

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

0310-00219-0129

Date: November 2, 2007

To: The Council

From: Karen L. Sisson, City Administrative Officer 

Subject: **FILM PERMITTING SERVICES – RFI RESULTS AND PROPOSED RFP**

Summary

The Council directed the City Administrative Officer (CAO) and Chief Legislative Analyst (CLA) to issue a Request for Proposals (RFP) for film permitting services currently provided by FilmLA (CF# 02-2144-S1). In preparation for the release of the RFP, the Council directed the CAO to release a Request for Information (RFI) as a way of obtaining additional information from Neighborhood Councils, community groups, etc., to determine what is required and/or should be included in a new contract, as well as to determine if there are other businesses capable of providing film permit coordination, notification and complaint referral services in Los Angeles (CF# 07-1586).

RFI Results

The RFI was distributed directly to over 6,000 individuals as well as advertised in the newspaper and posted on the City's website. The City received 93 responses, some submitted on behalf of numerous individuals. For example, one response represented over 180 individuals from downtown and another almost 500 individuals from the Pacific Palisades area. The majority of responses received were from community members and groups identifying areas in the current film permitting process in need of improvement. The respondents indicated enforcement, notification, and parking as the three areas in greatest need of improvement. Respondent opinions were divided when asked whether one organization should be awarded a single contract for both permit coordination and notification services or would it be more advantageous to offer two separate contracts.

The results of the RFI identify 15 potential bidders, indicating there are other businesses capable of providing film coordination services in Los Angeles.

Proposed RFP

The City is seeking three different types of services related to on-location filming within the City of Los Angeles: permit coordination; notification; and complaint referral. At present, the draft RFP has been constructed in a way that potential bidders can submit proposals to perform services for any or all of these three services.

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In addition the draft RFP includes a list of terms that potential bidders would be required to sign as part of the proposal submittal process. By including a list of terms, it is believed that contract negotiations will be more efficient and timely.

Within the draft RFP, the CAO has also defined service levels for various aspects of the work to be provided by contract. These defined service levels result from feedback received from the community and the public's desire that the contractor(s) be held accountable and receive sufficient oversight. The inclusion of service levels enables the City to communicate clear expectations to all potential bidders prior to the submission of proposals and provide objective oversight while administering the contract(s) once they are in place.

RFP Timeline

The existing contract with FilmLA for film permit coordination expires June 30, 2008. In order to establish a new contract in a timely manner (and potentially allow for a sufficient transition period between contractors), City Council approval of the RFP is requested no later than November 21, 2007. The CAO and Chief Legislative Analyst anticipate the ability to release the RFP on November 26, 2007, having responses submitted by February 4, 2008, and making a recommendation to Council no later than April 1, 2008.

Recommendation

That the Council:

1. Approve the draft Request for Proposals (RFP) and authorize the City Administrative Officer to release the RFP and report back with the results of the competition no later than April 1, 2008.
2. Authorize the CAO to make minor and technical adjustments to the RFP that are not inconsistent with the intent of the Council and are in the best interest of the City.

Fiscal Impact Statement

There is no fiscal impact to the release of the RFP. However, as a result of the RFP, it is expected that the competition for a new contract will eliminate the need for the City to pay as much as \$572,000 a year for film permit coordination. In addition, it is hoped that the City will achieve full cost recovery of the film permitting function through this competition. It is also expected that fees to production companies for permit coordination and notification will be lower as a result of the competition.

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Attachments

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RFI for Film Permit Coordination, Notification and Complaint Referral Services Response Statistics

Respondents and Bidders

- A total of ninety-three responses were received, representing over 755 constituents. (The number represented is not definitive because some responses were submitted on behalf of neighborhood councils or other organization governing bodies and the number represented was not included in the submission).

Fifteen potential bidders were identified.

Regarding the City Contract

- Nine respondents expressed their desire that the City should coordinate permits directly and that they should not contract with a third-party organization for this function.
- Seven respondents indicated they thought the contract with FilmL.A., Inc. should be terminated.
- Five respondents indicated the notification services function should no longer be performed by FilmL.A., Inc.
- One respondent clearly advocated keeping a contract with FilmL.A., Inc.

Comments from the Community

Positive and Neutral

- A total of five positive responses were received
 - four supportive of filming in general
 - one in particular about the hours of filming
- Three respondents comments were considered neutral, offering comments considered neither positive or negative.

*Negative Comments**

- Thirty-nine comments indicated enforcement of permit conditions needed to be improved upon.
- Thirty-nine comments described notification services as being deficient or non-existent.
- Thirty-four comments included complaints about parking disruptions and problems as a result of on-location filming.
- Twenty-three comments expressed concerns about the frequency of filming within a single geographical area and/or the lack of monitoring done in regard to the frequency of filming in specific geographical areas.
- Nineteen comments included complaints about the conduct of on-location film crews.
- Seventeen comments expressed concerns about traffic disruptions as a result of on-location filming.

- Fifteen comments expressed dissatisfaction with the compensation (or lack there of) received while being negatively effected by on-location filming.
- Fifteen comments included complaints about the hours/times of day on-location filming took place, including filming taking place outside the hours permitted and/or published on notifications.
- Nine comments voiced dissatisfaction with the level of noise that occurred as a result of on-location filming.
- Six comments expressed concerns regarding disturbing lights and the effects they had on their quality of life as a result of on-location filming.
- Six comments claimed they experienced a loss of business as a result of on-location filming.
- Five comments included complaints about trash being left behind by on-location filming productions.
- Four comments expressed safety concerns associated with on-location filming.
- One comment included dissatisfaction with receiving information they requested.
- One comment was dissatisfied with the film content of productions within their immediate vicinity.

*Many respondents indicated multiple areas of concerns. In addition the information provided in the Negative Comments section is not a complete listing of all negative comments received.

REQUEST FOR PROPOSALS

FOR THE



CITY OF LOS ANGELES

FILM PERMIT COORDINATION,
NOTIFICATION AND
COMPLAINT REFERRAL
SERVICES

RFP SUMMARY

This RFP seeks three types of services. Proposers may submit proposals to perform services for any or all services. However, separate costs for each service shall be required. In addition, proposers may also submit costs of combined services if bidding on more than one service and if the combined cost would differ from simply adding the separate costs together. Proposers also must identify and define any limitations in the services they propose to perform such as services only confined to a specific geographic area, etc.

Generally, the selection of the successful proposal will be made based upon:

- Ability to successfully provide the services;
- Cost to City constituents (including taxpayers and production companies);
- Compliance with City of Los Angeles contracting guidelines; and,
- Quality of previous work (including references from former clients).

The proposers responsiveness to this RFP will also be considered.

The RFP may be accessed online at <http://www.lacity.org/cao> or <http://www.labavn.org>.

Additional information regarding the current film permit process, City Departments involved, neighborhood filming guidelines, statistical data and notification guidelines are attached as APPENDIX J.

SCOPE OF WORK

Any/all selected contractor(s) is/are expected to develop and maintain clear, written policies and procedures of their operations and processes they use. These policies and procedures must be shared with and made fully available to the contract administrator.

Any/all selected contractor(s) is/are required to provide equal treatment to all persons or organizations seeking to film for motion picture, television, music video, still photo or other purposes (Entertainment Industry Customers). This includes all third parties employed by an Entertainment Industry Customer to act on their behalf for the procurement or organization of film permits. Equal treatment includes all aspects of the process of obtaining a film permit (financial, procedural and otherwise).

Any/all selected contractor(s) is/are expected to utilize technology to the fullest extent possible in order to provide convenience to customers, the public and any other stakeholders. This includes the efficient use of fax, email, and other electronic communication systems and devices. Business processes which reduce the time needed for obtaining a permit, reduce vehicular traffic (such as those which eliminate or minimize courier use), or reduce negative impacts on the environment (such as reducing the use of gasoline and vehicle emissions that contribute to the greenhouse effect) will be favorably considered.

Any/all selected contractor(s) is/are expected to develop fee structures that eliminate the costs to City taxpayers and obtain funding through the use of fees charged to the production companies. It is also possible to submit a proposal that will *pay* the City a fee while providing services. The City does not desire to make a profit, however currently the City has unrecovered costs approximately totaling \$200,000 associated with the administration and coordination of film permit activity.

The RFP seeks three services. Those services are described below:

1. Film Permit Coordination Services

The contractor will assist Entertainment Industry Customers with securing film permits within the City of Los Angeles. The contractor will operate with the following purposes:

- Coordinate the film permit process in a centralized manner;
- Coordinate the film permit process in order to assure that filming will be conducted at such times and in such a manner as to cause a minimum of interference with neighborhood and merchant districts;

- In coordination with the City, develop and implement community outreach programs for residential and commercial/industrial districts on a proactive basis;
- In coordination with the City, improve conditions relating to motion picture, television and photography activities for the Los Angeles City area;
- If requested by the City, market and promote Los Angeles City to the entertainment industry;
- If requested by the City, cooperate with City efforts to enhance and retain jobs (within the City) in all segments of the entertainment industry including multimedia and other new emerging technologies; and,
- If requested by the City, attend meetings with stakeholders to mediate disputes, determine impacts of filming and other permit related activities on specific neighborhoods, participate in neighborhood council and other group meetings, answer questions of stakeholders, or discuss the economic impact of filming.

The contractor shall perform the following tasks:

- Coordinate processing of film permit applications from Entertainment Industry Customers;
- Interface with City departments with respect to permit applications to obtain input in developing permit terms and conditions, coordinate logistics relating to filming activities and perform other functions needed to assist in permit evaluation and processing;
- Provide guidance and advice on the permit process to Entertainment Industry Customers;
- Make recommendations that reflect the needs of the community, the City and the production company to City departments with respect to the handling and processing of individual permit applications and the development of permit terms and conditions;
- Provide pre-production walk-throughs to assess and mitigate impacts of proposed film activities;
- Upon receipt of approval, release film permits issued by the City to Entertainment Industry Customers;
- Respond to complaints referred by the Complaint Referral Services contractor;
- Collect fees (including City fees), process refunds (refunds shall be made to all Entertainment Industry Customers on a proactive basis) and make monthly payments of City fees to the City;
- Provide appropriate record keeping and separation of assets and liabilities related to services provided under this contract (separate from other business activities provided by the company);
- Provide filming data, records, reports and background information;
- If requested, provide advice to the City regarding filming policy and the permit

- process; and
- Coordinate with the City, Notification Services contractor and the Complaint Referral Services contractor in advance of, during, and after exceptional filming activities in any one area.
 - If requested, provide monitor services at specified locations permitted for filming. Approval of the Contract Administrator shall be obtained prior to implementation of any policies or procedures which identify a protocol of when, where, at what time and under what circumstances and conditions contractor monitors will be required for permitted activity.
 - Collect DOT signs posted on a temporary basis as a result of filming for specified locations. Specified locations include all locations which require a contractor monitor as well as any location in which contractor staff reasonably expects to be on location at the completion of permitted activity.

The contractor shall provide the following service levels. If services fall below the levels specified below, the City reserves the right to notify the contractor that they are placed on probation and if operations are not improved in a reasonable timeframe can terminate their contract for failure to provide services:

- Recommendations of permit conditions result in a 97% satisfaction rate when citizen complaints are compared with total number of permitted production days. The contractor will not be held accountable for the behavior of the Entertainment Industry Customer if the activity which the complainant describes is in violation of the permitted activity.
- Coordinate permits in a timeframe which allows proper approval and posting of lane, street and road closure requests. All requests for approval from the Department of Transportation, Board of Public Works, Bureau of Street Services and Council must be done at least 7 calendar days in advance of the requested activity.
- All requests to LAPD for review and approval must be done at least five calendar days in advance of the requested activity, unless the requested activity is of a high impact nature. All requests that include high impact activity, such as those involving gunfire (real or simulated), aircraft, explosives, car chases, or otherwise defined as high impact by the City, must be done at least 10 days in advance of the requested activity.
- Provide conditional approval of permits to Entertainment Industry Customers at least 72 hours in advance of the beginning of the permitted activity. Final approval and the release of the permit is contingent upon receiving proof the required community notifications were performed. Final approval and release of the permit must be provided to Entertainment Industry Customers at least 48 hours in advance of the beginning of the permitted activity.

- The Notification Services Contractor must be provided the approved permit information at least 72 hours in advance of the beginning of the permitted activity.
- In all instances where neighborhood filming guidelines or other City policies exist that require a community survey, the community survey must be conducted at least 10 calendar days in advance of the beginning of the permitted activity, unless stated otherwise in the guideline or policy.
- If a complaint is received and the activity is currently in progress, respond to the complaint within one hour.
- If a complaint is received and the activity is no longer in progress, respond to the complaint on an initial basis within 1 calendar day and finalize/complete any responses, including written, if necessary, within 7 calendar days .
- Provide response services to complaints on a 365 days-a-year, 24 hours-a-day, 7 days-a-week basis.
- Maintain standard office hours a minimum of 7 a.m. to 6 p.m., Monday through Friday, with the exception of major holidays.
- Collect fees from Entertainment Industry Customers in advance of releasing a film permit and pay the City within 30 calendar days of receiving an invoice for City Fees.
- Process refunds to Entertainment Industry Customers within 10 calendar days of receiving documentation that indicates a refund is due.
- Close all permits within 180 days following the conclusion of filming activity. This includes the collection of all outstanding invoices from City departments and processing refunds to Entertainment Industry Customers.
- For specified locations, monitors or other designated contractor staff will collect and account for all signs DOT reports as being posted immediately following the conclusion of permitted activity. All signs collected will be returned to DOT within 2 business days following the conclusion of the permitted activity. Along with the signs, contractor will submit a brief report containing the number, type of, location of signs DOT reported as posted and the number, type of, location of signs collected and returned by contractor.

2. Notification Services

The contractor(s) will provide notification services. The contractor(s) will operate with the following purpose:

- provide services to notify all affected persons and organizations within the City, including nearby residents and businesses and City entities, of upcoming filming.

The contractor(s) shall perform the following tasks:

- Provide notification services, including the creation and posting of notices (giving

- special attention to the language needs of the community);
- Provide appropriate record keeping and separation of assets and liabilities related to services provided under this contract (separate from other business activities provided by the company);
- Maintain detailed, accurate records related to all services provided under this contract and made available for review by the City, including, but not limited to: sample notice, a list of locations (not just addresses) the notice was distributed to, a list of property managers who were provided notice, and any issues encountered in conducting the notice and the resolution of those issues;
- Provide notification data, records and background information;
- Provide advice to City officials and departments regarding the notification process; and,
- Respond to inquiries regarding the notification process from City Officials.

The contractor(s) shall provide the following service levels. If services fall below the levels specified below, the City reserves the right to notify the contractor(s) that they are placed on probation and if operations are not improved in a reasonable timeframe can terminate their contract for failure to provide services:

- Provide notification services at a 100% success rate in regards to the timeliness, completeness of activities identified to be performed on the notification, courteousness of employees or other matters regarding the notification.

A success rate of 95% is required for the posting of notices for the geographical area designated to be notified. For instance if 100 residents are designated to receive notices, no more than five residents can claim to have not received a notice in order for the contractor to meet this service level.

The contractor will not be held accountable for the behavior of the Entertainment Industry Customer or for the specifics of the permitted activity.

The City acknowledges on rare occasions due to mitigating circumstances the contractor may fail to notify a given resident, business or other entity. However in instances in which a notification is not provided the Entertainment Industry Customer should be compensated for any and all fees they were charged in which services were not provided.

- Provide notification services at least 60 hours in advance of the beginning of the permitted activity.
- Provide proof notifications were performed to Entertainment Industry Customers and the City. Proof must be provided within sufficient time to allow for the

release of Film Permits within 48 hours in advance of the beginning of the permitted activity.

- If requested by the City, attend meetings with stakeholders regarding the notification process to discuss the impacts of filming and other permit related activities on specific neighborhoods, participate in neighborhood council and other group meetings, or answer questions of stakeholders.

3. Complaint Referral Services

The contractor will provide complaint referral services. Their purpose is to:

- Assist with the timely resolution of community complaints.

The contractor shall perform the following tasks:

- Receive community complaints on a 24 hour/7day a week basis and address them in a timely manner, including the appropriate referral of complaints to appropriate City personnel and contractors;
- Provide appropriate record keeping and separation of assets and liabilities related to services provided under this contract (separate from other business activities provided by the company);
- Provide complaint data, records and background information;
- Provide advice to City officials and departments regarding filming policy and complaints received;
- Receive and respond to complaints regarding filming from City officials and departments, including the appropriate referral of complaints to appropriate City personnel and contractors;
- Coordinate with the City Council, field offices, the Film Permit Coordination Services contractor, the Notification Services contractor and the community in advance of, during, and after exceptional filming activities in any district; and,
- Review written stakeholder comments and complaints and, in consultation with the City, prepare written responses to the comments or complaints.

The contractor shall provide the following service levels. If services fall below the levels specified below, the City reserves the right to notify the Contractor that they are placed on probation and if operations are not improved in a reasonable timeframe can terminate their contract for failure to provide services:

- Complaint data, records and background information provided must be clear and complete. All reports will be in a format approved by the City Contract Administrator. Upon notice, the City may alter the frequency, format or nature of reports

- Refer complaints to appropriate City personnel and contractors within 15 minutes if the activity is currently in progress.
- Refer complaints to appropriate City personnel and contractors within one working day if the complaint is received and the activity is no longer in progress.
- Prepare and submit regular reports to the City on complaints as determined by the City Contract Administrator. At a minimum, a report will be provided on a monthly basis as well as a compilation of data provided annually.

PROPOSAL EVALUATION

Proposals will be evaluated based upon their responsiveness to this RFP and their relative quality. Proposals which are evaluated as non-responsive will not be evaluated for their quality. Points will be assigned for qualitative items only.

During the evaluation process the City may evaluate the proposal of bringing one or more of the services “in-house”, directly providing the service with the use of City personnel rather than utilizing a contractor. The City reserves the right to do so in lieu of offering a contract.

Responsiveness to the RFP will be evaluated according to the following criteria:

- ▶ Timeliness of submission. Late submissions will be deemed non-responsive.
- ▶ Inclusion of all requested City forms and documents (See Appendices C, D, E, F and H). Proposals missing any of the requested forms will be deemed non-responsive.
- ▶ A signed cover letter that meets all the requirements listed in the “Proposal Process” portion of this document. Lack of the required cover letter, with all required language and signatures will be deemed non-responsive.
- ▶ A signed List of Terms (see Appendix K).
- ▶ A list of prior contracts with the City held within the last ten years.

Quality of each proposal will be evaluated based on the following criteria:

Film Permit Coordination Services

- ▶ The quality and completeness of the work plan to operate with the purposes, perform the tasks and provide the service levels as defined in the “Scope of Work”, including the financial capacity to withstand variable work conditions, such as labor strikes, that affect the contractor (40%);
- ▶ Costs and fee structures that minimize costs to Constituents (Customers and City Taxpayers) (20%);
- ▶ Previous experience and ability of organization and staff to be assigned to

this work (see Proposal Content, page 15, for examples of relevant submissions) (25%);

- ▶ Oral Presentations/Interviews (15%).

Notification Services

- ▶ The quality and completeness of the work plan to operate with the purposes, perform the tasks and provide the service levels as defined in the "Scope of Work" (35%);
- ▶ Costs and fee structures that minimize costs to Constituents (Customers and City taxpayers) (25%);
- ▶ Previous experience and ability of organization and staff to be assigned to this work (see Proposal Content, page 15, for examples of relevant submissions) (25%);
- ▶ Oral Presentations/Interviews (15%).

Complaint Referral Services

- ▶ The quality and completeness of the work plan to operate with the purposes, perform the tasks and provide the service levels as defined in the "Scope of Work" (35%);
- ▶ Costs and fee structures that minimize the costs to Constituents (Customers and City taxpayers) (25%);
- ▶ Previous experience and ability of organization and staff to be assigned to this work (see Proposal Content, page 15, for examples of relevant submissions) (25%);
- ▶ Oral Presentations/Interviews (15%).

APPENDIX A
 TARGETED SCHEDULE OF RFP PROCESS
 (Estimates may be subject to changes)

| <u>Milestone</u> | <u>Target Date</u> |
|--|---------------------|
| Release RFP to potential Proposers | 11/26/07 |
| Deadline for receiving written questions for Pre-Proposal Conference | 12/10/07 |
| Issue answers to written questions, if applicable | 12/17/07 |
| Pre-Proposal Conference | 1/7/08 |
| Issue addendum in response to Pre-Proposal Conference, if applicable | 1/7/08 |
| RFP RESPONSES DUE | 2/4/08 |
| Begin RFP Evaluations | 2/5/08 |
| Conduct site visit(s), if applicable | 2/7/08 – 2/22/08 |
| Develop “short list” of Proposers | 3/3/08 |
| Begin Oral Presentations | 3/4/08 |
| Offer Contract to apparent successful Proposer/Finalize Contract | 3/17/08 |
| Write Report to Council/Mayor | 3/25/08 |
| City Council Committee Review of selection | 4/1/08 |
| City Council Review of selection | 4/15/08 |
| Execute Contract | 4/30/08 |