

TRANSMITTAL

To:

THE COUNCIL

Date: 06/17/2016

From:

THE MAYOR

TRANSMITTED FOR YOUR CONSIDERATION. PLEASE SEE ATTACHED.

A handwritten signature in blue ink, appearing to read 'Eric Garcetti', is written over a faint, light blue circular stamp.

(Ana Guerrero)

ERIC GARCETTI
Mayor



Eric Garcetti, Mayor
Rushmore D. Cervantes, General Manager

Housing Development Bureau

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June 14, 2016

Honorable Eric Garcetti
Mayor, City of Los Angeles
200 North Spring Street, Room 303
Los Angeles, CA 90012

Attention: Mandy Morales, Legislative Coordinator

**COUNCIL TRANSMITTAL: REQUEST FOR AUTHORIZATION TO RELEASE A
REQUEST FOR PROPOSALS (RFP) FOR OCCUPANCY MONITORING OF
AFFORDABLE HOUSING**

SUMMARY

The General Manager of the Los Angeles Housing and Community Investment Department (HCIDLA) requests authorization to release a Request for Proposals (RFP) for Occupancy Monitoring Services. The RFP will solicit a qualified firm to conduct occupancy monitoring of affordable single-family and multi-family housing developments. Monitoring ensures that income-qualified tenants reside in the affordable units and that the rents charged are within the applicable program limits or that first-time owners continue to reside in the home that they purchased. Occupancy monitoring is a strictly enforced requirement for housing projects financed with HOME Investment Partnership (HOME) funds from the U.S. Department of Housing and Urban Development (HUD), or restricted by local, state and other federal programs.

RECOMMENDATIONS

The General Manager of the HCIDLA respectfully requests that:

- I. Your office schedule this transmittal at the next available meeting(s) of the appropriate City Council committee(s) and forward it to City Council for review and approval immediately thereafter; and

- II. The City Council, subject to the approval of the Mayor, authorize the HCIDLA General Manager or designee to:
- A. Prepare and release a Request for Proposals (RFP) to solicit bids for Occupancy Monitoring Services program, subject to City Attorney review as to form, per RFP attached (Attachment 1).
 - B. Submit recommendations to the Mayor and City Council for the Occupancy Monitoring contractor selection and funding for the contract term of January 1, 2017 to December 31, 2017, with the option to renew for up to four (4) additional, one (1) year program terms, contingent upon availability of funds, satisfactory contractor performance and need.

BACKGROUND

HCIDLA's affordable housing database consists of approximately 1,370 properties and over 40,000 units. These properties are subject to one or more recorded regulatory agreements or covenants, which are placed on the property when the owner receives financing through the City's Affordable Housing Trust Fund (AHTF), from multi-family housing bonds issued by the City, other loans and grants, and/or when the owner has received a land use concession, such as a density bonus. HCIDLA is charged with annual occupancy monitoring of the affordable units set aside in these covenants and regulatory agreements for up to 55 years to ensure compliance with rent and income restrictions.

The following list includes the programs and the sources/authorities that restrict the affordable housing units:

- Federal Programs: HOME Investment Partnerships Program (HOME), Community Development Block Grant (CDBG), Neighborhood Stabilization Program (NSP), Housing Opportunities for Persons with HIV/AIDS (HOPWA), Neighborhood Preservation Program (NPP), Earthquake Program, Section 108, and Energy Efficiency and Conservation Block Grant (EECBG), Building Equity and Growth in Neighborhoods Program (BEGIN), American Dream Downpayment Initiative (ADDI), multi-family housing bonds
- State Programs: Jobs-Housing Balance Grant, Workforce Housing Grant, CalHOME, Community Redevelopment Funds (CRA)
- Land Use Programs: Density Bonus Ordinance, Greater Downtown Housing Incentives Ordinance, State Mello Act, Los Angeles City Planning Commission determinations, City Council/Mayoral actions that require affordable housing unit set-asides (e.g. Playa Vista)

HCIDLA's occupancy monitoring contractor must have expert knowledge in not only HCIDLA's programs, but a multitude of complex financing programs, with distinct monitoring requirements that impact the HCIDLA Affordable Housing Portfolio. In March, 2013, HCIDLA assumed responsibility for monitoring all the affordable housing developments previously funded by the former Community Redevelopment Agency of the City of Los Angeles (CRA/LA). For this reason, the contractor must also have expertise in California Redevelopment Law and the monitoring of the CRA/LA housing assets.

Through the RFP process, HCIDLA has obtained contracted services since 2003 to provide occupancy monitoring services. During this time, HCIDLA's Affordable Housing Portfolio has grown from nearly 12,000 units to over 40,000 units. HCIDLA is seeking a service provider to develop and enforce contract requirements that will lead to the successful monitoring of HCIDLA's database and an accurate tracking and documentation system.

The number of assisted affordable housing units in the Affordable Housing Portfolio has grown from nearly 12,000 units in 2003 to over 40,000 units in 2016. It is expected that the inventory will increase by several thousand affordable rental units over the next few years (new projects with AHTF, Bond, and Land Use restrictions). Additionally, HCIDLA will add to the contract approximately 4,000 single family homeownership loans that have been funded by federal and state programs and that require annual monitoring to ensure the low income qualified buyer is residing in the home.

NEED FOR CONTRACT SERVICES

Monitoring services are contracted out due to: the extremely large number of affordable housing projects and units that must be monitored at least annually; the need for a specialized and highly technical database to document and track monitoring status; the need to calculate allowable rents and incomes; and determine compliance with various program guidelines. The HCIDLA currently does not have the capacity to monitor such a specialized database of projects, nor sufficient staff to review the voluminous documentation and conduct mandatory site visits.

Failure to adequately monitor federal financing programs (HOME, CDBG, NSP, etc.) or to provide documentation of successful monitoring for the most current five (5) year period, could result in: 1) the loss of affordable housing stock; 2) disallowed costs requiring the repayment of federal grant funds with General Funds or other non-federal funds; and 3) potential lawsuits against the City for failure to perform a mandatory duty.

On May 13, 2016, HCIDLA requested a Charter Section 1022 determination from the Personnel Department to show that the City currently does not have the staff available to perform the required occupancy monitoring services. At the time of finalizing this transmittal, this determination was still under review by the Personnel Department.

FUNDING LEVEL

The successful proposer will be funded at an amount not to exceed \$950,000 upon approval of the approved City budget for Fiscal Year 2016-2017. Funding for the first year term of this contract will be found in the Special Fund schedules for Municipal Housing Finance Fund (MHFF) and HOME Investment Partnerships Program funds. The balance of the funding will be allocated from the Low Moderate Income Housing Fund.

REQUEST FOR PROPOSALS (RFP)

The HCIDLA is requesting authority to release an RFP for affordable housing occupancy monitoring services as described in the attached draft RFP (Attachment 1). The RFP requests proposals from firms with expertise in providing occupancy monitoring services associated with a wide variety of local, state and federal financing and land use programs. Additionally, applicants must be able to demonstrate that they have a comprehensive database to track compliance with the various affordable housing requirements and have a user-friendly web-based monitoring application that can be accessed by HCIDLA and property owners.

The HCIDLA's goal is to select one firm as the qualified contractor to perform all required services to oversee a portfolio of over 40,000 units.

Some of the specific monitoring services being solicited through the RFP include, but are not limited to (See Attachment 1 for a complete list of the Scope of Services):

1. Maintaining updated electronic files for each monitored project to document and track compliance.
2. Annually collecting various monitoring documents and certifications from the owner/manager of each multi-family property in the inventory, which includes the following tenant data for each restricted unit: unit number, tenant name, move-in date, number of bedrooms, tenant household composition (names, ages, occupations of all household members, ethnicity and gender of each head of household), household income, rent paid, utility allowance, income source documentation, whether the unit receives rental assistance through a Housing Choice Voucher or Project-Based Section 8 and the amounts of the rental assistance paid and tenant's portion of the rent.
3. Accurately reviewing income source documentation for new and recertifying tenants of restricted units. For the purposes of this contract, all HCIDLA programs use the Part V definition of annual income contained in United States Department of Housing and Urban Development (HUD) regulation 24 CFR 5.609.
4. Accurately applying various affordable housing program regulations and requirements to determine whether a property/unit is in compliance, which includes an understanding of subsidy layering and local, state and federal monitoring compliance requirements.
5. Conducting on-site visits as mandated by HOME regulations and to follow-up on non-compliant properties. Site visits shall include reviewing the management plan, affirmative marketing plan, tenant selection plan, wait list, copies of initial tenant leases and mandatory lease addendums, income source documentation, rent and utility schedules, and project and tenant files to assess compliance with HOME and other regulations.
6. Providing customer service to property owners and managers by establishing and maintaining a good working relationship with them, and providing training as needed paid by owners and managers.

7. Collecting information from each homeowner in the single-family loan monitoring portfolio as evidence that the homebuyer is residing in the home.
8. Directly submitting documentation to California Debt Limit Allocation Committee to certify compliance with multi-family housing bond projects.
9. Providing HCIDLA with a status and compliance report and back-up documentation with each monthly invoice for all projects monitored/invoiced for the previous month, including site visit reports. Monthly reports will also include year-to-date information on monitored projects, and any other information deemed necessary by HCIDLA to track compliance.
10. Providing additional related services and technical assistance as requested by HCIDLA, including, but not limited to, responding to requests for compliance information and submitting reports and documents on specific properties under review by the Department.

Additionally, these services require expertise in the following affordable housing programs that HCIDLA does not monitor, but that provide subsidy layering and therefore may affect monitoring requirements: HUD's 202 and 811 Supportive Housing programs, Public Housing Authority programs (Housing Choice Voucher, Project Based Section 8, and Shelter Plus Care); Internal Revenue Service's regulations as applied to multi-family housing bonds and Low Income Housing Tax Credit programs, the City's Rent Stabilization Ordinance, land use regulations, and other applicable laws, codes, regulations and restrictions relating to the provision of affordable housing.

Eligible RFP Applicants: To be deemed eligible, applicants must meet the following minimum threshold requirements:

1. Be qualified (and licensed) to conduct business in the State of California.
2. Be in good standing with the Secretary of State, if the bidder is a corporation or limited liability company.
3. Have not been determined to be non-responsive 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 five (5) years experience in successfully completing contracts that are similar in scope to the services requested.
6. Have extensive training and knowledge of: the Low Income Housing Tax Credit (LIHTC) Program, multi-family housing bonds, Housing Choice Vouchers, and California Redevelopment policies.

Evaluation Process and Criteria: Proposals will first be reviewed to determine that minimum eligibility requirements have been met. Eligible proposals will then be reviewed, scored, and ranked by a review panel that includes HCIDLA staff, according to criteria listed in the RFP.

Proposals will be evaluated on the following categories:

1.	Demonstrates Ability	30 points
2.	Demonstrates Capacity	30 points
3.	Technical System Design	20 points
4.	<u>Cost Reasonableness</u>	<u>20 points</u>
	Total Points	100 points

Each application will be evaluated on its own merits for content, responsiveness, conciseness, clarity, relevance, fee schedule, and strict adherence to the instructions in the RFQ. Proposers will be notified in writing of the evaluation outcomes, and will have an opportunity to appeal the decision. After the appeal process has concluded, the HCIDLA will make contractor recommendations to the Mayor and City Council.


RFP TIMELINE

Pending City Council and Mayoral authorization, the HCIDLA would release the RFP on or after July 4, 2016, hold a bidders' conference in during the week of July 10, 2016, and close submissions in late August 2016. It is anticipated that contracts will commence on January 1, 2017 for an initial twelve month period, with an option to extend for up to four additional one-year terms, contingent upon the availability of funds, satisfactory contractor performance, and need.

FISCAL IMPACT

There will be no impact on the City's General Fund.

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General Manager

HH:DS:BM:am

Attachment 1: Draft Request for Proposals



City of Los Angeles Housing and Community Investment Department



Eric Garcetti, Mayor
Rushmore D. Cervantes, General Manager

Request for Proposals (RFP)

Occupancy Monitoring Services

Release Date	TBD
RFP Submission Deadline	TBD 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	TBD RSVP by TBD via email to: hcidla.planning@lacity.org
Request for Technical Assistance Deadline	TBD Submit by email only to: hcidla.planning@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	TBD No later than 11:59 p.m. (See RFP page 17 and Attachment 4 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
Occupancy Monitoring Services**

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Proposer Workforce Information/Non-Collusion Affidavit

ATTACHMENT 3

Business Services Implementation Plan Collaborator Agreements

ATTACHMENT 4

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

ATTACHMENT 5

Iran Contracting Act of 2010 Compliance Affidavit

ATTACHMENT 6

Corporate Documents

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Living Wage Ordinance and Service Contractor Worker Retention Ordinance

ATTACHMENT 8

LWO Statutory Exemptions

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Child Support Obligations

ATTACHMENT 10

Fee Schedule

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. XX-XXXX).

B. OVERVIEW

HCIDLA is the City's primary housing agency, dedicated to the production and preservation of affordable housing. The Department combines monitoring powers of the City's rental and habitability laws, capital subsidy, tax-exempt finance, and advocacy to meet the City's housing needs. The Department also acts as the City's housing finance agency, providing funds for the development of housing affordable to low and very low income residents and first-time home buyers, as well as low-interest home improvement loans and grants to low and moderate income homeowners to complete needed renovations and make accessibility improvements to their properties. HCIDLA's affordable housing inventory consists of approximately 43,000 units, which includes 23,000 units previously transferred to the City from the Los Angeles Community Redevelopment Agency (CRA/LA). These properties are subject to one or more recorded regulatory agreement or covenant, which are placed on the property when the owner receives financing from the City.

HCIDLA is responsible for the annual occupancy monitoring of projects for a term of up to 55 years. All projects are monitored annually to ensure compliance with rent, income, occupancy, and other programmatic restrictions mandated by the U.S. Department of Housing and Urban Development (HUD), federal tax laws, State and City requirements. Monitoring services are contracted out due to the extremely large number of affordable housing projects and units that must be monitored annually and the need for a specialized and highly technical database to document and track monitoring status, calculate allowable rents and incomes, perform site visits to review tenant files and determine compliance with various program guidelines.

II. RFP SPECIFICATIONS

A. SERVICES SOLICITED

HCIDLA relies on highly specialized knowledge experts to provide occupancy monitoring services to adhere to program rules and guidelines that are mandated with each federal, local or state financing or land use program. Applicants should be able to demonstrate that they have the capacity to perform analysis of compliance documents and engage and train owners or their representatives during compliance site visits. Additionally, applicants should be able to review and analyze owner compliance documents to reduce audit risk. Applicants must maintain a comprehensive database to track compliance with the various affordable housing requirements and have a user-friendly web-based monitoring application accessible to HCIDLA and property owners.

This Request for Proposals (RFP) seeks one or more individuals or firms qualified to provide all services (described in detail in Section B. Scope of Work), in accordance with HCIDLA's goals and objectives.

B. SCOPE OF WORK

The Los Angeles Housing and Community Investment Department (HCIDLA) seeks qualified professionals to provide the following occupancy monitoring services:

1. The housing portfolio requires extensive knowledge of the following types of funding structures:
 - a. Federal Programs: Home Investment Partnerships Program (HOME), Community Development Block Grant (CDBG), Neighborhood Stabilization Program (NSP), Affordable Housing Trust Fund (AHTF), Low and Moderate Income Housing Funds, Municipal Housing Finance Funds, Housing Opportunities for Persons with HIV/AIDS (HOPWA), Neighborhood Preservation Program (NPP), Earthquake Emergency Loan Program (EELP), McKinney-Vento Homeless Assistance Program, and Section 108.
 - b. State Programs: Multi-Family Housing Revenue Bonds Program (Bond Program), Jobs-Housing Balance Grant, Workforce Housing Grant.
 - c. Land Use Program Restrictions: Density Bonus Ordinance, Greater Downtown Housing Incentives Ordinance, State Mello Act, Los Angeles City Planning Commission Determinations, and City Council/Mayoral actions that require set-asides (i.e., Playa Vista).

2. Collect various monitoring documents and certifications from the owner/manager of each multi-family property in the portfolio annually. This documentation includes tenant data for each restricted unit from the property manager or owner. Tracked information should include: rental unit number, tenant name, move-in date, tenant household composition (names, ages, occupations of all household members, ethnicity and gender of each head of household), household income/assets, rent paid, utility allowance, vacancies and whether the unit receives Section 8 voucher assistance or project-based Section 8 and the amounts of the Housing Assistance Payment and tenant portion.
3. Review income source documentation for new and recertifying tenants of restricted units with high degree of accuracy. For the purposes of this contract, all HCIDLA programs use the Part 5 definition of income contained in United States Department of Housing and Urban Development (HUD) regulation.
4. Determine project compliance by reviewing and applying various affordable housing program regulations and requirements. Each funding program differs in the required income documentation and reporting period that needs to be collected by the owners from tenants. In addition, multifamily housing revenue bond projects must be reviewed for compliance with restrictions established by the Internal Revenue Service (IRS).
5. Maintain updated electronic files for each monitored project to document and track compliance through various web based applications. Transfer project and unit data from HCIDLA Housing Information Management System (HIMS) into the contractor's monitoring database. Issue Notices (i.e. Reminder Notices, Late Notices, Non-Compliant Notices, miscellaneous program correspondence and track notices sent). Including, generating monthly non-compliance reports identifying rents amounts that are above the restricted levels.
6. Conduct on-site visits as mandated by all applicable regulations and follow-up on non-compliant properties. During site visits, the Contractor will be expected to comply with all applicable regulations for conducting audits, including, but not limited to, reviewing the management plan, affirmative marketing plan, tenant selection plan, wait list, copies of initial tenant leases and mandatory lease addendums, income source documentation, rent and utility schedules, and other compliance documentation and project and tenant files.
7. Provide customer service to property owners and managers by establishing and maintaining a good working relationship with them, and providing training as needed.
8. Collect information from each homeowner in the single-family loan monitoring portfolio as evidence that the homebuyer is residing in the home.
9. Provide HCIDLA with a status and compliance report and back-up documentation (i.e. Certificate of Continuing Program Compliance, Occupancy Summary Report, and Bond Report) with each monthly invoice for all projects monitored invoiced for the previous month, including site visit reports. Monthly reports will also include year-to-date information on monitored projects. After the expiration date and last monitoring period lapses, the Contractor shall return files with all monitoring documents and electronic data.

10. Provide additional related services and technical assistance as requested by HCIDLA, including, but not limited to, responding to requests for compliance information and documents on specific properties under review by the Department.
11. Calculate the income and rent tables based on the HUD rent and income limits, and submit to HCIDLA for approval.
12. Send notification and non-compliance letters to owners of CRA/LA-restricted projects.

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 extensive training and knowledge of: the Low Income Housing Tax Credit (LIHTC) Program, Multi-Family Housing Revenue Bonds Program (Bond Program), Housing Choice Vouchers, and California Redevelopment policies.
6. Have successfully completed contracts similar in size and scope to the services solicited for a minimum of five (5) years. Proposer must provide list of contracts including the amount, organization, term and brief scope for the past two years. The proposer should have documented experience in providing required training to various size groups. The successful proposer may provide readily available "off-the-shelf" training in their area of expertise and/or the successful proposer may be requested to work with HCIDLA staff to develop training tailored to the needs of HCIDLA and City Contractors.

Proposers should document the proposals of staff which should include, but not be limited to, attaching a resume of proposer/staff; sample of past training materials; past training programs.

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

Approximately \$950,000 is anticipated to be available for the Occupancy Monitoring Program for the fiscal year 2017-18, depending on the services to be provided and subject to the approval by the Los Angeles City Council and the Mayor.

The source of funds for this RFP may include any or all of the following: HOME Investment Partnerships Program (HOME), Affordable Housing Trust Fund (AHTF), Low and Moderate Income Housing Funds, Municipal Housing Finance Funds, the Rent Stabilization Trust Fund, and the Code Enforcement Trust Fund. Depending upon Department needs, these funds may be split among more than one firm. The City does not guarantee that these funds will be expended.

E. CONTRACT TERM

The initial contract shall commence on or about January 1, 2017 for a one-year period with an option to extend for up to four (4) additional one-year terms, 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. Only one contract will be issued under this RFP.

F. PRELIMINARY SCHEDULE

<u>Event</u>	<u>Date</u>
Request for Proposals Released	TBD
Mandatory Proposers' Conference	TBD
Proposal Submission Deadline	TBD

G. MANDATORY PROPOSERS' CONFERENCE

A Proposers' Conference has been scheduled to answer questions about this RFP. See cover page for Conference date and location. 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 project design. All proposers must attend the conference. **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.planning@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</u> Quality and depth of the proposer's experience and expertise as it relates to the services for which the contractor is applying: training of assigned personnel, including education and certifications; work experience with the City of Los Angeles, other government agencies and private contract activities; description of services; references; and other items as outlined in the Proposal Package section of the RFP.	30
<u>Demonstrated Capacity</u> Proposer's capacity to provide the required services including: assigned program staff size, staff job descriptions, program staffing capabilities and resumes, major accomplishments, work plan, methodology and procedures, knowledge of applicable regulations, capacity to complete citywide projects within a reasonable amount of time, and other items as outlined in the Proposal Package section of this RFP.	30
<u>Technical System Design</u> Proposed approach to providing the required services.	20
<u>Cost Reasonableness</u> The reasonableness and appropriateness of the proposed costs in relation to all other proposals.	20
TOTAL POINTS	100

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. Successful proposers shall be notified in writing about funding recommendations.

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 – Occupancy Monitoring 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;
- 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: <http://bca.lacity.org/site/pdf/cro/CROQ%20Service%20Questionnaire%20Rev%201-20-12.pdf> and <http://bca.lacity.org/site/pdf/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 CEC Form 55 http://ethics.lacity.org/pdf/forms/CEC_Form_55_Oct2013.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. 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

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). Bidders/Proposers shall refer to the following link (http://www.labavn.org/misc/docs/co_files/Equal_Benefits_Ordinance/EBO_Affidavit_Rev_4-16-2015.pdf) for further information regarding the requirements of the Ordinance.

All bidders/proposers shall complete and upload the Equal Benefits Ordinance Compliance Affidavit (two (2) pages) available on the City of Los Angeles' Business Assistance Virtual Network (BAVN) residing at www.labavn.org prior to the award of a City contract, the value of which exceeds \$5,000. The Equal Benefits Ordinance Affidavit shall be effective for a period of twelve months from the date it is first uploaded onto the City's BAVN. Bidders/proposers do not need to submit supporting documentation to verify that the benefits are provided equally as specified on the Equal Benefits Ordinance Affidavit.

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

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

5. Slavery Disclosure Ordinance

Unless otherwise exempt, in accordance with the provisions of the Slavery Disclosure Ordinance, 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 shall refer to the following link (<http://bca.lacity.org/site/pdf/sdo/Slavery%20Disclosure%20Ordinance.pdf>) for further information regarding the requirements of the Ordinance.

All bidders/proposers shall complete and upload the Slavery Disclosure Ordinance Affidavit (one (1) page) available on the City of Los Angeles' Business Assistance Virtual Network (BAVN) residing at www.labavn.org prior to the award of a City contract. Bidders/proposers seeking additional information regarding the requirements of the Slavery Disclosure Ordinance may visit the Bureau of Contract Administration's website at <http://bca.lacity.org>.

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

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

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, Non-discrimination Clause.

Non-construction contracts for which the consideration is \$1,000 or more shall comply with the provisions of Los Angeles Administrative Code Sections 10.8.3., Equal Employment Practices Provisions. All bidders/proposers shall complete and upload the Non-Discrimination/Equal Employment Practices Certification (two (2) pages), available on the City of Los Angeles' Business Assistance Virtual Network (BAVN) at www.labavn.org, no later than the time when an individual bid/proposal is submitted. However, bidders/proposers with Certifications previously uploaded to BAVN within the last year do not need to re-submit the document.

Non-construction contracts for which the consideration is \$100,000 or more shall comply with the provisions of Los Angeles Administrative Code Sections 10.8.4., Affirmative Action Program Provisions. All bidders/proposers shall complete and upload the City of Los Angeles Affirmative Action Plan (two (2) pages), available on the City of Los Angeles' Business Assistance Virtual Network (BAVN) at www.labavn.org, no later than the time when an individual bid/proposal is submitted. Bidders/proposers opting to submit their own Affirmative Action Plan may do so by uploading their Affirmative Action Plan onto BAVN. Bidders/proposers with Affirmative Action Plans previously uploaded to BAVN within the last year do not need to re-submit the document.

Furthermore, subject subcontractors shall be required to submit the Non-Discrimination/ Equal Employment Practices Certification and Affirmative Action Plan to the successful bidder/proposer prior to commencing work on the contract. The subcontractors' Non-Discrimination/Equal Employment Practices Certification(s) and Affirmative Action Plan(s) shall be retained by the successful bidder/proposer and shall be made available to the Office of Contract Compliance upon request.

Both the Non-Discrimination/Equal Employment Practices Certification and the City of Los Angeles Affirmative Action Plan Affidavit shall be valid for a period of 12 months from the date it is first uploaded onto BAVN.

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 http://bca.lacity.org/index.cfm?nxt=lco&nxt_body=tutorials_eeo.cfm

All bidders/proposers shall complete and submit ONLINE, with their proposal, the Non-Discrimination, Equal Employment Practices and Affirmative Action Plan (Refer to the following link for more information:

http://www.labavn.org/misc/docs/co_files/Non-discrimination_Equal_Employment_Practices_Provisions/Form_OCC-ND-EEP-1.pdf

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

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 2: 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 3: 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. Bidder with sub-contractors must perform subcontractor outreach online 15 days prior to the RFP due date, per **Attachment 4: Business Inclusion Program**. Requirements must be completed on the Los Angeles Business Assistance Virtual Network (LABAVN), www.labavn.org.

OUTREACH MUST BE COMPLETED 15 DAYS PRIOR TO RFP DEADLINE.

11. Iran Contracting Act 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 5**: for Affidavit form).

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 may 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: <http://kepler.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 6**: 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 effects 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. 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 7**, "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 List of Statutory Exemptions shall apply for exemption from the Ordinance by submitting with their proposal the Bidder/Contractor Application for Non-Coverage or Exemption. The List of Statutory Exemptions and Application for Non-Coverage or Exemption are included in the attachment (see **Attachment 8**: LWO Statutory Exemptions).

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. 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 the following link for further information regarding the requirements of the Ordinance:

http://www.labavn.org/misc/docs/co_files/First_Source_Hiring_Ordinance/FSHO_Affidavit_4-22-2015.pdf

Effective July 25, 2012, the Office of Contract Compliance implemented a new compliance process for the First Source Hiring Ordinance (FSHO) by utilizing the LABAVN.

The uploaded affidavit 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.

As required by the affidavit, if your company has any job opportunities, you must submit the Anticipated Employment Opportunities Form (FSHO-1) to the awarding department before the contract is executed. The FSHO-1 <http://bca.lacity.org/site/pdf/fsho/FSHO-1.pdf> shall only be required of the Bidder/Proposer that is selected for award of a contract.

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 to a total of 12 pages 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. 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.

C. 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.