copyrighted material, trade secrets or other proprietary information claimed to be exempt from disclosure under the California Public Records Act (California Government Code Sections 6250 et seq.) In the event such an exemption is claimed, the proposal must state: "(Name of Proposer) shall indemnify the City and hold it and its officers, employees and agents 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 therefor." Failure to include such a statement shall constitute a waiver of the proposer's right to exemption from disclosure.

In any event, all information contained in this RFP is considered confidential and not open to the public or competing bidders until allowed by the law.

9. Discount Terms

Proposers agree to offer the City any discount terms that are offered to its best customers for the goods and services to be provided herein, and apply such discount to payments made under this agreement, which meet the discount terms.

B. STATEMENTS REQUIRED WITH PROPOSAL

1. Contractor Responsibility Ordinance (CRO) Questionnaire

Every Request for Proposal, Request for Bid, Request for Qualifications or other procurement process is subject to the provisions of the Contractor Responsibility Ordinance, Section 10.40 et seq. of Article 14, Chapter 1 of Division 10 of the Los Angeles Administrative Code, unless exempt pursuant to the provisions of the Ordinance.

This Ordinance requires that all proposers/bidders complete and return, with their response, the responsibility questionnaire included in this procurement. Failure to return the completed questionnaire may result in the proposer/bidder being deemed non-responsive.

The Ordinance also requires that if a contract is awarded pursuant to this procurement, that the contractor must update responses to the questionnaire, within thirty calendar days, after any changes to the responses previously provided if such change would affect contractor's fitness and ability to continue performing the contract.

Pursuant to the Ordinance, by executing a contract with the City, the contractor pledges, under penalty of perjury, to comply with all applicable federal, state and local laws in performance of the contract, including but not limited to laws regarding health and safety, labor and employment, wage and hours, and licensing laws which affect employees. Further, the Ordinance, requires each contractor to: (1) notify the awarding authority within thirty calendar days after receiving notification that any governmental agency has initiated an investigation which may result in a finding that the contractor is not in compliance with Section 10.40.3 (a) of the Ordinance; and (2) notify the awarding authority within thirty (30) calendar days of all findings by a government agency or court of competent jurisdiction that the contractor has violated Section 10.40.3 (a) of the Ordinance.

All proposers shall submit a completed CRO Questionnaire and Pledge of Compliance signed under penalty of perjury with their proposal. Refer to links below:

<https://bca.lacity.org/uploads/cro/CROQ%20Service%20Questionnaire%20Rev%201-20-12.pdf>

and

<https://bca.lacity.org/uploads/cro/CRO%20Pledge%20of%20Compliance.PDF>

If a proposer will have subcontractors in the project, a list of the subcontractors must also be submitted with the proposal.

THIS STATEMENT IS REQUIRED WITH THE PROPOSAL.

2. Municipal Lobbying Ordinance CEC Form 50

All proposers must submit a completed Bidder Certification CEC Form 50. Please review the following link for more information on the City's Municipal Lobbying Ordinance:

http://ethics.lacity.org/PDF/laws/law_mlo.pdf. (Refer to the link below to access the Bidder Certification CEC Form 50, http://ethics.lacity.org/pdf/forms/CEC_Form_50.pdf).

NOTE: Failure to submit this completed CEC Form 50 will result in the proposer being deemed non-responsive and the proposal will be rejected.

THIS STATEMENT IS REQUIRED WITH THE PROPOSAL.

3. Municipal Campaign Finance Ordinance CEC Form 55

Persons who submit a response to this solicitation (bidders) are subject to Charter Section 470(c)(12) and related ordinances. As a result, bidders may not make campaign contributions to and or engage in fundraising for certain elected City officials or candidates for elected City office from the

time they submit the response until either the contract is approved or, for successful bidders, 12 months after the contract is signed. The bidder's principals and subcontractors performing \$100,000 or more in work on the contract, as well as the principals of those subcontractors, are also subject to the same limitations on campaign contributions and fundraising.

Bidders/proposers must submit CEC Form 55 to the awarding authority at the same time the response is submitted (refer to the following link to access the form http://ethics.lacity.org/pdf/forms/CEC_Form_55.pdf).

The form requires bidders to identify their principals, their subcontractors performing \$100,000 or more in work on the contract, and the principals of those subcontractors. Bidders must also notify their principals and subcontractors in writing of the restrictions and include the notice in contracts with subcontractors. Responses submitted without a completed CEC Form 55 shall be deemed nonresponsive. Bidders who fail to comply with City law may be subject to penalties, termination of contract, and debarment. (See **Attachment 10** – Form 55 Instructions). Additional information regarding these restrictions and requirements may be obtained from the City Ethics Commission at (213) 978-1960 or ethics.lacity.org.

THIS STATEMENT IS REQUIRED WITH THE PROPOSAL.

4. **Equal Benefits Ordinance/First Source Hiring Ordinance Compliance Affidavits**

All bidders/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) and the Los Angeles Administrative Code Sections 10.44 et seq., First Source Hiring Ordinance (FSHO).

Effective July 1, 2016, the Equal Benefits Ordinance and First Source Hiring Ordinance Compliance affidavits were combined into one web application form available on the City of Los Angeles' Business Assistance Virtual Network (BAVN) residing at www.labavn.org. All bidders/proposers shall complete and upload the joint affidavit prior to the award of a City contract, the value of which exceeds \$25,000. A sample form may be accessed via the link below:

http://www.labavn.org/misc/docs/co_files/EBOFSHO/EBOFSHO_Sample_07-01-2016.pdf

If subject to the ordinances, a contractor will be required to complete the web application form, electronically sign, and submit. If a form was uploaded and verified prior to July 1, 2016, these will continue to be valid until they expire or are deleted (generally three years from upload date). When the form expires, a contractor will be required to complete the new web application form.

Equal Benefits Ordinance

By completing and uploading the Equal Benefits Ordinance Compliance Affidavit, your company is certifying compliance with the requirements of said ordinance. If selected as a successful Bidder/Proposer, your EBO Compliance Affidavit will be verified for completeness by the Office of Contract Compliance (OCC) prior to contract award. The EBO Affidavit shall be effective for a period of three years from the date it is first uploaded onto the City's BAVN. A company wishing to seek a waiver of the EBO provisions must submit the EBO Waiver Application with the bid or proposal. The EBO Waiver Application shall be forwarded to OCC for processing. OCC shall notify the awarding department of the determination resulting from the waiver request. Upon contract award, your company may be randomly selected for a compliance audit, at which time your company will be required to demonstrate compliance as indicated in the EBO Compliance Affidavit.

First Source Hiring Ordinance

Prime contractors who are awarded a contract that is subject to the requirements of the FSHO must complete and upload the FSHO Compliance Affidavit. Unless otherwise exempt, the FSHO applies to service contracts over \$25,000 and 3 months, and some loan or grant recipients. Awarding departments may seek exemption by submitting a completed FSHO-X Form to the Office of Contract Compliance prior to contract execution.

The uploaded forms will be verified by the Bureau of Contract Administration (BCA) only if your company is the successful proposer/bidder selected for contract award.

Upon BCA verification, the Awarding Authority shall award the contract. If in the process of verifying the uploaded forms, BCA finds that the form(s) are incomplete, the awarding department shall be notified and your company will be required to re-upload the form(s). The re-uploading of form(s) will not trigger a new renewal date. The renewal date shall remain as the first time the form(s) were uploaded.

Bidders/proposers shall complete and submit ONLINE, with their proposal, the EBO/FSHO Affidavit, or Request for Waiver, if applicable.

THIS STATEMENT IS REQUIRED WITH THE PROPOSAL ONLINE.
(www.labavn.org)

5. Disclosure Ordinances (Slavery Disclosure Ordinance and Disclosure of Border Wall Contracting Ordinance)

Unless otherwise exempt, in accordance with the provisions of the Slavery Disclosure Ordinance (SDO), any contract awarded pursuant to this RFP will be subject to the Slavery Disclosure Ordinance, Section 10.41 of the Los Angeles Administrative Code. Bidders/proposers seeking additional information regarding the requirements of the Slavery Disclosure Ordinance may visit the BCA's website at: <https://bca.lacity.org/slavery-disclosure-ordinance-sdo>.

In addition, unless otherwise exempt, in accordance with the provisions of the Disclosure of Border Wall Contracting Ordinance (DBWCO), any contract awarded pursuant to this RFB/RFP/RFQ will be subject to the Disclosure of Border Wall Contracting Ordinance, Section 10.50 of the Los Angeles Administrative Code. Bidders/proposers seeking additional information regarding the requirements of the Disclosure of Border Wall Contracting Ordinance may visit the BCA's website at: <https://bca.lacity.org/Uploads/sdo/Border%20Wall%20Ordinance.pdf>.

All bidders/proposers shall complete and electronically sign the Disclosure Ordinances Affidavit – which contains the Slavery Disclosure Ordinance and the Disclosure of Border Wall Contracting Ordinance, prior to the award of a City contract. The Disclosure Ordinances Affidavit is available on the City of Los Angeles' Business Assistance Virtual Network (BAVN) residing at www.labavn.org.

NOTE: Effective July 18, 2018, the SDO web form on BAVN was updated to combine the requirements of the SDO and the DBWCO. The previous SDO-1 affidavit forms have become obsolete. Any previous SDO-1 affidavit forms submitted on BAVN will be transferred to the contractor document history.

THIS STATEMENT IS REQUIRED WITH THE PROPOSAL ONLINE.
(www.labavn.org)

6. Living Wage Ordinance and Service Contractor Worker Retention Ordinance

Unless approved for an exemption, contractors under contracts 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, lessees and licensees of City property, and certain recipients of City financial assistance, shall comply with the provisions of Los Angeles Administrative Code Sections 10.37 et seq., Living Wage Ordinance (LWO) and 10.36 et seq., Service Contractor Worker Retention Ordinance (SCWRO). Bidders/Proposers shall refer to **Attachment 2**, "Living Wage Ordinance and Service Contractor Worker Retention Ordinance" for further information regarding the requirements of the Ordinances.

Bidders/proposers who believe that they meet the qualifications for one of the exemptions described in the LWO Exemptions (see **Attachment 3: LWO Exemptions**) shall apply for an exemption from the Ordinance by submitting with their proposal the LWO Small Business Exemption Application (LW-26A), which can be accessed at:

https://bca.lacity.org/Uploads/lwo/LW26_Small_Business_Exemption_Application_%28English%29.pdf

Or by submitting the LWO – 501(C)(3) Non-Profit Exemption Application (LW-28), which can be accessed at:

https://bca.lacity.org/Uploads/lwo/LW28_501c3_Nonprofit_Exemption_Application.pdf

THESE STATEMENTS ARE REQUIRED WITH THE PROPOSAL, IF APPLICABLE.

7. Proposer Workforce Information/Non-Collusion Statement

Proposers shall submit with their proposal a statement indicating their headquarters address, as well as the percentage of their workforce residing in the City of Los Angeles. Proposer shall also submit a completed Workforce Information/Non-Collusion Statement. (See **Attachment 4: Proposer Workforce Information/Non-Collusion Statement**).

THIS STATEMENT IS REQUIRED WITH THE PROPOSAL.

8. Business Services Implementation Plan Collaborator Agreements

Proposals shall include completed forms from each organization intending to formally collaborate with the proposers (see **Attachment 5: Collaborator Agreements**).

THIS STATEMENT IS REQUIRED WITH THE PROPOSAL.

9. Subcontractors

If a proposer will have subcontractors in the program, a list of the subcontractors must also be submitted with the proposal.

10. Business Inclusion Program

All bidders/proposers shall comply with the City's Business Inclusion Program requirements, identify sub-contracting opportunities and outreach to Minority Business Enterprises (MBE), Women Business Enterprises (WBE), Small Business Enterprises (SBE), Emerging Business Enterprises (EBE), Disabled Veteran Business Enterprises (DVBE), and Other Business Enterprises (OBE) sub-consultants.

All bidders, including those with existing sub-contractors and those not planning to use sub-contractors, must perform subcontractor outreach online 15 days prior to the RFP due date, per Attachment 6: Business Inclusion Program. Requirements must be completed on the Los Angeles Business Assistance Virtual Network (LABAVN), www.labavn.org. A proposer's failure to complete the BIP outreach by the required deadline will result in a proposal being deemed non-responsive.

OUTREACH MUST BE COMPLETED 15 DAYS PRIOR TO RFP DEADLINE.

11. Iran Contracting Act of 2010

In accordance with California Public Contract Code Sections 2200-2208, all bidders/proposers submitting proposals for, entering into, or renewing contracts with the City of Los Angeles for goods and services estimated at \$1,000,000 or more are required to complete, sign and submit the "Iran Contracting Act of 2010 Compliance Affidavit" (see **Attachment 7: for Affidavit form**).

12. Local Business Preference Program and Affidavit of Eligibility

All proposers who are claiming eligibility to the Local Business Preference Program criteria shall download and submit the Affidavit of Eligibility ([http://www.labavn.org/misc/docs/LBP Affidavit of Eligibility 060115.pdf](http://www.labavn.org/misc/docs/LBP_Affidavit_of_Eligibility_060115.pdf)) in BAVN.

Proposers are advised that any contract awarded pursuant to this procurement process shall be subject to the applicable provisions of the Local Business Preference, Ordinance Number 181910 (http://clkrep.lacity.org/online/docs/2011/11-1673_ord_181910.pdf).

Awarding Authorities shall grant an eight percent Local Business Preference to Local Businesses for contracts involving consideration in excess of \$150,000. When applying the Local Business Preference to a Proposal, the Awarding Authority shall apply the preference in the form of additional points to the Proposal's final score such that the score awarded to a Proposal submitted by a Local Business is increased by eight percent of the total possible evaluation points. The Awarding Authority shall provide a preference of up to five percent to a Bid or Proposal submitted by a business that does not qualify as a Local Business, but that identifies a qualifying Local Subcontractor to perform work under the Contract.

Local Business Certification Affidavit of Eligibility: All proposers who are claiming eligibility to the Local Business Preference Program criteria shall download and submit the Affidavit of Eligibility in BAVN.

THIS STATEMENT IS REQUIRED WITH THE PROPOSAL, IF PROPOSER IS INTERESTED IN ADDITIONAL LOCAL BUSINESS PREFERENCE.

C. CONTRACT EXECUTION REQUIREMENTS

If recommended for funding, the proposer shall be required to enter into an agreement with the City of Los Angeles and comply with the requirements listed below. **Failure to comply with these requirements will result in non-execution of the contract.** A copy of the City's Standard Agreement is available upon request. The agreement with the selected proposer(s) will be on a to-be-negotiated fee-for-performance basis.

1. Insurance Certificates

Contractors will be required to maintain insurance at a level to be determined by the City's Risk Manager, with the City named as an additional insured. Contractors who do not have the required insurance should include the cost of insurance in their bid. Contractors will be required to provide insurance at the time of contract execution (refer to the following link for Insurance Instructions and Information http://cao.lacity.org/risk/Submitting_proof_of_Insurance.pdf).

2. Secretary of State Documentation

All contractors are required to submit one copy of their Articles of Incorporation, partnership, or other business organizational documents (as appropriate) filed with the Secretary of the State. Organizations must be in good standing and authorized to do business in California, as registered contractors with the State of California. Visit the Secretary of State's website for more information at: <https://businesssearch.sos.ca.gov/>.

3. Corporate Documents

All contractors who are organized as a corporation or a limited liability company are required to submit a Secretary of State Corporate Number, DUNS number, a copy of its By-Laws, a current list of its Board of Directors, and a Resolution of Executorial Authority with a Signature Specimen (see **Attachment 8: Corporate Documents**).

4. City Business License Number

All contractors are required to submit one copy of their City of Los Angeles Business License, Tax Registration Certificate or Vendor Registration Number. To obtain a Business Tax Registration Certificate (BTRC), call the Office of Finance at (213) 473-5901 and pay the respective business taxes. The address is: Los Angeles City Office of Finance, Tax and Permit

Division, City Hall, 200 N. Spring Street, Room 101, Los Angeles, CA 90012. Visit the Office of Finance's website for more information at: www.finance.lacity.org.

5. Proof of IRS Number (W-9)

All contractors are required to complete and submit Proof of IRS Number (W-9) form. (Refer to link: <http://www.irs.gov/pub/irs-pdf/fw9.pdf> Request for Taxpayer Identification Number (Form W-9).

6. Nonprofit Status Documentation from the Internal Revenue Service (IRS)

Proposers must submit a copy of their notice from the IRS designating the agency as a 501(c)(3) organization or other evidence of its tax exempt status from the IRS, if applicable.

7. Certifications

Contractor shall provide copies of the following documents to the City:

- a. A Certificate Regarding Ineligibility, Suspension and Debarment as required by Executive Order 12549.
- b. Certification and Disclosure Regarding Lobbying (not required for contracts under \$100,000). Contractor shall also file a Disclosure Form, at the end of each calendar quarter during which any event requiring disclosure, or which materially affects the accuracy of the information contained in any previously filed Disclosure Form, occurs
- c. A Certificate Regarding Drug-Free Workplace Requirements, if applicable.

8. Collaboration

The City may, at its discretion, require two or more proposers to collaborate as a condition to contract execution.

9. Non-Discrimination/Equal Employment Practices/Affirmative Action

Effective July 1, 2016 the Non-Discrimination/Equal Employment Practices and Affirmative Action (ND/EEP and AA) provisions were amended to eliminate the need for contractors to complete affidavits on BAVN. By affixing its signature to a contract, the contractor agrees to adhere to the ND/EEP and AA for the duration of the contract. When a contractor signs the contract, they will also be acknowledging their responsibility to comply with both the ND/EEP and AA provisions. The AA provisions will now

apply to all construction contracts and all non-construction contracts of \$25,000 or more.

Bidders/proposers seeking additional information regarding the requirements of the City's Non-Discrimination Clause, Equal Employment Practices and Affirmative Action Program may visit the Bureau of Contract Administration's website at:

<https://bca.lacity.org/Uploads/eeo/NDEEOAAP%20Admin%20Code.pdf>

10. Americans with Disabilities Act

Any contract awarded pursuant to this RFP shall:

1. Comply with the Americans with Disabilities Act, as amended, 42 U.S.C. Section 12101 et seq., the Rehabilitation Act of 1973, as amended, 29 U.S.C. Section 701 et seq., the Fair Housing Act, and its implementing regulations and any subsequent amendments; and California Government Code Section 11135.
2. Not discriminate in the provision of its programs, services or activities on the basis of disability or on the basis of a person's relationship to, or association with, a person who has a disability.
3. Provide reasonable accommodation upon request to ensure equal access to all of its programs, services and activities.

Contractor represents that it will certify that any construction for housing performed with funds provided through any future contract will be done in accordance with the Uniform Federal Accessibility Standards (UFAS), 24 CFR, Part 40.

Contractor represents that it will certify that its buildings, and facilities used to provide services in accordance with any future contract, are in compliance with the federal and state standards for accessibility as set forth in the 2010 ADA Standards, California Title 24, Chapter 11, or other applicable federal and state law.

Contractor understands that the City is relying upon these certifications and representations as a condition of funding any future contract.

Contractor will require its subcontractors, if any, to include this language in any subcontract.

Contractors must be in compliance with these provisions at the time the contract is executed.

11. Child Support Assignment Orders

Any contract awarded pursuant to this RFP shall be subject to the following:

This contract is subject to Section 10.10 of the Los Angeles Administrative Code, Child Support Assignment Orders Ordinance. Pursuant to this Ordinance, contractor/consultant certifies that it will (1) fully comply with all State and Federal employment reporting requirements applicable to Child Support Assignment Orders; (2) that the principal owner(s) of contractor/consultant are in compliance with any Wage and Earnings Assignment Orders and Notices of Assignment applicable to them personally; (3) fully comply with all lawfully served Wage and Earnings Assignment Orders and Notices of Assignment in accordance with California Family Code Section 5230 et seq.; and (4) maintain such compliance throughout the term of this Contract. Pursuant to Section 10.10.b of the Los Angeles Administrative Code, failure of contractor/consultant to comply with all applicable reporting requirements or to implement lawfully served Wage and Earnings Assignment Orders and Notices of Assignment or the failure of any principal owner(s) of contractor/consultant to comply with any Wage and Earnings Assignment Orders and Notices of Assignment applicable to them personally shall constitute a default by the contractor/consultant under the terms of this contract, subjecting this contract to termination where such failure shall continue for more than 90 days after notice of such failure to contractor/consultant by City. Any subcontract entered into by the contractor/consultant relating to this Contract, to the extent allowed hereunder, shall be subject to the provisions of this paragraph and shall incorporate the provisions of the Child Support Assignment Orders Ordinance. Failure of the contractor/consultant to obtain compliance of its subcontractors shall constitute a default by the contractor/consultant under the terms of this contract, subjecting this contract to termination where such failure shall continue for more than 90 days after notice of such failure to contractor/consultant by the City.

Contractor/Consultant shall comply with the Child Support Compliance Act of 1998 of the State of California Employment Development Department. Contractor/Consultant assures that to the best of its knowledge it is fully complying with the earnings assignment orders of all employees, and is providing the names of all new employees to the New Hire Registry maintained by the Employment Development Department as set forth in subdivision (1) of the Public Contract Code 7110 (see **Attachment 9: Child Support Obligations**).

12. Fair Chance Initiative for Hiring Ordinance

City Contractors and subcontractors with 10 or more employees are prohibited under Los Angeles Administrative Code Section 10.48 from seeking a job applicant's criminal history information until a job offer is made and from withdrawing a job offer unless the employer performs an assessment of the applicant's criminal history and the duties of the position. Contractors and subcontractors are required to include information regarding the ordinance in all job solicitations and advertisements and to post notices informing job applicants of their rights. Additional information and forms can be found at Department of Public Works, Bureau of Contract Administration at:

<https://bca.lacity.org/fair-chance>

D. CONTRACTOR EVALUATION ORDINANCE

At the end of the contract, the City will conduct an evaluation of the contractor's performance. The City may also conduct evaluations of the contractor's performance during the term of the contract. As required by Section 10.39.2 of the Los Angeles Administrative Code, evaluations will be based on a number of criteria, including the quality of work product or service performed the timeliness of performance, the contractor's compliance with budget requirements, and the expertise of personnel that the contractor assigns to the contract. A copy of the Contractor Evaluation Form is available upon request. The contractor will be provided with a copy of the final City evaluation and allowed 14 calendar days to respond. The City will use the final City evaluation, and any response from the contractor, to evaluate proposals and to conduct reference checks when awarding other contracts.

IV. PROPOSAL PACKAGE

A. GENERAL PREPARATION GUIDELINES

If a proposer does not follow these instructions and/or information is omitted or a required attachment is not submitted, the bidder/proposer may be determined to be ineligible and excluded from the review.

1. The proposal must be submitted in the legal name of the firm or corporation and the corporate seal must be embossed on the original proposal. An authorized representative of the proposer organization who has legal authority to bind the organization in contract with the City must sign the proposal.
2. Proposers must submit one (1) original and four (4) stapled or large binder-clipped copies. The original must be marked "Original" on the cover and must bear the actual "wet" signature(s) of the person(s) authorized to sign the proposal. The copies must be numbered on the upper right hand side of the cover to indicate "Copy No. ____."
3. All proposals must be accompanied by a cover letter that should be limited to **one page**. The letter must:
 - Include the title, address, telephone number, fax number, and e-mail of the person(s) who will be authorized to represent the proposer and each collaborator.
 - Be signed by the person(s) authorized to bind the agency to all commitments made in the proposal and, if applicable, be accompanied by a copy of the Board Resolution authorizing the person(s) to submit the proposal. If a Board Resolution cannot be obtained prior to proposal submission, it may be submitted no later than **one (1) calendar week** after the proposal submission deadline.
 - Identify the individual or firm, which prepared or assisted in preparing the proposal. If that individual or firm will not participate in the implementation of the project, describe how the transfer of responsibility will occur to ensure timely implementation.
4. Proposals must be submitted in the English language. Numerical data must be in the English measurement system; costs must be in United States dollars.
5. Narratives are limited the number of pages as indicated per narrative question and must follow these standards:

- Font size – 12 points
- Margins – At least 1 inch on all sides
- Line spacing – Single-spaced
- Double-sided, plain white paper

Pages in excess of the stated limits will not be read and will not be considered in scoring.

6. Each page of the proposal, including attachments, must be numbered sequentially at the bottom of the page to indicate Page ___ of ___.
7. Please use the indicative mood (will, shall, etc.) in narratives rather than the subjective (would, should, etc.) so that proposals can be easily converted to contract form.
8. The Proposal Checklist lists all narratives, attachments and certifications that must be included in the proposal. In assembling the completed proposal, please insert the attachments and certifications where they are indicated in the Proposal Checklist. The Proposal Checklist will serve as your Table of Contents (See **Attachment 1**).
9. Answers should be as concise as possible while providing all the information requested.
10. In completing the narratives and attachments, including the fee schedule, please include and clearly identify the services to be provided by and the demonstrated ability of subcontractors, if any.

B. NARRATIVES

Proposers shall refer to **Attachment 11** in order to respond to narrative questions relative to the service(s) for which they are submitting their proposal(s). Please note that each of the three (3) USC programs have their own, specific set of narrative questions that allow you to describe your qualifications and ability to provide the services solicited. Use concrete language and quantifiable measurements whenever possible. Describe specific examples if possible or when required.

C. DOCUMENTS TO BE COMPLETED

Proposers must complete and submit all of the attachments and certification forms listed. **Do not assume that any document is not applicable.** If the proposer does not follow all the instructions and/or requirements in this RFP, the proposer may be determined to be ineligible and excluded from the review. Use the Proposal Checklist as a guide.

D. PROPOSAL CHECKLIST

The **Proposal Checklist (Attachment 1)** is to serve as the Table of Contents for your proposal and as a guide for all documents, which must be submitted with the RFP. It lists all Narratives, Attachments, and Certifications (if applicable) that must be included as part of the proposal. Indicate in the page number column where the information can be found in your proposal. In assembling the complete proposal, please insert the attachments where they are indicated in the Proposal Checklist.