

TRANSMITTAL

To:
THE COUNCIL

Date: 4/2/19

From:
THE MAYOR

TRANSMITTED FOR YOUR CONSIDERATION. PLEASE SEE ATTACHED.

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

(Ana Guerrero) for

ERIC GARCEITI
Mayor



Eric Garcetti, Mayor
Rushmore D. Cervantes, General Manager

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March 13, 2019

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 AND AMEND AN EXISTING CONTRACT FOR A HOUSING LISTING SERVICE

SUMMARY

The General Manager of the Los Angeles Housing + Community Investment Department (HCIDLA) respectfully requests that your office review and approve this transmittal and forward it to the City Council for further consideration. Through this transmittal, HCIDLA requests authority to: 1) release a Request for Proposals (RFP) for Occupancy Monitoring Services; and 2) execute an amendment to add 12 months and \$75,306 to the contract with the Los Angeles County Community Development Corporation (“the County”) and Emphasys Computer Solutions (Emphasys) for a housing listing service (C-125926).

The issuance of the RFP for occupancy monitoring services and the contract for the housing listing service will ensure that: 1) qualified households reside in the affordable housing and the rents charged are within the applicable program limits; and 2) the public has free access to a website and hotline to assist with finding affordable housing listings. These contracts ensure that federal requirements to affirmatively market and to perform occupancy monitoring are met.

RECOMMENDATIONS

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

- I. AUTHORIZE the General Manager of HCIDLA, or designee, to prepare and release a Request for Proposals (RFP) to solicit bids for Occupancy Monitoring Services, subject to City Attorney review as to form, per the attached draft RFP (Attachment 1).
- II. AUTHORIZE the General Manager of HCIDLA, or designee, to execute a Fourth Amendment to Contract No. C-125926 with the Community Development Commission of the County of Los Angeles and Emphasys Computer Solutions, Inc., extending the contract term by 12 months through June 30, 2020 and increasing compensation by \$75,306, for a total contract amount not to exceed \$443,175. The contract amendment shall be in substantial conformance with the draft document attached to the transmittal, subject to approval of HCIDLA's proposed budget for Fiscal Year 2019-20. Funding is requested in the FY 2019-20 budget to be appropriated in Fund 100/43 Account 3040 Contractual Services. The proposed funding sources are: \$32,382 HOME (Fund 561); \$17,320 Municipal Housing Finance Fund (Fund 815); and \$25,604 Low and Moderate Income Housing Fund (Fund 55J).

BACKGROUND

HCIDLA's affordable housing portfolio consists of over 43,000 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 following: 1) HCIDLA's Call for Projects process; 2) from multi-family housing bonds (Bonds) issued by the City, federal, state, and local loans and grants; and/or 3) when the owner has received a land use concession, such as a density bonus. HCIDLA is mandated to monitor and preserve very low-, low-, and moderate-income-restricted housing units, which are set aside in these covenants and regulatory agreements for up to 55 years.

NEED FOR CONTRACT SERVICES

RFP for Occupancy Monitoring Contract

Since 2003, HCIDLA has utilized the services of a contractor for occupancy monitoring for the following reasons: 1) HCIDLA maintains an extremely large portfolio of affordable housing projects and units that require annual monitoring; 2) a highly specialized and technically advanced database is needed to document and track monitoring status; 3) it is necessary to calculate current allowable rents and incomes for all restricted units; and, 4) compliance must be determined according to multiple (often overlapping) program guidelines. Current staffing levels do not enable HCIDLA to sufficiently monitor the extremely large and specialized portfolio of projects.

HCIDLA's occupancy monitoring contractor must have expert knowledge of not only HCIDLA's policies and procedures, but a multitude of complex financing programs with distinct monitoring requirements that impact the health and regulatory compliance of the HCIDLA Affordable Housing Portfolio. In March 2013, HCIDLA assumed responsibility for monitoring all of 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.

The occupancy monitoring contractor will ensure that income-qualified tenants reside in the affordable units and that the rents charged are within the applicable program limits, as well as perform any other federal, state, and local requirements with regards to occupancy monitoring.

Although it was contemplated, HCIDLA determined that it is not feasible to contract with more than one vendor. HCIDLA does not have additional resources to absorb the increased costs of contract management and also believes that some programmatic inefficiencies would result when managing multiple contracts for essentially the same scope of work. On October 19, 2018, HCIDLA requested a determination from the Personnel Department, based on the provisions of Charter Section 1022, whether or not the City currently has the staff available to perform the required services. While the Personnel Department found that City employees could perform the proposed scope of work, the Office of the City Administrative Officer (CAO) determined that it would be more feasible to contract out the services.

RFP Scope of Work

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 currently have or are able to establish a comprehensive database to track compliance with the various affordable housing requirements, and currently have or are able to establish a user-friendly web-based monitoring application that can be accessed by HCIDLA and property owners.

HCIDLA will select one firm as the qualified contractor to perform all required services to oversee a portfolio of over 43,000 units.

Some of the specific monitoring services being solicited through the RFP include, but are not limited to:

1. Maintaining regularly 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 HCIDLA's inventory.
3. Accurately reviewing income source documentation for new and recertifying tenants of restricted units.
4. Accurately applying various affordable housing program regulations and requirements to determine whether a property/unit is in compliance.
5. Conducting on-site visits to review project and tenant files.
6. Conducting audits of tenant files to review income sources to make determinations of compliance or certify household income.
7. Responding to property owners/managers' inquiries.

8. Collecting information from each homeowner in the single-family loan monitoring portfolio, as evidence that the homebuyer is residing in the home.
9. Directly submitting documentation to California Debt Limit Allocation Committee to certify compliance with multi-family housing bond projects.
10. 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.
11. Conducting trainings for property managers/owners.
12. 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 HCIDLA.

Eligible Proposers

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

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. Contractor should, at a minimum, have certifications in Certified Occupancy Specialist and Tax Credit Compliance Specialist;
6. Have successfully completed contracts similar in size and scope to the services solicited for a minimum of five (5) years;
7. Not have any 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.

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. Demonstrated Ability	36 points
2. Demonstrated Capacity	32 points
3. Technical System Design	20 points
4. <u>Cost Reasonableness</u>	<u>12 points</u>
Total Points	100 points

Proposers will be notified in writing of the evaluation outcomes, and will have an opportunity to appeal the decision. After the appeals process has concluded, HCIDLA will make contractor recommendations to the Mayor and City Council.

Timeline

Pending City Council and Mayoral authorization, the HCIDLA would release the RFP on or about April 29, 2019, hold a proposers' conference on or about May 9, 2019, and close submissions on or about June 24, 2019. It is anticipated that contracts will commence on January 1, 2020 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.

Housing Listing Service Contract

On December 19, 2006, the Board of Supervisors of the County of Los Angeles approved a joint recommendation submitted by the Los Angeles County Chief Executive Officer (CEO) and the Community Development Commission of the County of Los Angeles, delegating authority to the CEO to execute an agreement with Non-Profit Industries (DBA "SocialServe.com") for the creation of the Los Angeles County Housing Resource Center website (LAC-HRC). The website, <http://housing.lacounty.gov>, was subsequently launched in June 2007. In August 2015, Emphasys acquired the technology assets of SocialServe.com and became their parent company. The County entered into a Master Agreement with Emphasys to develop, operate and manage the LAC-HRC.

The County Board of Supervisors authorized the County to execute Cooperation Agreements with cities or agencies in Los Angeles County (including the City of Pasadena, the City of Los Angeles, and Affordable Living for the Aging, a non-profit agency) to develop and connect partner websites to the LAC-HRC database. These partner websites allow inter-agency, inter-jurisdictional sharing of information and leveraging of resources to enable a vast system of housing listings, with the primary purpose of providing individuals, families, and housing caseworkers with free listing services for affordable residential rental properties throughout the County of Los Angeles.

Prior to this Cooperation Agreement, a paper list of projects was utilized for public inquiries about affordable housing developments. Through this contract, the public can now view housing listings on housing.lacity.org or speak to an operator who will assist them to search housing listings by calling 1-877-428-8844. The website keeps HCIDLA compliant with a federal requirement to affirmatively market units, in a manner that is accessible online and via phone call, when the public contacts the call center. The website also follows Website Content Accessibility Guidelines (WCAG) 2.0, which signifies that the information is accessible to persons who rely on screen readers, helmet pointers, and other assistive technologies. The call center similarly supports relay

systems for persons who are deaf or hearing impaired. Furthermore, housing searches can be performed in over 100 languages.

The LAC-HRC is a countywide platform for searching for housing set at very low to moderate income levels (up to 120% Area Median Income). From February 2018 through January 2019, the website received 2,378,960 queries and 22,361 hotline phone calls regarding housing in Los Angeles County. Countywide, there are 103,486 housing units listed in the system. A subset of 51,795 housing units in the City of Los Angeles are represented in these listings; 589 units are currently available and an additional 1,237 listings have open waiting lists. The City of Los Angeles' restricted housing units have been made affordable through City financing or Land Use concessions, like the Density Bonus program.

In 2015, HCIDLA was granted authority to enter into a Cooperation Agreement with the County of Los Angeles and SocialServe.com, for the development of a partner website for HCIDLA's housing listing service. As mentioned previously, Emphasys acquired the technology assets of SocialServe.com and became their parent company. The County is the holder of the Master Agreement with Emphasys. Through the Cooperation Agreement, the City funded the development and subsequent launch of the housing listing service and the partner website, housing.lacity.org.

Funding Level

Occupancy Monitoring Services

The successful proposer will be funded at an amount not to exceed \$1,306,837.30, upon approval of HCIDLA's proposed budget for Fiscal Year 2019-20. Funding for the first year term of this contract will be provided by HOME Fund No. 561, Municipal Housing Finance Fund No. 815 and Low and Moderate Income Housing Fund No. 55J.

Housing Listing Service

During the first year of the Cooperation Agreement, the City's portal, housing.lacity.org, was successfully designed, launched, and maintained. The amount previously authorized for this contract was \$367,869. Costs for operation for this amendment of the Cooperation Agreement are budgeted at \$75,306, upon approval of HCIDLA's proposed budget for Fiscal Year 2019-20, for a new total of \$443,175. Funding for this amendment will be provided by HOME Fund No. 561, Municipal Housing Finance Fund No. 815 and Low and Moderate Income Housing Fund No. 55J. All costs are outlined in the draft of the Fourth Amendment to Cooperation Agreement (Attachment 2).

FISCAL IMPACT

There is no impact on the City's General Fund.

Prepared By:



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Manager, Occupancy Monitoring

Reviewed By:



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Director of Housing

Reviewed By:



SEAN L. SPEAR
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Reviewed By:



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Director of Accounting

Reviewed By:



LUZ SANTIAGO
AGM

Reviewed By:



LAURA K. GUGLIELMO
Executive Officer

Approved By:



RUSHMORE D. CERVANTES
General Manager

ATTACHMENTS:

Attachment 1: Draft RFP

Attachment 2: Draft Fourth Amendment to Cooperation Agreement



**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	Monday, April 29, 2019
RFP Submission Deadline	Monday, June 24, 2019 Proposals shall be accepted no later than 4:00 p.m. via hand delivery or courier to address listed below. If mailed, postmarked no later than 11:59 p.m. and addressed to address listed below.
Submission Address	Los Angeles Housing and Community Investment Department Attn: Contracts and Procurement Unit 1200 W. 7 th Street, 1 st Floor, Public Counter Los Angeles, CA 90017
Mandatory Proposers' Conference (Proposers may participate in person or via webinar, see page 5)	Thursday, May 9, 2019 (2:00 p.m. – 4:00 p.m.) Los Angeles Housing and Community Investment Department 1200 W. 7 th St. Los Angeles, CA 90017 RSVP by Wednesday, May 8, 2019 via email to: hcidla.contractsprocurement@lacity.org
Request for Technical Assistance Deadline	Monday, June 10, 2019 Submit by email only to: hcidla.contractsprocurement@lacity.org All questions and answers will be made available to all proposers on the LABAVN website at: www.labavn.org

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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ATTACHMENTS:

ATTACHMENT 1

Proposal Checklist – Table of Contents

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Living Wage Ordinance and Service Contractor Worker Retention Ordinance

ATTACHMENT 3

LWO Statutory Exemptions

ATTACHMENT 4

Proposer Workforce Information/Non-Collusion Affidavit

ATTACHMENT 5

Business Services Implementation Plan Collaborator Agreements

ATTACHMENT 6 – *(Not Applicable, do not submit)*

ATTACHMENT 7

Iran Contracting Act of 2010 Compliance Affidavit

ATTACHMENT 8

Corporate Documents

ATTACHMENT 9

Child Support Obligations

ATTACHMENT 10

CEC Form 55 Instructions

ATTACHMENT 11

Fee Schedule

EXHIBIT A

Monitoring Documents to be Collected by Program Type

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 exceeds 43,000 units, which includes housing 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

This RFP seeks to solicit qualified individuals or firms to provide occupancy monitoring services as described in detail in Section B. Scope of Work, in accordance with HCIDLA's goals and objectives.

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. Proposers 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, proposers should be able to review and analyze owner compliance documents to reduce audit risk. Proposers 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.

B. SCOPE OF WORK

The selected proposer(s) will be required to provide the following occupancy monitoring services:

1. Maintain updated electronic files for each monitored project to document and track compliance on the contractor's own database.
2. Annually collect 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 review 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 apply 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.

Monitor tenant occupancy for housing units that are restricted by the following funding sources and programs: HOME Investment Partnerships Program (HOME), Community Development Block Grant (CDBG), Neighborhood Stabilization Program (NSP), Housing Opportunities for Persons with HIV/AIDS (HOPWA), Multi-Family Housing Revenue Bonds Program (Bond), Land Use units (including those created by the Density Bonus Ordinance), redevelopment funds issued by the former Community Redevelopment Agency of the City of Los Angeles (CRA/LA), the Low Income Housing Tax Credit (LIHTC) Program, and Housing Choice Vouchers.

5. Conduct on-site visits to properties, as mandated by HOME regulations or when properties are non-compliant. Site visits shall include reviewing project and tenant files, tenant leases, mandatory lease addendums, income source documentation, rent and utility allowance schedules, and the management plan to assess compliance with HOME and other regulations.
6. Conduct audits of tenant files to review income source documentation and make determinations of compliance or to certify household income.
7. Respond to property owners and managers questions, establish and maintain a good working relationship with them, and provide training, as needed paid by owners and managers.
8. Collect information from each homeowner in the single-family loan monitoring portfolio as evidence that the homebuyer is residing in the home.
9. Directly submit documentation to California Debt Limit Allocation Committee to certify compliance with multi-family housing bond projects.
10. Provide 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 with year-to-date project information and compliance status on monitored projects, and any other information deemed necessary by HCIDLA to track compliance.
11. Conduct trainings for property owners/managers to instruct them on annual reporting procedures, income certification, affordability restrictions and other programmatic requirements to maintain projects in compliance. Proposers will be required to have documented experience in providing

required training to various size groups and to develop training tailored to the needs of HCIDLA and property owners/managers.

12. Provide 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 HCIDLA.

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. Contractor should, at a minimum, have certifications in Certified Occupancy Specialist and Tax Credit Compliance Specialist;
6. Have successfully completed contracts similar in size and scope to the services solicited for a minimum of five (5) years; and
7. Not have any outstanding debt which has not been repaid or for which a repayment agreement plan has not been implemented, if the proposer has previously contracted with the State of California or the City of Los Angeles. If it has contracted with the HCIDLA, it must not have any outstanding disallowed costs or other liability to the City.

D. BUDGET AND SOURCES OF FUNDS

The source of funds for this RFP, beginning July 1, 2020 until June 30, 2021, 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. 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.

Approximately \$1,306,837 is anticipated to be available for the Occupancy Monitoring Program, depending on the services to be provided and subject to the approval by the Los Angeles City Council and the Mayor.

E. CONTRACT TERM

The initial contract shall commence on or about January 1, 2020, 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. Multiple contracts may be issued under this RFP.

F. PRELIMINARY SCHEDULE

<u>Event</u>	<u>Date</u>
Request for Proposals Released	Monday, April 29, 2019
Mandatory Proposers' Conference	Thursday, May 9, 2019
Proposal Submission Deadline	Monday, June 24, 2019

G. MANDATORY PROPOSERS' CONFERENCE

A Proposers' Conference has been scheduled to answer questions about this RFP. See cover page for Conference date and location. Attendance is mandatory for anyone interested in submitting a proposal in response to the RFP. Please plan to arrive on time as credit may not be given if a proposer's representative arrives late to the conference. If you are not available to attend, you may either send a representative or participate via webinar, which will be held in conjunction with the in-person conference. The registration and webinar information for remote participation will be posted on LABAVN two (2) to three (3) days before the conference. At this Conference, City staff will review the RFP document and respond to questions regarding requirements of the RFP. City staff will not provide assistance regarding a proposer's individual program design. **BRING YOUR OWN COPY OF THE RFP. NO COPIES WILL BE PROVIDED AT THE CONFERENCE.**

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

H. TECHNICAL ASSISTANCE

With the exception of the Mandatory Proposers' Conference, all technical assistance questions must be submitted by e-mail to hcidla.contractsprocurement@lacity.org. **Please identify the RFP title on the email subject line to ensure prompt attention from the appropriate City staff.** To ensure a fair and consistent distribution of

information, all questions will be answered by a Question-and-Answer (Q&A) document available on the Los Angeles Business Assistance Virtual Network (LABAVN) website at: www.labavn.org. No individual answers will be given. The Q&A document will be updated on a regular basis to ensure the prompt delivery of information.

I. DEADLINE FOR SUBMISSION OF PROPOSALS

Proposals must be hand or courier-delivered in a sealed package to the address listed on the front cover of this RFP by 4:00 p.m. PST by the submission deadline date or delivered via U.S. Certified Mail postmarked no later than 11:59 p.m. PST on the submission deadline 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 DATE OR POSTMARKED AFTER 11:59 P.M. PST ON THE SUBMISSION DEADLINE DATE 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
<p><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; knowledge of applicable regulations; references; documented experience in providing required training to various size groups, and other items as outlined in the Proposal Package section of the RFP.</p>	36
<p><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, capacity to complete citywide projects within a reasonable amount of time, and other items as outlined in the Proposal Package section of this RFP.</p>	32
<p><u>Technical System Design</u> Proposed approach to providing the required services.</p>	20
<p><u>Cost Reasonableness</u> The reasonableness and appropriateness of the proposed costs in relation to all other proposals.</p>	12
<p>TOTAL POINTS</p>	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. Proposers shall be notified in writing about funding recommendations and evaluation results.

L. PROPOSAL APPEAL PROCESS

1. Appeal Rights

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

2. Letters of Appeal

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

Rosa Benavides, Chief Management Analyst
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; and
- e. Require all collaborators identified in the proposal to become co-signatories to any contract with the City.

7. Standing of Proposer

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

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

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

8. Proprietary Interests of the City

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

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

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

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

9. Discount Terms

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

B. STATEMENTS REQUIRED WITH PROPOSAL

1. Contractor Responsibility Ordinance (CRO) Questionnaire

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

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

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

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

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

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

and

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

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

THIS STATEMENT IS REQUIRED WITH THE PROPOSAL.

2. Municipal Lobbying Ordinance City Ethics Commission (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 City of Los Angeles Charter Section 470(c)(12) and related ordinances. As a result, bidders may not make campaign contributions to and or engage in fundraising for certain elected City officials or candidates for

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

Bidders/proposers must submit CEC Form 55 to the awarding authority at the same time the response is submitted (refer to the following link to access the form http://ethics.lacity.org/pdf/forms/CEC_Form_55.pdf). The form requires bidders to identify their principals, their subcontractors performing \$100,000 or more in work on the contract, and the principals of those subcontractors. Bidders must also notify their principals and subcontractors in writing of the restrictions and include the notice in contracts with subcontractors. Responses submitted without a completed CEC Form 55 shall be deemed nonresponsive. Bidders who fail to comply with City law may be subject to penalties, termination of contract, and debarment. (See **Attachment 10** – Form 55 Instructions). Additional information regarding these restrictions and requirements may be obtained from the City Ethics Commission at (213) 978-1960 or ethics.lacity.org.

THIS STATEMENT IS REQUIRED WITH THE PROPOSAL.

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

All bidders/proposers are advised that any contract awarded pursuant to this procurement process shall be subject to the applicable provisions of Los Angeles Administrative Code Section 10.8.2.1, Equal Benefits Ordinance (EBO) and the Los Angeles Administrative Code Sections 10.44 et seq., First Source Hiring Ordinance (FSHO).

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

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

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

When the form expires, a contractor will be required to complete the new web application form.

Equal Benefits Ordinance

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

First Source Hiring Ordinance

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

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

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

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

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

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

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

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

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

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

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

6. Living Wage Ordinance and Service Contractor Worker Retention Ordinance

Unless approved for an exemption, contractors under contracts primarily for the furnishing of services to or for the City and that involve an expenditure or receipt in excess of \$25,000 and a contract term of at least three (3) months, lessees and licensees of City property, and certain recipients of City financial assistance, shall comply with the provisions of Los Angeles Administrative Code Sections 10.37 et seq., Living Wage Ordinance (LWO) and 10.36 et seq., Service Contractor Worker Retention Ordinance (SCWRO). Bidders/Proposers shall refer to **Attachment 2**, "Living Wage Ordinance and Service Contractor Worker Retention

Ordinance” for further information regarding the requirements of the Ordinances.

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

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

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

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

THESE STATEMENTS ARE REQUIRED WITH THE PROPOSAL, IF APPLICABLE.

7. Proposer Workforce Information/Non-Collusion Statement

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

THIS STATEMENT IS REQUIRED WITH THE PROPOSAL.

8. Business Services Implementation Plan Collaborator Agreements

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

THIS STATEMENT IS REQUIRED WITH THE PROPOSAL.

9. Subcontractors

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

10. Iran Contracting Act of 2010

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

C. CONTRACT EXECUTION REQUIREMENTS

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

1. Insurance Certificates

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

2. Secretary of State Documentation

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

3. Corporate Documents

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

4. City Business License Number

All contractors are required to submit one copy of their City of Los Angeles Business License, Tax Registration Certificate or Vendor Registration Number. To obtain a Business Tax Registration Certificate (BTRC), call the Office of Finance at (213) 473-5901 and pay the respective business taxes. The address is: Los Angeles City Office of Finance, Tax and Permit Division, City Hall, 200 N. Spring Street, Room 101, Los Angeles, CA 90012. Visit the Office of Finance's website for more information at: www.finance.lacity.org.

5. Proof of IRS Number (W-9)

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

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

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

7. Certifications

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

- a. A Certificate Regarding Ineligibility, Suspension and Debarment as required by Executive Order 12549.
- b. Certification and Disclosure Regarding Lobbying (not required for contracts under \$100,000). Contractor shall also file a Disclosure Form, at the end of each calendar quarter during which any event requiring disclosure, or which materially 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. Non-Discrimination/Equal Employment Practices/Affirmative Action

Effective July 1, 2016 the Non-Discrimination/Equal Employment Practices and Affirmative Action (ND/EEP and AA) provisions were amended to eliminate the need for contractors to complete affidavits on BAVN. By affixing its signature to a contract, the contractor agrees to adhere to the ND/EEP and AA for the duration of the contract. When a contractor signs the contract, they will also be acknowledging their responsibility to comply with both the ND/EEP and AA provisions. The AA provisions will now apply to all construction contracts and all non-construction contracts of \$25,000 or more.

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

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

10. Americans with Disabilities Act

Any contract awarded pursuant to this RFP shall:

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

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

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

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

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

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

11. Child Support Assignment Orders

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

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

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

12. Fair Chance Initiative for Hiring Ordinance

City Contractors and subcontractors with 10 or more employees are prohibited under Los Angeles Administrative Code Section 10.48 from seeking a job applicant's criminal history information until a job offer is made and from withdrawing a job offer unless the employer performs an assessment of the applicant's criminal history and the duties of the

position. Contractors and subcontractors are required to include information regarding the ordinance in all job solicitations and advertisements and to post notices informing job applicants of their rights. Additional information and forms can be found at Department of Public Works, Bureau of Contract Administration at:
<https://bca.lacity.org/fair-chance>

D. CONTRACTOR EVALUATION ORDINANCE

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

IV. PROPOSAL PACKAGE

A. GENERAL PREPARATION GUIDELINES

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

1. The proposal must be submitted in the legal name of the firm or corporation and the corporate seal must be embossed on the original proposal. An authorized representative of the proposer organization who has legal authority to bind the organization in contract with the City must sign the proposal.
2. Proposers must submit one (1) original and four (4) stapled or large binder-clipped copies. The original must be marked "Original" on the cover and must bear the actual "wet" signature(s) of the person(s) authorized to sign the proposal. The copies must be numbered on the upper right hand side of the cover to indicate "Copy No. ___."
3. All proposals must be accompanied by a cover letter that should be limited to **one page**. The letter must:
 - Include the title, address, telephone number, fax number, and e-mail of the person(s) who will be authorized to represent the proposer and each collaborator. Also include the above contact information for the proposer's contract manager and accounting liaison.
 - 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 16 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.

**FOURTH AMENDMENT TO
COOPERATION AGREEMENT BY AND BETWEEN
THE COMMUNITY DEVELOPMENT COMMISSION OF THE
COUNTY OF LOS ANGELES AND THE LOS ANGELES HOUSING AND COMMUNITY
INVESTMENT DEPARTMENT FOR SHARED DATA COLLECTION AND CREATION AND
MAINTENANCE OF A HOUSING RESOURCE CENTER PARTNER WEBSITE**

THIS FOURTH AMENDMENT to the Cooperation Agreement ("Amendment Four") is made and entered into by and between the Community Development Commission of the County of Los Angeles ("Commission"), the Los Angeles Housing and Community Investment Department ("HCID"), and Emphasys Computer Solutions, Inc., a Michigan corporation ("Contractor"). The Commission, HCID and the Contractor are hereinafter referred to collectively as the "Parties" and each individually as a "Party." HCID enters into this Fourth Amendment in partnership with the Commission and Contractor to continue operation and improve the partner website ("HCID Partner Website") that is linked to the Los Angeles County Housing Resource Center website ("LAC-HRC Website") that is operated by the Contractor on behalf of the Commission.

WITNESSETH

- A. WHEREAS, from March 31, 2009 to **XXXXXber X, 202X**, the Commission maintained a contract (Master Agreement) with Emphasys to develop, operate, and manage the LAC-HRC Website; and
- B. WHEREAS, the Commission's Executive Director was granted authority to enter into agreements with cities or agencies in Los Angeles County that desired to have partner websites to the LAC-HRC Website; and
- C. WHEREAS, the executed Cooperation Agreement has been further identified by HCID as City Contract No. C-125926; and
- D. WHEREAS, Section 8.A. of the Cooperation Agreement provides for amendments; and
- E. WHEREAS, the Parties are desirous of amending the Cooperation Agreement as authorized by the Los Angeles City Council and Mayor (refer to Council File No. **XX-XXXX**, dated **XXXXXber X, 201X**; approved by Council on **XXXXXber X, 201X** and concurred by the Mayor on **XXXXXber X, 201X**), for the purpose of increasing compensation by Seventy-Five Thousand Three Hundred Six Dollars (\$75,306) for a new contract amount of Four Hundred Forty-Three Thousand One Hundred Seventy-Five Dollars (\$443,175); and these funds which will be paid from the HCID's HOME Investment Partnerships Program Fund No. 561, the Low and Moderate Income Housing Fund No. 55J, and the Municipal Housing Finance Fund No. 815, represents a partial match to the \$3.2 million commitment made by the County for this regional data sharing effort; and

- F. WHEREAS, a contract (“Master Agreement”) for Internet-based Housing Database and Website Services by and between the Commission and the Contractor was executed on **XXXXXber X, 201X**; and
- G. WHEREAS, the Commission’s Executive Director was granted authority to amend existing Cooperation Agreements related to the LAC-HRC Website; and
- H. WHEREAS, this Amendment is necessary and proper to continue and/or complete certain activities authorized under the Cooperation Agreement; and

NOW, THEREFORE, the Parties agree that the Revised Agreement be amended effective upon execution, as follows:

FOURTH AMENDMENT

1. Amend Sub-Section A of Section 6, Fees and Payments by deleting the total dollar amount of Three Hundred Sixty Seven Thousand Eight Hundred Sixty-Nine Dollars (\$367,869) and replacing it with a new total of Four Hundred Forty-Three Thousand One Hundred Seventy-Five Dollars (\$443,175).

This amendment adds an additional Seventy-Five Thousand Three Hundred Six Dollars (\$75,306) for a new total of Four Hundred Forty-Three Thousand One Hundred Seventy-Five Dollars (\$443,175).

2. Amend Sub-Section A of Section 7, General Terms and Conditions by deleting the ending date of December 31, 2019 and replacing with the new end date of December 31, 2020.

3. Amend to add Exhibit D, “Additional Project Cost Schedule,” which is attached hereto and incorporated herein.

4. Except as herein amended, all terms and conditions of the Agreement shall remain in full Force and effect.

5. This Amendment is executed in three (3) duplicate originals, each of which is deemed to be an original. This Amendment includes Four (4) pages and One (1) exhibit which constitute the entire understanding and agreement of the parties.

[Remainder of page intentionally left blank.]

[Signatures begin on next page.]

IN WITNESS WHEREOF, the Parties have caused this Revised Agreement to be executed by their duly authorized representatives.

COUNTY OF LOS ANGELES
Chief Information Office

Executed this _____ day of

_____, 2019

By: _____
William S. Kehoe,
Chief Information Officer

For: COMMISSION
Community Development Commission of the
County of Los Angeles

Date: _____

By: _____
Monique King-Viehland, Executive Director

APPROVED AS TO FORM:
MARY C. WICKHAM
County Counsel

By: _____
Senior Deputy County Counsel

Date: _____

APPROVED AS TO FORM:
MICHAEL N. FEUER, City Attorney

For: THE CITY OF LOS ANGELES

RUSHMORE D. CERVANTES
General Manager
Los Angeles Housing and Community
Investment Department

By: _____
Assistant/Deputy City Attorney

By: _____
Laura Guglielmo, Executive Officer

Date: _____

Date: _____

ATTEST:
HOLLY L. WOLCOTT, City Clerk

By: _____
Deputy City Clerk

Date: _____

For: Emphasys Computer Solutions,
Inc.

(Contractor's Corporate Seal)

By: _____
Name: MICHAEL BYRNE
Title: Chief Executive Officer

Agreements	Council File	Council and Mayor Approval Dates
Original Contract	CF15-0024	February 17, 2015
Amendment 1	CF15-0024	August 24, 2016
Amendment 2	CF15-0024	March 20, 2018 & March 22, 2018
Amendment 3	CF15-0024	December 12, 2018 & December 17, 2018
Amendment 4	CFXX-XXXX	XXXXXber X, 201X & XXXXXber X, 201X

Said Agreement is Number C-125926 of City Contracts Amendment Four

EXHIBIT D

ADDITIONAL PROJECT COST SCHEDULE

12 MONTHS (July 1, 2019-June 30, 2020)	Cost
Registration/outreach/support	\$5,500
\$55/project x 100 projects	
Trainings: three online trainings 500 each	\$1,500
Prevent HCIDLA flagged projects from being deleted	\$607
Custom link to track flagged and flag co-funded properties	\$1,019
Custom status report	\$303
Host website	\$11,025
Call center support	\$36,750
Periodic polling report	\$6,615
Maintenance of housing availability notification registry	\$5,141
	subtotal
	\$68,460
LA CDC 10% of contract Administrative Fee	\$6,846
	Total contract amount
	\$75,306