



## REQUEST FOR PROPOSAL (RFP)

FOR

FAMILY CAREGIVER SUPPORT PROGRAM:  
CAREGIVER LEGAL RESOURCE SERVICES  
IN SUPPORT OF GRANDPARENTS TAKING CARE OF MINORS  
(KINSHIP CARE)

**Issue Date: September 25, 2018**

**Proposers' Conference: October 9, 2018, 1:00 p.m.**

**Submission Deadline: November 1, 2018, 3:30 p.m.**

CITY OF LOS ANGELES  
DEPARTMENT OF AGING  
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## I. BACKGROUND

### A. ADMINISTRATIVE ENTITY

The City of Los Angeles Department of Aging (LADOA) is designated by the California Department of Aging as Planning Service Area 25, an Area Agency on Aging (AAA) responsible for providing senior and caregiver services to older adults who are 60 years of age or older. According to the 2016 American Community Survey 1-Year Estimates, it is estimated that the City of Los Angeles is home to approximately 686,165 adults age 60 or over.

LADOA was established in 1983 with a mission to improve the quality of life, independence, health and dignity of the City's older population by managing community based senior programs that are comprehensive, coordinated and accessible, and to advocate for the needs of older adults and their family caregivers.

On behalf of the City of Los Angeles, the Los Angeles Department of Aging will serve as the administrative entity for this request for proposals (RFP). LADOA has been authorized to release this RFP pursuant to action(s) approved by the Los Angeles City Council and Mayor (City Council File No. 14-1660).

### B. PROGRAM OVERVIEW

The Older Americans Act (OAA), under Title III-E, provides legal services to family caregivers of older adults 60 years of age and older; older adults 60 years of age and older caring for someone 18 years of age or younger; and caregivers who are experiencing diminished functioning capacities, personal conditions or other characteristics, which require the provision of services by formal service providers. The emphasis shall be on serving those persons with the greatest economic and/or social need, with particular attention to minorities and those with non or limited proficiency in the English language who are at or below the poverty level. Title III-E legal services assist caregivers with securing their rights, benefits, and entitlements. Legal services include the provision of legal advice, counseling and representation by an attorney or other person acting under the supervision of an attorney.

The City has been divided into fifteen geographic areas (see *Aging Service Area Maps, Attachment 29*). A proposal must provide the program City-wide: in all Aging Service Areas in the City of Los Angeles. The LADOA will award one contract to provide these services throughout the City of Los Angeles.

## **II. RFP SPECIFICATIONS**

### **A. SCOPE OF WORK**

#### **1. DESCRIPTION OF SERVICES**

The legal services provided in support of the Family Caregiver Program is for the provision of services that will provide caregivers the appropriate legal assistance, within a limited period of time, that will enable the caregiver to maintain the continuity of care and/or expand the scope, impact and effectiveness of the care being provided, or required, to sustain the care recipient. Services must address the needs of both of the distinct populations served by this program.

- a. Providing expertise through a formal Kinship Care Project and Caregiver program with access to specialized attorneys and paralegals located at the main office.
- b. Providing sound advice, given the particular situation each family faces, in regards to seeking aid from the probate court or the dependency court systems.
- c. Providing assistance to grandparents, regarding supplemental benefits available for children with disabilities.
- d. Obtaining specialized educational plans for mentally disabled children.
- e. Providing assistance on issues surrounding adoption or the abandoned children.
- f. Providing actual representation in legal guardianship cases, and adoption proceedings.
- g. Providing legal services necessary to support the particular or individual needs of the family.
- h. Providing legal financial planning to the client and their family.
- i. Providing advice and representation in regular and long term care Medi-Cal, In Home Supportive Services and Veteran's Aid and Attendance benefits cases.
- j. Providing caregivers with assistance in securing In Home Supportive Services benefits, representation for conservatorships and referrals to support groups.

#### **2. TARGET POPULATION**

The Family Caregiver Support Program is designed to (1) assist family members, or another individual, who is an informal provider (unpaid) of in-home and community care to a family member (care recipient) who is sixty (60) years of age or older, or (2) assist a grandparent or step-grandparent or relative by blood or marriage, who is 60 years or older, living with a child eighteen (18) years or younger, and is the primary caregiver (because the parents are unable or unwilling), and has a legal relationship or is raising the child informally.

Special attention is given to older individuals who are medically under-served, and in greatest economic need for such services with particular attention to minorities and individuals with non or limited proficiency in the English language whose income is at or below the poverty level.

Examples of targeting may include locating service sites in areas with a high concentration of older adult (60+) caregivers whose income is at or below the poverty level, or by providing Family Caregiver Support Program services most appropriate to those targeted populations.

## **B. MINIMUM REQUIREMENTS**

### **1. MINIMUM UNITS OF SERVICE**

A proposer must provide the minimum level of service units as outlined in **Attachment 3**. Proposers will be rated on these minimum levels of service and their ability to augment the services with non-OAA funds. Additional units of service from non-OAA funds must be identified with appropriate budget documentation to support service levels above the minimum requirements.

### **2. OPERATING REQUIREMENTS**

Before completing proposal, it is recommended that proposers review the following minimum operating requirements. Proposers cannot modify these requirements and must ensure their capacity to meet these requirements. Proposers must be aware that these requirements will become a condition of the contract awarded to the successful proposer of this RFP.

- a. Contractors must have planned outreach activities (see **Attachment 5** for description of outreach) to ensure targeting in agreement with OAA and LADOA requirements. Activities shall include contractor participation in community based activities, e.g. fairs, community seminars, and other similar programs at least once per quarter.
- b. Contractors shall outreach to serve all ethnic groups City-wide.
- c. Contractors must form collaborations (cooperative agreements) with community agencies and other organizations in order to ensure comprehensive and coordinated service delivery and to prevent duplication of services.
- d. Participant Involvement:
  - i. Contractors must provide participants with the opportunity to voluntarily and confidentially contribute to the cost of the legal services.
  - ii. Contractors must have procedures to protect the confidentiality and privacy of information about, or obtained from, participants.

- e. The contractor must have offices and/or outreach sites that are convenient and accessible to older persons in the City.
- f. A minimum of **50%** of the legal services shall be provided at LADOA multipurpose senior centers and/or other appropriate locations.
- g. The contractor must demonstrate the capacity to deliver legal services to institutionalized and homebound elderly.
- h. The contractor must develop a Memorandum of Understanding with the Los Angeles Long Term Care Ombudsman Program that will specify ways in which the two programs will coordinate advocacy efforts and wherein the Legal Assistance contractor shall provide legal counsel and advice to Ombudsman Program staff and volunteers.
- i. The contractor shall provide appropriate and formal legal services training to other community service workers.
- j. The contractor must make efforts to involve the private bar in legal services provided under this part, including groups within the private bar that furnish legal services to older persons on a pro bono and reduced fee basis.
- k. A contractor that is not a Legal Services Corporation grantee must coordinate its services with Legal Services Corporation grantees in order to concentrate legal services on older persons with the greatest social or economic need.
- l. In carrying out these requirements, a contractor may not use a means test or require older persons to apply first for services through a Legal Services Corporation grantee.
- m. Contractors shall be available to provide services to participants for a minimum of eight (8) hours per day, five (5) days per week, excluding City holidays (see **Attachment 31**), during normal business hours, for a minimum of 249 days per year.
- n. Proposers seeking more information regarding the National Family Caregiver Support Program can go to the Administration on Community Living website at <https://www.acl.gov/index.php/programs/support-caregivers/national-family-caregiver-support-program>.
- o. Contractors must maintain a cash reserve, without using grant funds, equal to the amount it would cost to operate the program for three months.
- p. Contractors must establish a written grievance process for reviewing and attempting to resolve complaints of older individuals.
- q. Contractors must have a written contingency plan describing how services, as specified in this RFP, will be maintained during the event of a disaster or emergency.
- r. The Contractor agrees that when a performance falls below ninety-five (95) percent or exceeds one hundred and ten (110) percent of the contracted unit of service level for any quarter, a corrective action plan will be required.

- s. All contractors must maintain a registry of program participants for emergency purposes only.
- t. Proposers may review the California Department of Aging (CDA) website at <https://www.aging.ca.gov/docs/Legal/2015%20CA%20Statewide%20Guidelines%20for%20Legal%20Assistance.pdf> and refer to the "California Statewide Guidelines for Legal Assistance" for further information on the program requirements. All contractors must adhere to California Statewide Guidelines.
- u. All Contractors must identify someone as the Emergency Preparedness Coordinator (EPC) who will oversee continuance of services to seniors during and after an emergency. The EPC is the designated point of contact person between the contractor and the LADOA and is required to attend emergency preparedness/response training, activities and/or meetings as directed by the LADOA.

### 3. PROGRAM REQUIREMENTS

Before completing proposal, it is recommended that proposers review the following minimum program requirements. Proposers cannot modify these requirements and must ensure their capacity to meet these requirements. Proposers must be aware that these requirements will become a condition of any contract awarded to the successful proposer of this RFP.

- a. A contractor must provide a minimum amount of service during a contract year. Level of service is measured in "units of service" which are defined in the NAPIS Units of Service (see **Attachment 5**).
- b. The mandated program is Legal Assistance. The minimum units of service required to be provided are to be determined per year.
- c. Each month an agency will be required to report to the LADOA the number of units of service performed in each program area.
- d. Financial Expenditure Standards
  - i. Contracts for OAA funds for 2019/2020 will contain a financial expenditure standard clause. In reviewing expenditures the performance standard to be used will be **95%-110%** of the planned goal.
  - ii. A contractor whose expenditures fall outside of the standard will not be in compliance with the contract. Such noncompliance may jeopardize a contractor's chance of receiving redistributed funds or future contracts with the LADOA.

### 4. COMPUTER / AUTOMATION REQUIREMENTS

- a. Contractor shall agree to the installation of a personal computer and peripheral equipment, software, telecommunication lines and/or Wi-Fi to the LADOA's host computer, at service center site(s) and/or operating agency's administrative office(s), at the discretion of the LADOA as automated systems are developed.

Said computer, peripheral equipment, and software are to be loaned to service provider by the LADOA.

- b. All contractors must have the capability to receive and transmit information via Electronic Mail. Contractors must have resources to send and receive e-mail.
- c. Contractor shall provide a locked room at the service center site to house said computer, peripheral equipment, and software.
- d. Contractor shall obtain fire and theft insurance coverage for replacement of new computer, peripheral equipment, and software from the time of installation to the end of contract. Contractor shall reimburse LADOA for the cost (new) of all loaned computer, peripheral equipment, and software from proceeds of insurance claims due to loss of same through fire or theft.
- e. The successful proposer will use computerized reporting for fiscal and National Aging Program Information System (NAPIS) and any other reports, as software reporting systems are developed. The successful proposer will provide personnel with sufficient skills in automation to support such systems when installed and will designate a liaison to the LADOA regarding the NAPIS (this individual should appear in the personnel section of the budget [**Attachment 2**] and organizational chart). LADOA reserves the right to approve the skill levels of such personnel assigned to support automated reporting systems.
- f. Contractor shall provide ready access to LADOA personnel during regular working hours for inspection and/or recovery of computer, peripheral equipment, and software.
- g. Contractor shall provide printer paper supplies, printer cartridges, and Compact Diskettes (CD) / flash drives.
- h. The Security Awareness Training (SAT) process is mandated by the California Department of Aging (CDA) to enable all CDA affiliates to understand information security responsibilities and the consequences of infractions, and to integrate information security practices into daily work. All successful proposers must read, complete, and maintain a copy of the SAT certificate of completion on an annual basis for existing employees with access to client information or the LADOA Client Tracking System (CTS). New employees must complete the training within thirty (30) days of their start date.

### **C. ELIGIBLE ORGANIZATIONS**

1. An organization is eligible to bid if it is a legally constituted public, private nonprofit, or private body in good standing and qualified to conduct business in the state, and conforms to either a. or b. below. Organizations must demonstrate a minimum of two years continuous experience within the past five years. A legal activities provider must be one of the following types of organizations:
  - a. An organization that receives funds under the Legal Services Corporation Act.
  - b. An organization that has a legal services program or the capacity to develop one.
2. Subcontractor organizations must have experience in one of the areas of service

described herein.

**3. Non-profit organizations must meet all of the following criteria:**

- a. Have a current 501(c)(3) status.
- b. Are qualified to conduct business in the State of California and in good standing with the California Secretary of State and other applicable regulatory oversight agencies.
- c. If an agency is located in another state, it must be qualified to conduct business there and be in good standing.
- d. Have not been determined to be non-responsible or been debarred by the City pursuant to the Contractor Responsibility Ordinance.
- e. Have not been debarred by the federal government, state of California, or local government.

**D. ANNUAL ESTIMATED PROGRAM FUNDING**

**1. OLDER AMERICANS ACT FUNDING (GRANT SHARE): \$152,790**

- a. Allocations to the program will be subject to change depending upon the level of federal and state funding received by the City of Los Angeles.
- b. Be advised that the City reserves the right to allocate an amount that is consistent with the targeting strategy of OAA and that the dollar allocation identified above is subject to change. Final determination will be made at the time the City makes contract offers to successful proposers.

**2. CONTRACTOR MATCHING SHARE**

- a. Contractors will provide a minimum of 25% matching share. The matching share may be cash or an in-kind contribution or a combination thereof.
- b. The 25% matching share is computed by multiplying the grant share by 33.33%. The product is 25% of the total funding (grant plus matching share) of the project.

**3. PROGRAM INCOME SHARE**

- a. Program Income is income earned from activities - the cost of which are partly or entirely borne by the grant. It can include income from participant donations, proceeds from the sale of personal or real property, rental fees, interest, etc. Program Income must be equivalent to a minimum of 10% of the OAA funding. For example, if your OAA share is \$90,000, then your Program Income share is \$9,000.
- b. Voluntary participant contributions shall be budgeted as Program Income.
- c. Program Income must be used to expand services of the program from which it is generated.

**E. CONTRACT TERM**

This RFP is for the period from July 1, 2019 through June 30, 2020. At the discretion of the City, the contract may be renewed and renegotiated for a period of up to three additional years in one-year increments, depending on the availability of funds, the contractor's performance, and the best interests of the City.

## F. PRELIMINARY SCHEDULE

<u>Event</u>	<u>Date</u>
Request for Proposals Released	Tuesday, September 25, 2018
Mandatory Letter of Intent Deadline	Tuesday, October 9, 2018, 3:00 pm
Mandatory Proposers Conference	Tuesday, October 9, 2018
Proposal Submission Deadline	November 1, 2018, at 3:30 p.m.
Tentative Date of Contract Award (Mailed)	Thursday, January 10, 2019
Contract Commencement	Monday, July 1, 2019

## G. MANDATORY PROPOSERS' CONFERENCE

The Proposers' Conference has been scheduled to assist organizations in responding to this Request for Proposal. LADOA staff will review the RFP document and respond to questions regarding requirements of this RFP. The conference is mandatory to all interested parties. If you are not available to attend, you may send a representative. Failure to attend will result in the Proposer being deemed non-responsive and the proposal will be rejected. **BRING YOUR OWN COPY OF THE RFP. NO COPIES WILL BE PROVIDED AT THE CONFERENCE.** The Proposers' conference will be held at:

City of Los Angeles Department of Aging (LADOA)  
221 N. Figueroa St., Suite 500  
Los Angeles, California 90012  
Date: **Tuesday, October 9, 2018**  
Time: **1:00 p.m. to 3:00 p.m.**

## H. MANDATORY LETTER OF INTENT

Proposers' are required to submit a Letter of Intent for each RFP the proposer intends to submit. The Notice of Intent must be signed by the person(s) authorized to bind the agency to all commitments made in the proposal. Only organizations that submit a Letter of Intent to LADOA staff at the conference (deadline, October 9, 2018, 3:00 PM) will have their proposals evaluated, all others will be considered non-responsive.

## I. TECHNICAL ASSISTANCE

With the exception of the Proposers' conference, all technical assistance questions must be submitted by e-mail to [ladoa.planning@lacity.org](mailto:ladoa.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](http://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.

## **J. DEADLINE FOR SUBMISSION OF PROPOSALS**

Proposals must be received in a sealed package to the address listed on the front cover of this RFP with the date and time stamped by an authorized LADOA representative by 3:30 p.m. by the submission deadline date.

City staff will stamp the date and time on each proposal at the time it is received. No facsimiles will be accepted. Hand delivered applications will be accepted during the hours of 8:00 a.m. to 3:30 p.m. Monday through Friday. The proposer must submit an original plus three (3) copies of the proposal, and include in its submission a copy of the entire proposal on a USB Drive. 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. All RFP documents can be downloaded at [www.labavn.org](http://www.labavn.org). Submit any and all related information to:

City of Los Angeles Department of Aging  
221 N. Figueroa St., Suite 500  
Los Angeles, CA 90012

No proposals or documentation will be accepted after the due date and time. Only timely proposals will be forwarded for review. Late proposals will not be considered for grant award.

Any correction and resubmittal by the proposer must be received before the deadline for submission of the proposal.

The City shall not be liable for any pre-contractual expenses incurred by the proposer in the preparation and/or submission of the proposal. The proposer shall not include any such expenses as part of the proposal.

## **K. EVALUATION CRITERIA**

A proposal review team consisting of two to five people will evaluate proposals based on the weighting factors specified below. The LADOA qualifies those selected to participate in the review of proposals based on their education and/or work experience in gerontology, are experienced with senior and/or other social service programs, and/or are consumers connected with the aging and/or family caregiver network. Anyone with a past/current affiliation with agencies submitting proposals is not automatically deemed inappropriate for serving on the proposal review team.

The LADOA may conduct interviews or site visits at facilities of proposers not previously funded by the LADOA. The proposal review team will submit its funding recommendations to the LADOA. The LADOA will review and assess the recommendations, and forward

final recommendations to the City Council for approval of its contract selections. The factors to be used in evaluating each proposer shall include, but is not limited to:

1. Overall qualifications and experience of proposer;
2. Specific qualifications of key staff to complete assigned tasks relative to the provision of services required of the program described in this RFP;
3. Responsiveness to requirements outlined in this RFP;
4. References;
5. Evidence that proposer has the capacity and ability to work effectively within the public sector;
6. Adequacy of the work plan and related cost projected by proposer as set forth in proposal response;
7. The following is a brief summary of the evaluation criteria for this RFP.

<b>Evaluation Criteria</b>	<b>Points</b>
Work Program: Proposers will be scored on how effectively they provide legal services to older adults and caregivers residing in the City of Los Angeles, which includes an emphasis on outreach and delivering services to the target population. Proposers will also be scored based on how well their program incorporates the operating requirements, program requirements, and computer/automation requirements described herein.	40
Organization's History and Administration: Proposers will be evaluated on the quality and depth of experience in providing legal services to older adults and caregivers in the target population. Proposers will also be evaluated on their funding history, contract performance history, record of fiscal management and credit worthiness, staffing plan, and transition plan.	30
Budget: Proposers will be assessed on the quality, feasibility, and sustainability of their budget in support of their work program. Proposers will also be evaluated on how well their budget conforms to the available funding for this RFP.	30
<b>Total Points</b>	100

Proposals will be evaluated against others proposing to provide the same services identified in this RFP. The City reserves the right to verify information contained 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.

The City's decision to award a contract will be based on the stated evaluation criteria. The City reserves the right to modify the City's objectives and requirements at any point, including, but not limited to, during the period prior to submittal deadlines (by RFP

addendum) and during the period of contract negotiation, 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 objectives and requirements prior to execution of a contract.

## **L. PROPOSAL REVIEW PROCESS**

1. All proposals shall be reviewed to determine that the minimum eligibility requirements have been met. Ineligible proposers will be informed in writing.
2. All eligible proposals shall be reviewed based on evaluation criteria, 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 budget, and its competitive standing as compared to all other proposals.
4. At the City's sole discretion, oral interviews may be held with top scoring proposers. The results of the oral interview may determine the final funding recommendations.
5. A minimum score of 70 points will be required to be considered for the awarding of a contract.
6. If no proposal rates 70 points, at the discretion of the General Manager of the LADOA, a proposal of a lower score may be accepted or the LADOA will repeat the RFP process.
7. All proposers will be provided their proposal scores and informed as to whether or not their proposal will be recommended for funding.

## **M. CONTRACT NEGOTIATIONS PROCESS**

An agency approved for funding shall be required to negotiate a contract with the City which may contain different and/or additional requirements not set forth herein. An agency shall be bound by the terms and conditions of its proposal. An agency approved for funding may not request or make any changes to its proposal terms and conditions during contract negotiations. The City reserves the right to make the awarding of a contract contingent upon the satisfactory completion by the agency of certain special conditions.

## **N. 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. LADOA allows unsuccessful proposers to appeal the result if a procedure in the process can be identified that imposed a disadvantage to your agency. If an agency wishes to appeal the RFP process, it must submit in written format the specific item(s) or procedure being appealed. Appeals shall be delivered to LADOA no later than five (5) business days of receiving notification of the results of the RFP. Applicants may file an appeal by submitting a written request and identifying the specific reason for the appeal to:

Laura Trejo, General Manager

Los Angeles Department of Aging  
RFP Appeal  
221 N. Figueroa St., Suite 500  
Los Angeles, CA 90012

Written appeals must include:

- 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 of 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.

## **2. Appeals Process**

The LADOA will convene a Proposal Appeal Review committee that may include Council on Aging members, representatives of human service agencies, LADOA staff, or other public services personnel. The LADOA's funding recommendations cannot be appealed and will be denied.

An Agency may appeal the Committee Review Panel's recommendation to the Health, Education and Neighborhood Councils Committee of the Los Angeles City Council. Further appeal may be taken to the City Council of Los Angeles. Final appeal of the decision by the City of Los Angeles may be taken to the State of California Department of Aging.

All proposals will be considered public documents, subject to review and inspection by the public upon completion of the contract decision making process.

## **3. Disclaimer**

The City is not responsible for representations made by any of its officers or employees prior to the approval on 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. The General Manager of the LADOA reserves the right to reject any proposal if the proposal is deemed inappropriate or incomplete or is not in the best interest of the City.

2. The LADOA reserves the right to withdraw this RFP at any time without prior notice and makes no representation that any contract will be awarded to any proposer responding to this RFP. The LADOA reserves the right to extend the submission deadline, should such action be in the best interest of the City.
3. The LADOA reserves the right to annually renegotiate contracts and adjust budgets throughout the duration of the program period in order to achieve maximum administrative efficiency at the lowest possible cost.
4. The City reserves the right to retain all submitted proposals and they shall become the property of the City of Los Angeles. Any City agency or department has the right to use any or all ideas presented in proposals 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 upon completion of the contract decision making process.
5. A proposer may not be recommended for funding, regardless of the merits of the proposal submitted, if it has a history of contract non-compliance with the City of Los Angeles or any other funding source, poor, current or past contract performance with the City or any other funding source, or current disputed or disallowed cost with the City or any other funding source.
6. If a proposer knowingly and willfully submits false performance or other inaccurate 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 inaccurate data submitted in response to this RFP, the City reserves the right to terminate that contract.
7. A proposal may be withdrawn by written request prior to the scheduled closing time for receipt of proposals.
8. The City reserves the right to waive any informality in the proposal when to do so would be to the advantage of the City.
9. Failure to negotiate a contract within 60 days from the proposal award will result in the proposal being deemed non-responsive.

## **B. LAWS AND REGULATIONS**

1. All applicants shall conform to all applicable provisions of laws and regulations.

These shall include, but not be limited to:

- a. Americans with Disabilities Act of 1990 (ADA)
- b. The Architectural Barriers Act of 1968, as amended (42 U.S.C. 4151-4157, et. seq.).
- c. Applicable federal regulations
- d. Appropriate Office of Management and Budget (OMB) circulars
- e. LADOA and Housing & Community Investment Department Program Manuals

- f. Nondiscrimination and affirmative action provisions of the laws of the United States of America, and the City of Los Angeles
- g. City of Los Angeles "Living Wage Ordinance". Section 10.37.9, Los Angeles Administrative Code.
- h. City of Los Angeles "Service Contractor Worker Retention Ordinance," Section 10.36.6 Los Angeles Administrative Code.
- i. City of Los Angeles "Equal Benefits Ordinance", Section 10.8.2.1 Los Angeles Administrative Code.
- j. City of Los Angeles "Slavery Disclosure Ordinance", Section 10.41 Los Angeles Administrative Code
- k. City of Los Angeles "Contractor Responsibility Ordinance", Section 10.40.2 Los Angeles Administrative Code
- l. Office of Management and Budget (OMB), Circular A-102, Uniform Administration Requirements for Grants-In-Aid to State and Local Governments;
- m. Office of Management and Budget (OMB), Circular A-122, Cost Principles for Nonprofit Organizations, and (OMB), Circular A-110;
- n. Federal Management Circular (FMC), 74-4, Cost Principles Applicable to Grants and Contracts With State and Local Governments;
- o. Executive Order Number 11,063 dated November 20, 1962;
- p. Copeland "Anti-Kickback" Act (18 USC 874) (29 CFR, Part 3);
- q. Davis-Bacon Act (40 USC 276a-7) (29 CFR, Part 5.0);
- r. Drug-Free Workplace Act (41 USC 701 et seq.);
- s. Contract Work Hours and Safety Standards Act (40 USC 327-330) (29 CFR, Part 5);
- t. Clean Air Act, as amended (42 USC 1857, et seq.);
- u. Federal Pollution Control Act, as amended (33 USC 1251, et seq.);
- v. Title VI of the Civil Rights Act of 1964 (42 USC 2000d) and implementing regulations;
- w. Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972, (42 USC 2000e), and implementing regulations;
- x. Section 503 and 504 of the Rehabilitation Act of 1973, as amended, (29 USC 794) and implementing regulations issued at 45 CFR, Part 84;
- y. The Age Discrimination Act of 1975, as amended, (42 USC 6101, et seq.) and implementing regulations;
- z. The Single Audit Act P.L. 98-502 and OMB Circulars A-110, 128 and 133.
- aa. OMB "Compliance Supplement for Single Audits of Educational Institutions and Other Nonprofit Organizations" and the "Compliance Supplement for Single Audits of State and Local Governments".
- bb. The terms and condition of the grant agreement between the State of California and the City of Los Angeles that funds this Agreement.
- cc. The Clean Water Act as amended 42 USC 1857.
- dd. The Environment Protection Regulations 40 CFR Part 15 and Executive Order 11738.
- ee. The terms and conditions of the grant agreement between the State of California and the City of Los Angeles that funds this agreement.

- ff. The Older Americans Act of 1965, as amended, (42 USC 3001) and implementing regulations
- gg. The Older Californians Act of 1980, California Welfare and Institutions Code, Division 8.5 and implementing regulations, policies and procedures
- hh. The Grant Agreements, including the application, the Annual Area Plan, the Assurances and the sub-grants award conditions thereto, between the City of Los Angeles and the State of California Department of Aging pursuant to Titles III and V of the Older Americans Act of 1965 as amended.
- ii. City of Los Angeles First Source Hiring Ordinance, Section 10.44 Los Angeles Administrative Code.
- jj. Title 22 California Code of Regulation Division 1.8 California Department of Aging.
- kk. Proposal Rating Assessment / Evaluation Criteria and Rating instruments.

These documents are available for review during regular business hours at the LADOA at the address listed above. Documents may be reviewed at the LADOA but copies shall not be provided by the LADOA.

## **C. STATEMENTS REQUIRED WITH PROPOSAL**

### **1. A 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 City of Los Angeles Responsibility (CRO) Questionnaire signed under penalty of perjury with their proposal (see **Attachment 9**). If a proposer will have subcontractors in the project, a list of the subcontractors must also be submitted with the proposal.

## **2. Conflict of Interest**

Proposers shall submit a completed Conflict of Interest Statement (See **Attachment 10**) indicating that no present director, officer, member or employee of the City of Los Angeles has any financial or personal interest, direct or indirect, in any agreement resulting from this offer and will not have such interest for a period of one (1) year after his/her employment with the City of Los Angeles.

## **3. 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 11**).

## **4. Municipal Lobbying Ordinance CEC Form 50**

All proposers must submit a completed Bidder Certification CEC Form 50 (See **Attachment 12**). Please review the following link for more information on the City's Municipal Lobbying Ordinance: [https://ethics.lacity.org/wp-content/uploads/2017/10/law\\_mlo.pdf](https://ethics.lacity.org/wp-content/uploads/2017/10/law_mlo.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.

## **5. Municipal Campaign Finance Ordinance CEC Form 55**

Persons who submit a response to this solicitation (proposers) are subject to Charter Section 470(c)(12) and related ordinances. As a result, proposers 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 proposers, twelve (12) months after the contract is signed. The proposer'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.

Proposers must submit CEC Form 55 (provided in **Attachment 13**) to the awarding authority at the same time the response is submitted. The form requires proposers to

identify their principals, their subcontractors performing \$100,000 or more in work on the contract, and the principals of those subcontractors. Proposers 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. Proposers 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.

#### **6. Los Angeles Residence Information**

All proposers shall complete and submit the Los Angeles Residence Information form (See **Attachment 14**) with their proposal.

#### **7. Subcontractors**

If a proposer will have subcontractors in the program, a list of the subcontractors must also be submitted with the proposal (see **Attachment 16**).

#### **8. Declaration of Contractor in Compliance with City of Los Angeles Employment and Training Policy**

All agencies bidding for goods and services contracts of \$500,000 or more shall agree to identify all vacant full-time positions and to interview City Workforce Investment Act (WIA) participants and OAA Title V recipients, contingent upon a review of their qualifications. The agency also agrees to describe the on-the-job training opportunities it can offer to WIA and OAA Title V recipients and to identify a contact person with whom LADOA representatives may negotiate the placement and training of WIA and OAA Title V recipients.

Proposers must complete and submit the Declaration of Contractor in Compliance with the City of Los Angeles Employment and Training Policy (see **Attachment 17**) in order for the proposal to be considered responsive.

#### **9. 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 (See **Attachment 18**).

#### **10. Certifications**

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

- a. 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

impacts the accuracy of the information contained in any previously filed Disclosure Form, occurs. (See **Attachment 19**).

- b. A Certificate Regarding Ineligibility, Suspension and Debarment as required by Executive Order 12549 (See **Attachment 20**).
- c. A Certificate Regarding Drug-Free Workplace Requirements, if applicable (See **Attachment 21**).

## **11. 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 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., Worker Retention Ordinance (WRO). Proposers shall refer to **Attachment 22**, "Living Wage Ordinance and Worker Retention Ordinance" for further information regarding the requirements of the Ordinances.

Proposers who believe that they meet the qualifications for one of the exemptions shall apply for exemption from the Ordinance by completing and submitting the appropriate Exemption/Non-Coverage Application (Form LW-10), Small Business Exemption Application (Form LW-26), 501(c)(3) Non-profit Exemption Application (Form OCC/LW-28), and Non-Coverage Determination Application (Form OCC/LW-29). These forms and more detailed information about the ordinances are available on the Bureau of Contract Administration's website at <https://bca.lacity.org> described in the LWO Exemptions shall apply for an exemption from the Ordinance by submitting with their proposal the LWO Small Business Exemption Application (LW-26A) or by submitting the LWO-501(c)(3) Non-Profit Exemption Application (LW-28). Both forms reside in **Attachment 22**.

## **12. 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.
4. 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.

5. 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.
6. Contractor understands that the City is relying upon these certifications and representations as a condition of funding any future contract.
7. Contractor will require its subcontractors, in any, to include this language in any subcontract.
8. Contractors must be in compliance with these provisions at the time the contract is executed.
9. Contractor/Consultant must ensure that their website is compliant with the Americans with Disabilities Act (ADA) Section 508.

Proposers are required to complete, sign and submit the Certification Regarding Compliance with Americans with Disabilities Act form with their proposal (See **Attachment 23**).

### **13. 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 ninety (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 ninety (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

Proposers are required to complete, sign and submit the Certification Regarding Compliance with Child Support Obligations. (See **Attachment 24**: Child Support Obligations).

#### **14. LABAVN Certification**

All proposers shall register on the Los Angeles Business Assistance Virtual Network (LABAVN) at the following website: [www.labavn.org](http://www.labavn.org) and submit the required online documentation (Items 17 through 20, See **Attachment 25**).

#### **15. Equal Benefits Ordinance (EBO) /First Source Hiring Ordinance (FSHO) Compliance Affidavits**

All 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](http://www.labavn.org). All proposers shall complete and upload the joint affidavit prior to the award of the City contract, the value of which exceeds \$25,000. A sample form may be accessed via the link below: [https://www.labavn.org/misc/docs/co\\_files/EBOFSHO/EBOFSHO\\_Sample\\_07-01-2016.pdf](https://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 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 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 a duration of at least three (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 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.

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

## **16. 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. 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>.

Proposers shall complete and submit ONLINE, with their proposal, 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](http://www.labavn.org).

## 17. Business Inclusion Program

All 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. Proposer with sub-contractors must perform subcontractor outreach online 15 days prior to the RFP due date, per **Attachment 26: Business Inclusion Program**. Requirements must be completed on the Business Assistance Virtual Network (BAVN), [www.labavn.org](http://www.labavn.org).

**All proposers, 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 26: Business Inclusion Program**. Requirements must be completed on the Los Angeles Business Assistance Virtual Network (LABAVN), [www.labavn.org](http://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.**

## 18. 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 ([https://bca.lacity.org/Uploads/cca/PQLBP\\_Affidavit.pdf](https://bca.lacity.org/Uploads/cca/PQLBP_Affidavit.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/onlinedocs/2011/11-1673\\_ord\\_181910.pdf](http://clkrep.lacity.org/onlinedocs/2011/11-1673_ord_181910.pdf)). Awarding Authorities shall grant an eight percent Local Business Preference to Local Businesses 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 (8) 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 POINTS**

**D. 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.

**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 (see **Attachment 27: Insurance Instructions and Information**).

**2. 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 (844) 663-4411 and pay the respective business taxes. The address is as follows: City of Los Angeles, City Hall, Office of Finance, Tax and Permit Division, 200 N. Spring St, Room 101, Los Angeles, CA 90012. For more information, visit <http://finance.lacity.org>.

**3. 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/>.

**4. 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).

**5. 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.

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

## **6. 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>.

## **E. SUBCONTRACT COMPETITIVE BID REQUIREMENTS**

1. All subcontracts exceeding \$500 must be let only by the competitive bidding process in compliance with City bidding procedures (see Los Angeles City Charter, Section 371), except when the subcontractor is the sole supplier of services or materials. Any procurement exceeding \$10,000 must also comply with the requirements of the OMB Circular A-102.
2. Prior to entering into any subcontract of \$500 or more a contractor shall submit to the City evidence that it has received a minimum of three bids for said subcontract and justification for the selection of the successful bidder or documentation indicating it is a sole supplier. Records shall be maintained by the contractor showing the parties solicited and the bids submitted.

## **F. AUDITS**

1. Any audit of a LADOA contracted agency may be subject to review and oversight by the City's single audit contractor.
2. A contractor agrees to hire an auditor to audit the organization and test the financial integrity of the contractor's transactions. The contractor will be reimbursed by the LADOA for the audit fees. This audit shall be conducted within the contract period in accordance with:

- a. Single Audit P.L. 98-502
  - b. OMB Circulars A-110, and A-133
  - c. OMB Compliance supplement for Single Audits of State and Local Governments (service delivery level)
  - d. City Council action dated February 4, 1987, Council File No. 84-2259-S-1
  - e. Administrative regulations or field memos which implement the OAA.
3. The City reserves the right to withhold funds, disallow costs, suspend payments, or impose the default, probation, suspension, and termination clause of the agreement if the contractor fails to comply with the Single Audit Act and its provisions and/or until the audit is completed satisfactorily.

## **G. 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, financial issues, 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 fourteen (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 left out or a particular attachment is not submitted, the 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 original and three (3) stapled copies 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. Proposers shall complete, prepare and submit the Application for Project Grant (**Attachment 1**). The Application for Project Grant 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.
  - If agency is a corporation, list corporate officers and voting board members and their work and home phone numbers. Do not include nonvoting members.
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. Narrative responses 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
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 **Section V**).
9. Answers should be as concise as possible while providing all the information requested.
10. In completing the narratives and attachments, 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. 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** (See **Section V**) is to serve as the Table of Contents for your proposal and as 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.

## D. PROPOSAL

**1. Work Program (worth 40 points):** The description of the work program must include the information below. Each section of the work program must address both of the distinct populations this program serves: caregivers 18+ caring for someone 60+ and caregivers 60+ caring for someone 18 years of age or younger.

a. **Advisory Council**

All LADDA funded programs must have an Advisory Council formed within sixty (60) days of contract execution. At least 50% plus one of the membership must be composed of service consumers and shall consist of at least five members, representative of the City of Los Angeles Senior Adult population in the geographical area(s) to be served and reflective of the ethnic composition of the clientele (See **Attachment 30**).

- i. Describe how council activities will be incorporated as part of on-going program improvements.
- ii. Describe how council will interface with agency's executive director and board of directors.
- iii. Describe how the activities/goals/objectives of the council will be coordinated with the activities/goals/objectives of the local community Neighborhood Council.
- iv. Provide an organizational chart that reflects council's advisory role in the operations of the proposer's organization.

- v. **New Proposers** – Describe efforts that will be used to develop the membership and information of a new Advisory Council including outreach, publicity, invitations, by-laws, etc.
  - vi. **Existing Contractors** – Provide Advisory Committee membership roster complete with the name, address and telephone number of Advisory Committee members. Provide the minutes from the first Advisory Committee meeting conducted in Fiscal Year 2018-2019.
- b. **Scope of Services**
- i. Description of the Services to be provided: List and describe activities undertaken in providing legal services to family caregivers as defined in this RFP. Include a description of the emerging needs and service gaps currently existing.
  - ii. Plan for Training Others to Provide Legal Services: Describe how your agency will provide appropriate training to other community service workers so they in turn can offer paraprofessional legal assistance.
  - iii. Describe your agency’s program objectives and outcomes in relationship to this program including a method of evaluation to assure objectives and outcomes are achieved.
- c. **Location of Services**
- i. Description of how and where attorneys, paralegals, and other workers will be housed to provide citywide services; include hours and days of operation.
  - ii. Include hours and days of operation for each site listed. Contractor must provide services Citywide, Monday through Friday, 9:00 am to 4:00 pm for a minimum of 249 days with the exception of authorized holidays.
- d. **Targeting**
- Describe the method by which your agency will target services to those in greatest economic or social need, with particular attention given to minorities, individuals with limited or non-proficiency in the English language and individuals whose income is at or below the poverty level. Include in your description any changes in the demographics that may be anticipated.
- e. **Mandated Services**
- The proposer must describe how the services will be provided as well as the number of units of services to be provided annually. The mandated service categories which must be provided are detailed in

**Attachment 3.** The units listed are the minimum number required.

- f. **Outreach and New Seniors Served**  
Include a description of your outreach plan of activities to bring new seniors into your program, and demonstrate how the activities will attract these clients. Identify staff involved.
- g. **Client Confidentiality**  
Describe the method of ensuring confidentiality in collecting and storing client information.
- h. **Emergency Plan**  
i. Proposers must carefully review, complete and submit **Attachment 28:** Agency Emergency Plan with their proposal. Proposers must maintain a copy of the Agency Emergency Plan and implement the plan in emergency situations.
- i. **Collaborations with Other Agencies**
  - i. Provide a listing of the agencies with which you have current documented collaborations. Describe the collaborations (formal cooperative agreements) and coordination available with other programs and agencies, including agencies not funded by LADOA, which support or result in a direct expansion of services and/or a reduction in program cost.
  - ii. Provide copies of your current cooperative agreements.
  - iii. Provide a listing of linkages proposed to be established.
  - iv. Describe your procedure for receiving referrals for services from other community agencies.
- j. **Voluntary Participant Contributions**
  - i. Describe the method for public notification that participant contributions are voluntary.
  - ii. Describe the method to be used to insure confidentiality of donations.
  - iii. Describe the method for recording (counting and banking) daily contributions.
- k. **Standards for Client Rights and Responsibilities:**  
Provide a copy of the written document from your agency listing the rights and responsibilities of the client.

I. **Written Procedures for Grievance Process**

Provide a copy of your agency's written grievance process for reviewing and attempting to resolve complaints of older individuals (See California Code of Regulations, Title 22 Social Security, Division 1.8 California Department of Aging, Article 5 Grievance Process, §7400).

2. **Organization's History and Administration (worth 30 points)**

a. **Funding**

- i. Description of your agency's funding history for the past five years relative to legal services, including a brief summary of the kinds of services provided, the dollar amount and source of funds per contract, and the name and telephone number of the contact person for each service.
- ii. Excluding Los Angeles City Older Americans Act funds, identify and list other city, county, state, federal, or private funds, and/or in-kind contributions that will lend support to the proposed program and documentation of these resources.

b. **Performance History**

Indicate number of years providing service and number of clients served. Compare proposed service to actual service provided. Discuss attainment of proposed goals. Identify three references to verify performance.

c. **Fiscal Management**

This section must contain a brief description of procedures for the agency's financial management system. Identify three credit references. Your most recent audited financial statement must be provided.

d. **Staffing Plan**

The proposer must submit an Organizational Chart and Job Descriptions which will be evaluated to determine whether qualifications/requirements of personnel are suitable to provide the proposed services.

- i. Job Descriptions: Each funded position must have a corresponding job description which describes duties and responsibilities. The job description must contain at a minimum: the summary of duties, examples of duties and responsibilities, qualifications and experience, and education requirements.
- ii. Organizational Chart: The organizational chart must show clear lines of authority for each position listed in the proposed budget as well as other positions not paid with contract funds which have a direct relationship to the project. The chart should start with the Board of Directors.

- iii. Number of Attorneys, Paralegals, and Other Workers Providing the Services. For each position indicate the number of paid staff and number of volunteers.
- iv. Volunteers: Describe how volunteers will be recruited and utilized in the operations of the program.
- e. **Transition Plan - Maximum 60-day Timeline**
  - i. For New Proposers: If your agency is not the current provider of the legal services addressed in this proposal, identify actions which will be undertaken so as to reduce or eliminate any disruption of service to program participants should your agency be awarded the contract.
  - ii. For Existing Contractors: If your agency is currently providing these services, identify actions which will be undertaken so as to reduce or eliminate any disruption of service to program participants should your agency not be awarded the contract.

**3. Program Budget (worth 30 points)**

- a. The budget package for this RFP consists of the following budget documents:

**Exhibit 1: Legal Services in Support of Family Caregivers**

- i. Part A - Project Budget Summary by Cost Categories and Projected Expenditures by Month.
  - ii. Part B - Budget Justifications: Cost Category 1000 - Personnel Costs (Wages and Employee Benefits)
  - iii. Part C - Budget Justifications: Cost Categories 2000 – Direct Costs
  - iv. Part D - Budget Justifications: Cost Categories 3000 Equipment Costs and 4000 Indirect Costs
- b. Exhibit 1 will serve as the basis for preparing the contract budget should your agency be awarded a contract for fiscal year (FY) 2019/2020. The exhibit must agree with and support your Work Program and Staffing Plan.
- c. Detailed instructions for completing the budget exhibit are provided in **Attachment 2**.
- d. Some of the criteria on which your program budget will be evaluated are below:

- i. The program budget should reflect and support your Work Program and level of staffing.
  - ii. The budget must agree with the funds available as provided in this RFP.
  - iii. The budget must include the grant, matching, program income, other income, and non-matching shares as described in the budget exhibit instructions (**Attachment 2**).
  - iv. The budget must show an efficient use of funds and support how they will be used, according to the Work Plan, to provide the minimum units of service required.
  - v. The budget must show staffing which is appropriate for the number of work sites to provide sufficient coverage as well as administrative capacity and efficiency.
- e. **Salary Plan**
- i. The proposer must provide a Salary Plan (**Attachment 6**) for each funded position. It must include the percentage increase between each step.
  - ii. The Cost of Living increase, if any, must also be reflected in this section.
  - iii. The plan must include the title of each position and the annual salary at each step of a position.

**V. CHECK OFF LIST: COMPONENTS MUST BE SUBMITTED IN ORDER LISTED**  
**Check off list**, dated and signed

Page No.

**Application for Project Grant** (Attachment 1)

**Work Program**

- Advisory Council
- Scope of Service
- Location of Services
- Targeting
- Mandated Services
- Outreach and New Seniors Served
- Client Confidentiality
- Emergency Plan (Attachment 28)
- Collaborations with Other Agencies
- Voluntary Participant Contributions
- Standards for Client Rights and Responsibilities
- Written Procedures for Grievance Process

**Organization's History and Administration**

- Funding
- Performance History:      Credit References (Attachment 8)
- Contract Performance Statement (Attachment 8)
- Fiscal Management:      Audited Financial Statement
- Staffing Plan:              Job Description (Attachment 7)
- Organizational Chart
- Transition Plan

**Program Budget** (Attachment 2)

- Exhibit I, Parts A, B, C, & D
- Salary Plan (Attachment 6)

**Other**

- City of Los Angeles Contractor Responsibility Questionnaire (Attachment 9)
- Conflict of Interest Statement (Attachment 10)
- Proposer Workforce Information / Non-Collusion Statement (Attachment 11)
- Municipal Lobbying Ordinance CEC Form 50 (Attachment 12)
- Municipal Campaign Finance Ordinance CEC Form 55 (Attachment 13)
- Los Angeles Residence Form (Attachment 14)
- Iran Contracting Act of 2010 (Attachment 15)
- List of Subcontractors (Attachment 16)
- Declaration of Contractor in Compliance with City of LA Employment and Training Policy (Attachment 17)
- Tax Exempt 501(c)(3) Certificate from the Internal Revenue Service (Attachment 18)
- Certification Regarding Lobbying (Attachment 19)
- Certification Regarding Debarment (Attachment 20)
- Certification Regarding Drug Free Workplace (Attachment 21)
- Certification Regarding the Living Wage Ordinance & Worker Retention Ordinance (Attachment 22)
- Certification Regarding Compliance with Americans with Disabilities Act (Attachment 23)
- Certification Regarding Compliance with Child Support Obligations (Attachment 24)
- Certification of Indemnification and Insurance Requirements (Attachment 26)
- Documents Submitted ONLINE at labavn.org. Enter Date Completed instead of Page No. (Attachment 25)
- Equal Benefits Ordinance (EBO) / First Source Hiring Ordinance (FSHO). Enter Online Submission date.
- Slavery Disclosure Ordinance. Enter Online Submission date.
- Business Inclusion Program. Enter Online Completion date.
- Local Business Preference Program / Affidavit of Eligibility. Enter Online Completion date (optional).

The above information is included in this proposal and is accurate and completed to the best of my knowledge.

\_\_\_\_\_  
 Signature of Individual Preparing Proposal

\_\_\_\_\_  
 Date

## VI. ATTACHMENT LIST

- Attachment 1:** Application for Project Grant - Complete and submit with your proposal.
- Attachment 2:** Program Budget Instructions – Submit proposed program budget with your proposal.
- Attachment 3:** Minimum Units of Service for OAA/OCA funded programs and Units of Service proposed by bidder submit with your proposal.
- Attachment 4:** Intentionally Omitted
- Attachment 5:** OAA/OCA reporting forms and units of service measurements and definitions.
- Attachment 6:** Salary Plan - Complete and submit with your proposal.
- Attachment 7:** Job Descriptions - Complete and submit with your proposal.
- Attachment 8:** Credit and Performance References - Complete and submit with your proposal.
- Attachment 9:** City of Los Angeles Contractor Responsibility Questionnaire. Complete and submit with your proposal.
- Attachment 10:** Conflict of Interest Statement - Complete, sign and submit with your proposal.
- Attachment 11:** Proposer Workforce Information / Non-Collusion Statement. Complete, sign and submit with your proposal.
- Attachment 12:** Municipal Lobbying Ordinance CEC Form 50. Complete, sign and submit with your proposal.
- Attachment 13:** Municipal Campaign Finance Ordinance CEC Form 55. Complete, sign and submit with your proposal.
- Attachment 14:** Los Angeles Residence Information. Complete, sign and submit with your proposal.
- Attachment 15:** Intentionally Omitted
- Attachment 16:** List of Subcontractors. Complete, sign and submit with your proposal.
- Attachment 17:** Declaration of Contractor in Compliance with City of Los Angeles Employment and Training Policy. Complete, sign and submit with your proposal.
- Attachment 18:** Nonprofit Status Documentation from the Internal Revenue Service. - Submit a copy of your tax exempt 501(c)(3) certificate.
- Attachment 19:** Certification Regarding Lobbying - Submit copy with your proposal.

- Attachment 20:** Certification Regarding Debarment - Submit copy with your proposal.
- Attachment 21:** Certification Regarding Drug Free Workplace - Submit copy with your proposal.
- Attachment 22:** Living Wage Ordinance and Service Contract Worker Retention Ordinance. Submit copy with your proposal.
- Attachment 23:** Certification Regarding Compliance with Americans with Disabilities Act. Submit copy with your proposal.
- Attachment 24:** Certification Regarding Compliance with Child Support Obligations. Submit copy with your proposal.
- Attachment 25:** Forms Submitted ONLINE at labavn.org. (1) Equal Benefits Ordinance (EBO) / First Source Hiring Ordinance (FSHO) compliance Affidavits; (2) Slavery Disclosure Ordinance; (3) Business Inclusion Program; and (4) Local Business Preference Program and Affidavit of Eligibility.
- Attachment 26:** Business Inclusion Program Instructions.
- Attachment 27:** Indemnification and Insurance Requirements - Information regarding insurance coverage required of contractors. Complete, sign and submit with your proposal.
- Attachment 28:** Agency Emergency Plan
- Attachment 29:** Aging Service Area Maps
- Attachment 30:** Ethnic Distribution within the geographic area - Information regarding the geographic ethnic distribution of senior citizens, and income guidelines.
- Attachment 31:** List of City Holidays