

**CITY OF LOS ANGELES**  
**INTER-DEPARTMENTAL CORRESPONDENCE**

C.F. No. 08-3050

Date: July 10, 2013

To: Honorable Members, Los Angeles City Council

From: Gerry F. Miller, Chief Legislative Analyst

Miguel A. Santana, City Administrative Officer

Subject: **DRAFT REQUEST FOR PROPOSALS (RFP) FOR AN ECONOMIC DEVELOPMENT NON-PROFIT ENTITY****SUMMARY**

On April 9, 2013, the Council adopted and the Mayor concurred with various recommendations from the Chair of the Ad Hoc Committee on Economic Development Implementation relative to the establishment of a new Economic Development Department (EDD, C.F. 08-3050). As part of the Council action, an Ordinance to create the EDD was adopted and our Offices were instructed to report with a draft Request for Proposals (RFP) for a Citywide Economic Development Nonprofit (EDNP) to provide economic development services on behalf of the City and to include all items related to the February 5, 2013, Council action specifying the objectives of a contract to be entered into with a EDNP, including, but not limited to: a) strategic plan development; b) focused investment in low-income and blighted communities; c) local job creation; d) scope of services; and, e) deliverables and performance evaluation criteria. Further, during the FY 2013-14 City Budget deliberations the EDD was renamed the Economic and Workforce Development Department (EWDD, C.F. 13-0600).

Attachment 1 is a draft RFP to solicit proposals from qualified entities interested in providing a wide range of economic development services to the City as a part of a new Citywide economic development program. At this time our Offices request authority to issue the RFP in substantial conformance with the attached draft. It is our intent to issue the RFP in July and allow for a 60-day response period. The term of the contract is proposed to be four years with two one-year options to extend. We acknowledge that the attached RFP is in draft form and both offices will continue to work with the City Attorney to refine and finalize the document. In addition, the contract with the selected entity will be transmitted to Council for review and approval. The contract will contain detailed information relative to the actual work to be performed, deliverables, compensation and evaluation methodology based in part on the work plan from the successful proposer and refined by a work task list prioritized by the City. Furthermore, performance metrics will be developed and included in the contract with the successful proposer.

## **BACKGROUND**

### **Economic Development Non-Profit Request for Proposals (RFP)**

Pursuant to Council and Mayor direction, the CLA, CAO and City Attorney prepared a draft RFP to solicit proposals from qualified entities (newly-created, joint-venture, or existing) interested in providing a wide range of economic development services to complement the City's new Citywide Economic Development Initiative. It is anticipated that the EDNP will be a transaction-oriented entity fostering innovation and supplying services not previously undertaken by the City. The City wishes to contract with an entity that will have the expertise, experience, and capacity to adapt to the changing economic landscape and assist the City perform the following: a) create quality jobs in diverse sectors and/or industries to reduce the City's unemployment rate; b) revitalize economically distressed areas of the City to create economic opportunities; c) compete for new and developing industries; d) maximize the City's assets; e) generate tax revenue to increase revenue to the General Fund; f) leverage the resources in the City's Proprietary Departments (Port of Los Angeles, Los Angeles World Airports, Los Angeles Department of Water and Power) to increase economic development; g) coordinate economic development functions and service delivery; h) create a business friendly environment; and, i) provide effective policy guidance and productive program implementation with fixed responsibility and accountability.

### **Request for Proposals - Scope of Work**

The draft RFP's Scope of Work identifies five areas of services requested to be performed by an EDNP. The five areas are: (a) Strategic Planning and Policy Development, (b) Business Attraction and Retention, (c) Economic Development Property Asset Management, (d) Economic Development Transaction Services and Financing, and (e) Workforce and Business Development. Each applicant is to provide a work plan for the services and the applicant's expectation of how and when tasks will be performed. The ability for the EDNP to perform all services will vary in degree and be dependent in part on whether the entity is newly-established, existing, or a joint-venture. The Scope of Work Matrix (Attachment 2) illustrates the proposed deliverables to be performed by the EDNP. It also distinguishes between those responsibilities assigned to the Economic and Workforce Development Department and the EDNP. Below is a summary of the each of the five areas of work requested in the RFP:

*a. Strategic Planning and Policy Development (Draft RFP page 4, Scope of Work Matrix page 1)*

The work to be conducted includes research and analysis of emerging economic development trends and identification of industries most suitable for the City. Of critical importance to the City, the EDNP will be requested to assist the EWDD in the development and preparation of a Citywide Economic Development Strategic Plan (EDSP) and individual, Council District Economic Development Implementation Plans (District Implementation Plans). The EDSP will focus on, but not be limited to, creating jobs and performing economic revitalization in underserved communities, stimulating small business, assisting microenterprises and immigrant businesses, revenue generation, and leveraging city financial resources. Similarly, the District Implementation Plans will be developed to cultivate a vision for each district and capture economic and community needs. These strategies will be compiled with input from the community members, neighborhood councils, and key stakeholders. The EDSP will also do, but not be limited to, the following:

- Make the City more competitive in the global marketplace;
- Provide guidance and expertise in establishing new businesses;
- Address issues of unemployment, poverty, and blight throughout the City;
- Advise the City on an ongoing basis of governmental processes or regulatory requirements that hinder business development;
- Facilitate business financing transactions;
- Focus on business attraction and retention; and,
- Create quality jobs.

*b. Business Attraction and Retention (Draft RFP page 4-5, Scope of Work Matrix page 1-2)*

The RFP seeks an EDNP to assist the City with attraction, recruitment and retention efforts by identifying industries for growth. The EDNP will refer small businesses to the EWDD for assistance and collaborate with other City departments to facilitate economic development projects. This new entity will assist new businesses seeking to locate or those seeking to expand or relocate and will act as a conduit between those with ideas for creating new businesses, business experts, equity capital and lenders. The EDNP will provide services to both the City and external stakeholders; however, its primary client is the City.

*c. Economic Development Property Asset Management (Draft RFP pages 5-7, Scope of Work Matrix pages 2-3)*

The RFP targets an EDNP to manage those City facility sites identified for economic development purposes and those determined suitable for industrial, commercial, mixed-use, and transit-oriented-development. The EDNP will serve as a private asset management firm and assist in the development of a Strategic Asset Management Plan to ensure these City assets are used more efficiently and provide opportunities for economic development. Through better strategic planning and consolidation, such sites may be better utilized for economic development proposals to stimulate revenue and create jobs. The roles for GSD, CAO and the EWDD have not yet been clearly defined relative to the management of non-economic development-related City facilities; however, these will continue to be administered by City staff. The City will continue to oversee administration of City property as it relates to housing City staff and operations. Any final disposition of properties will be subject to Mayor and Council approval.

The EDNP may, in the future, perform economic development-related property management functions for the City's three Proprietary Departments: Department of Water and Power, Los Angeles World Airports, and the Los Angeles Harbor. However, management of these facilities is subject to State, federal, and City Charter Regulations and requires additional review and approval of the appropriate governing commission.

*d. Economic Development Transaction Services and Financing (Draft RFP pages 7-8, Scope of Work Matrix page 3-4)*

The City has a variety of financing tools (Site Specific Tax Revenue, Industrial Development Bonds, Section 108 loans, etc.) that may be better leveraged, consolidated and applied to economic development projects. The RFP requests services to assist the City with financial

underwriting and negotiations, project analysis and transactional services for economic development proposals. Any appropriation of City funding sources to projects will require approval of the EWDD, the Council and the Mayor.

As part of the services to be performed, the RFP also requests that the contractor disseminate information on the available financial assistance tools. These tools may include loans, grants, tax incentives or other forms. Any provision of services is subject to California Government Code Section 1090 that governs conflict of interests in contracts. The RFP seeks that the contractor collaborate with private and public sources of financing including those provided by the Los Angeles Development Fund, Industrial Development Authority, Workforce Investment Board, and other Community Development Corporations to maximize the use of financing resources by applicants.

*e. Workforce and Business Development (Draft RFP page 8, Scope of Work Matrix page 4)*

The RFP seeks a contractor to coordinate with the EWDD and serve as a facilitator to link businesses to the City's job development programs. Similarly, these services also require that the contractor inform stakeholders of publicly-sponsored education and employment training programs to better leverage resources and improve the employment rate in the most distressed areas.

**Selection Criteria and Costs**

Proposers will be expected to demonstrate experience in the five areas discussed above, along with the following:

- Deliverables, such as quality and depth of proposal to perform the various responsibilities and functions indicated in the RFP, organization and framework for achieving the City's objectives and priorities and approach to provide economic development and asset management services;
- Data collection and methodology for services, including evidence of best practices analysis and a holistic and proactive approach to the City's concerns;
- Fees, such as the number of hours assigned to staff and hourly fees and schedule with milestones to complete specific tasks relative to economic development and asset management services;
- Staff qualifications, including the degree to which proposed staff have demonstrated specific experience; and,
- Schedule to accomplish the City's priorities and yearly objectives.

Specific costs cannot be determined until proposals are received and deliverables are negotiated; however, the FY 2013-14 Budget sets aside \$2.5 million for the EDNP. Proposers will be requested to discuss their expectations for payment, including percentage and flat-fee costs as well as payment for deliverables received.

## **Timeframe for Release, Review and Implementation**

- July 2013 – Release RFP
- September 2013 – Bids Due
- October 2013 – End of review period. Contractor is selected
- November 2013 – Negotiation and contract writing begins for successful proposer
- December 2013 – Contract negotiated; return to Council and Mayor for approval
- January 2014 – Implementation of EDNP

## **RECOMMENDATIONS**

That the Council, subject to the approval of the Mayor:

1. Authorize the Chief Legislative Analyst (CLA), the City Administrative Officer (CAO), and the Economic and Workforce Development Department (EWDD) to issue a Request for Proposals (RFP), in substantial conformance with the attached draft document, for a Citywide Economic Development Non-Profit Entity to provide economic development services on behalf of the City; and,
2. Instruct the CLA, CAO, and EWDD to report with the results of the RFP selection process including award recommendation and contract terms.

## **FISCAL IMPACT STATEMENT**

The recommendations have no impact on the General Fund. Funds proposed to pay for economic development-related services provided by the Citywide Economic Development Non-profit Entity include \$2.5 million in the FY 2013-14 Budget Unappropriated Balance.

Attachments:

- (1) Draft RFP
- (2) Scope of Work Matrix

**REQUEST FOR PROPOSALS  
FOR A CITY-WIDE  
ECONOMIC DEVELOPMENT NON-PROFIT ENTITY**

Issued by the

City of Los Angeles  
City Administrative Officer – Chief Legislative Analyst

DATE ISSUED: July 2013

TITLE: Citywide Economic Development Program

TERM: 4 years with two 1-year options to extend

PRE-PROPOSAL CONFERENCE:

TBD

RFP PROPOSAL SUBMITTAL DEADLINE:

GENERAL CONTRACT REQUIREMENTS PRE-SUBMITTAL DEADLINE  
(Optional):

PROPOSAL DELIVERY ADDRESS:

Gabriel R. Salazar  
Office of the Chief Legislative Analyst  
City of Los Angeles  
200 North Spring Street, Room 255  
Los Angeles, California 90012

CONTRACT ADMINISTRATOR:

General Manager  
Economic and Workforce Development Department  
City of Los Angeles

FOR RFP QUESTIONS:

City Administrative Officer/Chief Legislative Analyst  
City of Los Angeles  
200 North Spring Street  
Los Angeles, California 90012

**REQUEST FOR PROPOSALS  
FOR A CITY-WIDE ECONOMIC DEVELOPMENT NON-PROFIT ENTITY FOR  
THE  
CITY'S NEW ECONOMIC DEVELOPMENT PROGRAM**

The purpose of this Request for Proposals (RFP) is to solicit proposals from qualified organizations interested in providing a wide range of economic development services to the City of Los Angeles (City) as a part of a new city-wide economic development program.

**1.0 BACKGROUND.**

The elimination of The Community Redevelopment Agency of the City of Los Angeles, California (CRA/LA) in February 2012 left the City without ready access to many economic development and financing tools that are necessary to revitalize communities, generate economic growth and development, expand the job base within the city and increase City revenues. As a result the City Council tasked the Chief Legislative Analyst (CLA), in concert with the City Administrative Officer (CAO), to evaluate economic development structure alternatives.

In June 2012, the CLA and CAO, following a review of primarily municipal economic development structures throughout the country, reported to the City Council with a recommendation to establish a new economic model comprised of a centralized economic development department that would contract with a private city-wide economic development non-profit entity (EDNP) with the expertise and capacity to assist the City in meeting its economic development goals. The City Council authorized the retention of a consultant, HR&A Advisors, Inc. (HR&A), to further evaluate the proposal, analyze other economic development models and provide recommendations regarding a viable economic development framework for the City.

In December 2012, HR&A presented its report, which can be accessed on-line at \_\_\_\_\_, to an Ad Hoc Committee of the City Council. The HR&A report recommended the adoption of a public-private economic development model based primarily on the structure used by the City of New York.

On April 9, 2013, the City Council approved an ordinance creating a new economic development department and thereby centralizing the City's economic development functions in that department. (A copy of Ordinance No. 182500 is attached hereto for reference.) The City Council also directed the CLA and CAO to report back on the contents of an RFP for the retention of an EDNP to provide necessary resources and expertise for the City's economic development program. On June \_\_, 2013, the City Council reviewed the Draft RFP and instructed the CLA and CAO to issue the RFP and seek out as many qualified entities as possible for consideration.

## **2.0 THE NEW ECONOMIC DEVELOPMENT AND WORKFORCE DEVELOPMENT DEPARTMENT.**

The new Economic and Workforce Development Department (EWDD) will serve as the administrative entity responsible for economic development activities, will contract with an EDNP to perform economic development, financial services, property management and job facilitating and placement activities and will be responsible for reporting to the City Council and Mayor on activities related to economic development. The EDNP will work with staff of the Council and Mayor and other economic development stakeholders, to prepare and transmit to the Council and Mayor an Economic Development Strategic Plan (EDSP), which will guide the implementation of economic development efforts throughout the City. The EDSP will be updated periodically as appropriate so that it reflects the changing economic development landscape over time and ensures that the City continues to make progress in creating quality jobs and fostering economic activity. The City will also maintain land-use regulation authority.

The attached Scope of Work Matrix (Matrix) sets forth the responsibilities and functions of the EWDD and its relationship to the EDNP. Both the Matrix and Section 4.0 Scope of Services of this RFP should be read in conjunction. Should there be any inconsistency relative to the EDNP's responsibilities please refer to this document first and foremost.

## **3.0 CITY-WIDE ECONOMIC DEVELOPMENT NON-PROFIT ENTITY.**

The City intends to contract with an existing or newly formed non-profit entity formed under the Internal Revenue Code, a consortium or joint venture of such entities or similar entity with the expertise, experience and capacity to assist the City with implementation of its new economic development program. It is essential that the EDNP has a City-wide focus and credibility throughout the economic development community.

The EDNP must be able to demonstrate that it:

- Represents a broad cross section of economic development interests within the City;
- Has knowledge of economic development issues in all geographic areas of the City;
- Has extensive knowledge and experience regarding the attraction, expansion and retention of businesses and high quality jobs;
- Has the ability to administer federal and State economic development funds and programs;
- Is committed to providing (attracting, retaining and maintaining) high quality staff to ensure effective economic development capabilities;

- Has expertise regarding complex agreements for large development projects which utilize a variety of funding mechanisms, including tax credits, bonds, grants and/or federal loans or City financed federal loan guarantees;
- Has expertise regarding real property transactions, including the sale or long term lease of publically owned real property; and
- Has expertise in secured real property financing transactions involving a variety of security instruments, generally in conjunction with other private and/or public financing sources, including bank loans, tax credit programs, bond financings, grant programs, and/or City loans financed with federal loans or loan guarantee programs; and
- Has experience and capacity to manage a large portfolio of properties.

#### **4.0 SCOPE OF SERVICES.**

The EDNP will perform a comprehensive scope of services as part of the City's economic development efforts and will include (i) strategic planning and policy development, (ii) business attraction and retention, (iii) economic development property asset management, (iv) economic development transaction services and financing, and (v) workforce and business development.

##### **A. Strategic Planning and Policy Development:**

- Assist the EWDD with the preparation of the Citywide Economic Development Strategic Plan and Council District Implementation Plans and updates to the plans by providing technical advice and analysis;
- Coordinate and collaborate with valuable research and analysis being undertaken by local universities and the Los Angeles County Economic Development Corporation and similar organizations;
- Provide analysis of changes and trends in economic development conditions on the local, State, national and international levels and impacts on the City's business climate;
- Identify industry sectors suitable for the City through research and analysis;
- Conduct Citywide economic development research and analysis (including industry specific) at the direction of the EWDD, and continually track performance and recommend refinement of the City's economic development initiatives; and,
- Identify strategies with respect to increasing industrial, commercial, Transit-Oriented Development (TOD), and mixed-use projects and business development, attraction, expansion, relocation and retention initiatives.

##### **B. Business Attraction and Retention:**

On behalf of the City:

- Coordinate with all relevant City departments to facilitate economic development of industrial, commercial, mixed-use, and TOD projects;

- Assist private developers, non-profit organizations and joint-venture entities in accomplishing industrial, commercial, mixed-use, and TOD projects;
- Assist in the development of public-private partnerships;
- Refer Small Businesses to the EWDD;
- Negotiate detailed terms for economic development projects, including, without limitation, construction, timing, development and risk management of economic development transactions to achieve the best outcome at the least risk to the City;
- Coordinate with the EWDD in the promotion and formation of Business Improvement Districts (BID); and,
- Coordinate with the EWDD to provide assistance to microenterprises.

On behalf of external stakeholders:

- Assist new businesses in securing new or expansion locations within the City;
- Provide guidance to large businesses;
- Inform new and existing businesses of the City's available financial tools; and,
- Assist developers with navigating the master planning and entitlement processes for the economic development of industrial, commercial, mixed-use, and TOD projects.

The EDNP's role will include: identifying and, as appropriate, assisting in securing locations for new and/or expanding businesses; providing guidance and expertise in establishing new businesses; acting as a conduit between those with ideas for creating new businesses and business experts, equity capital and lenders, developing financing packages using a variety of public participation tools as described below; and, advising the City on an ongoing basis of federal, State and City processes or regulatory requirements and steps that may be taken to comply with the requirements and/or minimize the hindrance those requirements pose for business development.

**C. Economic Development Property Asset Management:**

- Market City properties for development, new businesses or business expansion;
- Promote industrial, commercial, mixed-use and TOD projects throughout the City by managing and negotiating leases for, and the selling of, City-owned property, and by facilitating the processing of leases and sales through the City's approval process and in making recommendations to the Council and Mayor for approval;
- Assist the EWDD with the disposition of City-owned properties for economic development purposes and seek to maximize value, take into account matters including, without limitation, anticipated community and economic development, retention of business and industry, cultural and educational

opportunities, facilitation of the delivery of goods and services to city residents and input from impacted Neighborhood Councils;

- Manage City real property assets for economic development purposes, which may include the Proprietary Departments, consistent with applicable laws; including the maintenance, repair, and improvements of those assets;
- Analyze return on investment of short- and long-term dispositions; and,
- Assist in developing a strategic asset management plan for the economic development of City-owned properties that includes, but is not limited to the following:
  - (i) Develop creative opportunities to use the City's land and building resources, public infrastructure investment and available federal, State, City and private financial assistance programs to promote the economic development of the City;
  - (ii) Identify properties for economic development and negotiate and facilitate the lease or sale of some economic development sites through the City approval process; and,
  - (iii) Advise on repositioning of income-producing assets and redevelopment of City-owned or controlled property for those sites identified as economic development opportunity sites.

It is intended that, subject to federal and State regulations, all property owned by the City, including its three Proprietary Departments (Department of Water and Power (DWP), Los Angeles World Airports (LAWA) and the Los Angeles Harbor Department (Harbor), not needed for City operations will be managed by the EDNP. The City views the EDNP's role in this area as equivalent to a private asset management firm. The EDNP will provide asset management services for these properties with the expectation that these properties will be used to house new and expanding businesses and create jobs and economic activity. The City will continue to oversee administration of City property as it relates to housing City staff and operations. The City also retains decision-making abilities over properties that are sold. However, the City has significant other real estate holdings that provide opportunities for economic development. Furthermore, in many cases, property that is used to house City operations, such as Transportation, Street Services and Solid Waste Collection yards, is not being used in the most efficient manner and, through better strategic planning and consolidation, many of those properties may provide opportunities for economic development. The EDNP will assist the City in developing a strategic asset plan for its properties to maximize efficiencies.

It should be noted that property under the control of the Proprietary Departments, particularly LAWA and the Harbor, is subject to strict State and federal regulations regarding the use and disposition of those properties. Notwithstanding those limitations, there are substantial economic development activities that can be accomplished within the framework of the regulations and with the approval of the governing bodies.

The real property which will be under the management of the EDNP will be those properties which the City has determined are necessary to promote economic development in the City. Conveyance of property, whether by a long-term ground lease or sale, will occur on a project-by-project basis and will be subject to approval by the City Council and Mayor, in accordance with City procedures for the disposition of real property for economic development purposes, or the Board of a Proprietary Department as appropriate. Disposition will be subject to the imposition of restrictions and/or conditions which insure that the use and maintenance of the property serves the public interest for which it was conveyed. Examples of such restrictions may include contractual obligations and the recordation of covenant and or other restrictive use agreements.

**D. Economic Development Transaction Services and Financing:**

On behalf of the City:

- Assist with financial underwriting and negotiate deal terms of proposed City development projects, including but not limited to project analysis, and/or transactional services;
- Negotiate and draft agreements for CDBG grant funds and HUD Section 108 loan guarantee funds and other grant funds to approved projects;
- Evaluate the use of Site Specific Tax Revenue for proposed projects; and,
- Assist in the negotiation of financial transactions for purposes of economic development.

On behalf of external stakeholders:

- Compile, maintain and disseminate information with respect to the availability of financial assistance tools (New Market Tax Credits, Section 108 Loans, IDA Bonds, etc.) to existing and new large businesses in the City from both public and private sources, whether in the form of loans, grants, tax incentives or any other form subject to California Government Code Section 1090; and,
- Work with private and public sources of financing including the Los Angeles Development Fund (LADF), Industrial Development Authority (IDA), Workforce Investment Board (WIB), Community Development Corporations, and Community Development Financial Institutions to maximize the use of such financing resources by applicants.

There are a variety of financing tools that the City has used to assist projects that would otherwise not be feasible. Jurisdiction over these tools is currently spread throughout the City, including the Community Development Department, Office of the Chief Legislative Analyst, City Administrative Officer, and others. These will now be centralized in the EWDD, and evaluating and negotiating the application of these funding sources for economic development

projects will be administered by the EDNP and submitted to the EWDD for transmittal to the Council and Mayor. These sources include (i) Community Development Block Grant (CDBG), (ii) HUD Section 108 loans, (iii) Industrial Development Authority (IDA), (iv) Los Angeles Development Fund (LADF), (v) Site Specific Tax Revenues (SSTR), and (vi) Business Improvement Districts.

**E. Workforce and Business Development:**

On behalf of the City:

- Coordinate with the EWDD to display employment opportunities for development projects on the Los Angeles Business Assistance Virtual Network (BAVN);
- Work with existing Workforce Investment Boards, First Source Hiring Programs, and other public and private programs to provide potential employment opportunities for City residents through the EWDD and assist in the establishment of joint-venture entities in accomplishing industrial, commercial, mixed-use, and TOD projects subject to State conflict of interest regulations; and,
- Assist in the establishment of joint-venture entities in accomplishing industrial, commercial, mixed-use, and TOD projects subject to State conflict of interest regulations.

On behalf of external stakeholders:

- Work to coordinate and link emerging industrial business sectors to the various programs carried out by the EWDD; and,
- Advise external stakeholders on the availability of publicly sponsored education and employment training programs and economic development projects.

**5.0 TIMETABLE AND DELIVERABLES**

These will be developed as a part of the negotiations of the agreement with the selected EDNP.

**6.0 QUESTIONS FOR PROPOSERS.**

A. Please describe your approach to achieving the City's goals. Include a discussion of current barriers in the City to job creation and economic development, the business sectors in which the City is currently most competitive and the business sectors that the City should focus on to be competitive in the future.

B. If the proposer is an existing entity, such as a 501(c) (3) economic development corporation, please explain how its Board addresses the City's needs to ensure that the EDNP will represent a broad spectrum of economic

development stakeholders throughout the City. If the proposer intends to restructure its Board to meet the City's needs, please discuss the changes which are proposed to be made. City-wide credibility and ensuring that all communities will be served by the EDNP will be essential.

C. If the proposer will be a newly established 501(c) (3) economic development corporation (or similar entity), please discuss the proposed structure of the EDNP Board. To the extent possible, please identify individuals at this time and the expertise those individuals will provide. Please discuss how its Board will represent a broad spectrum of economic development stakeholders throughout the City.

D A key element of the EDNP's duties will be property management. Please describe how the proposer would propose the EDNP handle property management services and how the CEDE would be compensated. Please discuss how the proposer's compensation for property management activities will further the City's broad economic development goals.

E. Please provide a line item budget and identify all sources of anticipated funding for the four-year contract period and describe how you propose to allocate this funding in the operation of your entity. Identify key positions that would be filled immediately and the kinds of expertise the EDNP would bring on initially to build the organization.

F. The EDNP will be responsible for assessing the applicability of a variety of public resources to invest in development projects as discussed above, all of which have State, Federal and City regulations or policies which govern their use. How would the EDNP assemble the necessary expertise to administer these programs?

G. The EDNP will be responsible for underwriting, negotiating and drafting the transactional documents, including various forms of secured real property transactional documents, for significant development projects within the City. These projects generally utilize a variety of private and public funding sources as discussed above, all of which have State, Federal and City regulations or policies which govern their use. How would the EDNP assemble the necessary expertise to perform these functions and assure compliance with all regulations?

## **7.0 REQUIRED ORGANIZATIONAL SUBMITTALS**

Proposers shall submit the following documents with their proposals:

- A. Nonprofit Status Documentation from the Internal Revenue Service (IRS)
- B. Articles of Incorporation and Bylaws

C. Resolution of Executorial Authority

Every proposer shall submit a corporate resolution of Executorial Authority or other documented evidence of corporate actions of the Board of Directors, properly attested or certified, that specifies the name(s) of the person(s) designated to obligate the contractor and execute contractual documents.

- D. Organizational Chart indicating the positions and names of the core management team which will provide services under the contract.
- E. Resumes or curriculum vitae for all core management team members.
- F. Brief history and description of the proposer entity.
- G. A list of all proposed subcontractors which identifies the services to be provided by each and the estimated cost of those services.
- H. An Annual Budget and Activities Plan for each year of the four-year contract term. The activities plan shall include: (i) annual work plan, (ii) strategic plan/action plan, and (iii) performance metrics/measurable outcomes. The budget shall account for all activities of the EDNP to be conducted with the funds provided by City for this contract and shall specify at least the following cost centers:
- Administrative costs, including salaries and overhead
  - Strategic Planning and Policy Development costs
  - Business Attraction and Retention costs
  - Property Management Service costs
  - Economic Development Transaction Services and Financing costs
  - Workforce and Business Development costs
  - Contingency Fund

**8.0 REQUIRED CITY RFP SUBMITTALS.**

In order to be responsive to the requirements of the RFP, proposers must demonstrate compliance with the City's general contracting requirements by submitting the documents, forms and certificates identified below as a part of their RFP response by the RFP submittal deadline. The City, however, provides proposers an opportunity to demonstrate compliance with the City's general contracting requirements at a date prior to the RFP submittal deadline. Proposers should inform the Contract Administrator of their intent to utilize the pre-submission process. Proposers should not submit and the City will not review proposals, documents or information other than the City's general contracting required forms and information identified below.

The deadline for pre-submission of general contracting forms is \_\_\_\_\_, 2013. City staff will review the documents, forms and certificates submitted and inform the proposer whether they are in compliance with City requirements. City staff may indicate how the document, form or certificate is not in compliance with the City's general contracting requirements, but will not assist the proposer in filling out the forms or providing information. For documents, forms or certificates deemed not in compliance, the proposer will be able to re-submit the document, form or certificate to demonstrate compliance with the City general contracting requirements with its RFP proposal by the submission deadline.

Following the RFP submission deadline, proposers will be precluded from amending any document, form or certificate submitted or otherwise attempting to demonstrate compliance with the City's general contracting requirements. It is each proposer's responsibility to demonstrate compliance with the City's general contracting requirements and failure to demonstrate compliance will result in the proposal being deemed non-responsive.

It should be noted that proposers are not required to submit their City general contracting requirements documents, forms and certificates by the pre-submission deadline—it is an optional process. However, proposers, by utilizing the pre-submittal process, may be able to reduce the risk of their proposal being deemed non-responsive for failure to comply with the City general contracting requirements.

#### **A. Non-Collusion Affidavit**

The City Charter and Administrative Code requires that all proposals are supported by an affidavit or declaration that the proposal is genuine and not part of a sham or collusive situation.

#### **B. Bidder Certification City Ethics Commission (CEC) Form 50**

Proposers shall submit a signed Bidder Certification City Ethics Commission (CEC) Form 50 as required by the Municipal Lobbying Ordinance. The Municipal Lobbying Ordinance can be found at [http://ethics.lacity.org/pdf/laws/law\\_mlo.pdf](http://ethics.lacity.org/pdf/laws/law_mlo.pdf).

#### **C. Campaign Contributions-CEC Form 55**

Proposers are subject to Charter Section 470(c) (12) and related ordinances. As a result, proposers may not make campaign contributions to and or engage in fundraising for certain elected City officials or candidates for elected City office from the time they submit their proposal until either the Contract is approved or, for successful proposers, twelve months after the Contract is signed. The proposer's principals and subcontractors performing

\$100,000 or more in work on the Contract, as well as the principals of those subcontractors, are also subject to the same limitations on campaign contributions and fundraising.

Proposers must submit CEC Form 55 found in the Standard Provisions for City Contracts (Rev. 06/12) provided in Appendix 12) to the awarding authority at the same time the proposal is submitted. The Form requires proposers to identify their principals, their subcontractors performing \$100,000 or more in work on the Contract, and the principals of those subcontractors. Proposers must also notify their principals and subcontractors in writing of the restrictions and include the notice in contracts with subcontractors. Proposals submitted without a completed CEC Form 55 shall be deemed non-responsive. Proposers who fail to comply with City law may be subject to penalties, termination of Contract and debarment. Additional information regarding these restrictions and requirements may be obtained from the City Ethics Commission at (213) 978-1960 or <http://ethics.lacity.org/>

#### **D. City Business Tax Registration Certificate**

All proposers are required to submit a copy of their City of Los Angeles Business Tax Registration Certificate (BTRC) as filed with the Office of Finance. Please visit the Office of Finance website at [www.finance.lacity.org](http://www.finance.lacity.org) to obtain business tax information and application.

#### **E. Contractor Responsibility Ordinance (CRO) Questionnaire**

Proposers are advised that any contract awarded pursuant to this procurement process shall be subject to the provisions of the Contractors Responsibility Ordinance (CRO). Section 10.40 *et seq.*, Article 14, Chapter 1 of Division 10 of the Los Angeles Administrative Code, unless exempt pursuant to the provisions of the Ordinance. Proposers shall refer to <http://bca.lacity.org/site/pdf/cro/CROQ%20Service.PDF> for further information regarding the requirements of the Ordinance.

Proposers shall complete and return with their proposal the CRO Questionnaire available at the web page above. Failure to return the completed Questionnaire may result in the proposer being deemed non-responsive.

#### **F. Los Angeles Residence Information**

The City Council, in consideration of the importance of preserving and enhancing the economic base and well-being of the City, encourages businesses to locate or remain within the City of Los Angeles. This is important because of the jobs businesses generate and for the business

taxes they remit. The City Council, on January 7, 1992, adopted a motion that requires proposers to state their headquarter address as well as the percentage of their workforce residing in the City of Los Angeles.

### **G. City of Los Angeles Contract History**

Proposers shall identify all prior contracts with the City, including its proprietary departments, and The Community Redevelopment Agency of the City of Los Angeles, California (CRA/LA) and the Housing Authority of the City of Los Angeles (HACLA).

### **H. Equal Employment Practice/Affirmative Action Program**

Non-construction services to or for the City for which the consideration is \$1,000 or more shall comply with the provisions of Los Angeles Administrative Code Sections 10.8.3., Equal Employment Practices Provisions. All Proposers shall complete and upload, the Non-Discrimination/Equal Employment Practices Affidavit (two (2) pages) available on the City of Los Angeles' Business Assistance Virtual Network (BAVN) residing at [www.labavn.org](http://www.labavn.org) prior to award of a City contract valued at \$1,000 or more.

Non-construction services to or for the City for which the consideration is \$100,000 or more shall comply with the provisions of Los Angeles Administrative Code Sections 10.8.4., Affirmative Action Program Provisions. All Proposers shall complete and upload, the City of Los Angeles Affirmative Action Plan (four (4) pages) available on the City of Los Angeles' Business Assistance Virtual Network (BAVN) residing at [www.labavn.org](http://www.labavn.org) prior to award of a City contract valued at \$100,000 or more. Proposers opting to submit their own Affirmative Action Plan may do so by uploading their Affirmative Action Plan onto the City's BAVN.

Proposers seeking additional information regarding the requirements of the City's Equal Employment Practices/Affirmative Action Program may visit the Bureau of Contract Administration's web site at <http://bca.lacity.org>.

### **I. Slavery Disclosure Ordinance**

Unless otherwise exempt, in accordance with the provisions of the Slavery Disclosure Ordinance, any contract awarded pursuant to this RFP will be subject to the Slavery Disclosure Ordinance, Section 10.41 of the Los Angeles Administrative Code.

All proposers shall complete and upload, the Slavery Disclosure Ordinance Affidavit (one (1) page) available on the City of Los Angeles' Business

Assistance Virtual Network (BAVN) residing at [www.labavn.org](http://www.labavn.org) prior to award of a City contract.

Proposers seeking additional information regarding the requirements of the Slavery Disclosure Ordinance may visit the Bureau of Contract Administration's web site at <http://bca.lacity.org>.

### **8.1 Business Inclusion Program Requirements (BIP)**

It is the policy of the City to provide Minority Business Enterprise (MBE), Women Business Enterprise (WBE), Small Business Enterprise (SBE), Emerging Business Enterprise (EBE), Disabled Veteran Business Enterprise (DVBE), and all Other Business Enterprise (OBE) concerns an equal opportunity to participate in the performance of all City contracts. Proposers will assist the City in implementing this policy by taking all reasonable steps to ensure that all available business enterprises, including MBEs, WBEs, SBEs, EBEs DVBEs and OBEs, have an equal opportunity to compete for, and participate in, City contracts. Equal opportunity will be determined by the proposer's BIP outreach documentation. Participation by MBEs, WBEs, SBEs, EBEs, DVBEs and OBEs may be in the form of subcontracting. Proposers' BIP outreach must be performed using the Business Assistance Virtual Network ([www.labavn.org](http://www.labavn.org)). A proposer's failure to utilize and complete their BIP Outreach will result in their proposal being deemed non-responsive. The deadline to submit the BIP Summary Sheet on [www.labavn.org](http://www.labavn.org) is **00-00 p.m. on \_\_\_\_\_, 2013**. [Note that compliance with the BIP requirements are not subject to the pre-submission process.]

### **9.0 EVALUATION CRITERIA.**

The City will evaluate all proposals with primary emphasis on the overall plan to meet the City goals through the EDNP contract. Proposals shall be evaluated on the following criteria and demonstrated experience relative to the five categories identified in Section 4.0 Scope of Services.

- Deliverables, such as quality and depth of proposal to perform the various responsibilities and functions indicated in the RFP, organization and framework for achieving the City's objectives and priorities and approach to provide economic development and asset management services;
- Data collection and methodology for services, including evidence of best practices analysis and a holistic and proactive approach to the City's concerns;
- Fees, such as the number of hours assigned to staff and hourly fees and schedule with milestones to complete specific tasks relative to economic development and asset management services;
- Staff qualifications, including the degree to which proposed staff have demonstrated specific experience; and,

- Schedule to accomplish the City's priorities and yearly objectives.

## **10.0 PROPOSAL FORMAT AND SUBMISSION REQUIREMENTS.**

Proposals must be based only on the material contained in the RFP, pre-proposal conference responses, RFP addenda and other material published by the City relating to the RFP. The proposer must disregard any previous RFP draft material, if any.

Proposals must be submitted in accordance with the requirements set forth in this RFP.

### **10.1 Addendum (a)**

The City reserves the right to issue addendum (a) to this RFP, which may add additional requirements which must be met in order for a proposal to be considered responsive.

### **10.2 In Writing**

All proposals must be submitted in writing and proposers shall complete and return any and all applicable documents including but not limited to written responses, questionnaires, forms, appendices, spreadsheets, and any electronic files. The City may deem a proposer non-responsive if the proposer fails to provide all required documentation, copies and electronic files.

### **10.3 Cover Letter**

Each proposal must include a cover letter limited to one page. The cover letter must include the title, address, email address and telephone number of the person or persons who will be authorized to represent the proposer.

### **10.4 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 6 months from the submission deadline.

The City reserves the right to request the top proposers to submit a best and final offer. The City at its sole discretion will determine whether or not to exercise the best and final offer option. Proposers may not request an opportunity to submit a best and final offer.

If the City opts to exercise the best and final offer option, the City will only request one best and final offer submission. The best and final offer request will specify the additional information that is required and the date and time in which the best and final offer must be submitted. Proposers must submit the best and final offer in writing by the deadline specified. The best and final offer information shall supersede inconsistent information contained in the initial offer and shall remain open and valid for the same 6 months from the submission deadline.

Proposers' best and final offer information will be evaluated and proposers' initial ratings may be adjusted, if appropriate, in light of the new information received in the best and final offer. Failure to submit a best and final offer by the specified deadline may result in a re-evaluation of the proposal without the benefit of the best and final offer information.

#### **10.5 Authorized Signatures**

Proposals must be signed by a duly authorized officer eligible to sign contract documents and authorized to bind the proposer to all commitments made in the proposal. Consortiums, joint ventures, or teams submitting proposals will not be considered responsive unless it is established that all parties or entities thereof are bound by the terms of the proposal.

#### **10.6 Number of Copies Required**

Proposers are required to submit:

- One (1) original proposal and all Attachments signed in ink;
- One (1) copy of the proposal and all Attachments; and
- Five (5) copies of the proposal, without Attachments.

Original and copies should be identified as such. If any proposal contains any trade secrets or other proprietary information that the proposer claims is exempt from disclosure under the California Public Records Act (See Section 10.19 of this RFP), one (1) redacted copy of the proposal must also be submitted in addition to the original version and six copies. Written proposals must be presented in a sealed envelope or box. Proposer must enter the title and proposer's name on the outside of the envelope or box. Sealed proposals are to be delivered to the address listed in this RFP no later than the stated proposal submission deadline (see Section 7.12 of this RFP).

#### **10.7 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.

#### **10.8 Proposal Errors**

Proposer is responsible for all errors or omissions incurred by proposer in preparing the proposal. Proposer will not be allowed to alter proposal documents after the Proposal Submission Deadline, except as allowed herein. The City reserves the right to allow proposers to make corrections.

The City reserves the right to make corrections or amendments due to errors identified in the proposal by the City or the proposer. This type of correction or amendment will only be allowed for typographical errors, transposition, or other obvious error. Any changes will be dated and time stamped, and attached to the proposal. All changes must be coordinated in writing with, authorized by, and made by the Contract Administrator.

#### **10.9 Proposal Clarification**

The City reserves the right to request proposers at any phase of the evaluation process, to clarify information provided in RFP responses including clarification of assumptions used in the RFP response. All clarifications must be coordinated in writing with, authorized by, and made by the Contract Administrator. Clarifications must be submitted in writing by the requested deadline otherwise the RFP response will be deemed non-responsive or evaluated without the benefit of the clarification requested.

If the City determines that all proposers failed to submit requested information or adequately responded to the same RFP question or request for data, the City may at its discretion, issue an RFP Addendum pursuant to Section 10.1 and provide all proposers with an opportunity to provide a response to the RFP question. Responses to RFP Addendum questions must be submitted in writing by the stated deadline otherwise the RFP response will be deemed non-responsive or evaluated without the benefit of the clarification requested.

#### **10.10 Waiver of Minor Administrative Irregularities**

The City reserves the right, as its sole discretion, to waive minor administrative irregularities contained in any proposal.

### **10.11 Proposal Submission Deadline**

Timely submission of proposals is the sole responsibility of the proposer. The City reserves the right to determine the timeliness of all submissions. The proposals including, all hard copies, redacted copies and electronic copies of the final proposals must be received at the following address:

**Office of the Chief Legislative Analyst  
City of Los Angeles  
City Hall, Room 255  
200 North Spring Street  
Los Angeles, CA 90012**

**Attention: Gabriel R. Salazar**

**By \_\_\_ P.M. Pacific Standard Time on \_\_\_\_\_, 2013.**

It should be noted that all persons and materials entering City Hall must go through a security check. Proposers should allow ample time to clear security in order to meet the deadline listed above. All proposals will be date and time stamped upon receipt.

### **10.12 Late Proposals**

Proposals submitted after the Proposal Submission Deadline shall be considered late. Late proposals will not be accepted and shall be recycled by the City.

### **10.13 Withdrawal of Proposals**

A proposer may withdraw a submitted proposal in writing at any time prior to the Proposal Submission Deadline. A written request, signed by an authorized representative of the proposer, must be submitted to the Contract Administrator. A PDF copy of the written withdrawal may be emailed to: \_\_\_\_\_ After withdrawing a previously submitted proposal, the proposer may submit another proposal at any time up to the Proposal Submission Deadline.

### **10.14 Rejection of Proposals**

The City reserves the right to reject any or all proposals; to waive any minor informality in proposals received; and to reject any unapproved alternate proposal(s). The rejection of any or all proposals will not render the City liable for costs or damages.

### **10.15 RFP Withdrawal, Cancellation, Other Options**

The City reserves the right to withdraw or cancel the RFP at any time, if it deems such action necessary. If such action is taken, the City may re-issue the RFP. The City also reserves the rights to contract with more than one respondent to this RFP and to not select any proposer from this RFP.

If an inadequate number of proposals are 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 award a sole-source contract with a vendor. The award of the contract is subject to the successful negotiation of the terms and conditions of an agreement.

The City reserves the right to verify all information in the proposal. If the information cannot be verified, the City reserves the right to reduce the rating points awarded.

#### **10.16 Award of Contract**

Award of contract will be made to the proposer with the highest score under the evaluation criteria, subject to satisfaction of all City contracting requirements and the requirements of this RFP. Awards are not restricted to the lowest offer or bid. The City reserves the right to require a pre-award interview and/or site inspection. Should contract negotiations not be successful with the selected proposer, the City may, based on its exclusive discretion, negotiate with the proposer having the next highest total score or cancel the RFP selection process.

#### **10.17 Pre-Award Negotiations**

Prior to award of the contract, the successful proposer(s) may be required to attend negotiation meetings that will be scheduled at a later date. The intent of the meeting(s) will be to discuss and negotiate contract requirements, prices/premiums, service level agreements, detailed scope of work specifications, ordering, invoicing, delivery, receiving and payment procedures, etc. in order to insure successful administration of the contract.

#### **10.18 Proposal Protest**

Any protest to a proposed award(s) must be in writing and submitted within 14 calendar days of the dated notification of contract award. Upon receipt of a protest, the Contract Administrator will hold a meeting within five (5) working days after receiving the protest, unless waived by the protestor.

At or prior to the meeting, the protestor may present evidence as to why the award should not be made according to the City's requirements. After the close of the meeting, the Contract Administrator shall make a final determination with respect to the protest, and shall award the contract accordingly or reject all proposals. The protestor will be notified in writing of the City's decision, which shall be final.

#### **10.19 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 therefore." 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 proposers until after the bidding period and appeal period is closed.

#### **11.0 OTHER CITY CONTRACT REQUIREMENTS**

##### **11.1 Equal Benefits Ordinance**

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).

The selected proposer shall complete and upload, the Equal Benefits Ordinance Affidavit (two (2) pages) available on the City of Los Angeles' Business Assistance Virtual Network (BAVN) residing at [www.labavn.org](http://www.labavn.org) prior to award of a City contract, the value of which exceeds \$5,000. The

Equal Benefits Ordinance Affidavit shall be effective for a period of twelve months from the date it is first uploaded onto the City's BAVN. . The City may request supporting documentation to verify that the benefits are provided equally as specified on the Equal Benefits Ordinance Affidavit.

Proposers seeking additional information regarding the requirements of the Equal Benefits Ordinance may visit the Bureau of Contract Administration's web site at <http://bca.lacity.org>.

## **11.2 Non-Discrimination**

Proposers are advised that any contract awarded pursuant to this procurement process shall be subject to the applicable provisions of Los Angeles Administrative Code Section 10.8.2., Non-discrimination Clause.

## **11.3 Americans with Disabilities Act**

Any contract awarded pursuant to this RFP shall include the following:

The Contractor hereby certifies that it will comply with the Disabilities Act 42, USC §§ 12101 et seq., and its implementing regulations and the Americans with Disabilities Act Amendments Act (ADAAA) Pub. L. 110-325 and all subsequent amendments. The Contractor will provide reasonable accommodations to allow qualified individuals with disabilities to have access to and to participate in its programs, services and activities in accordance with the provisions of the Disabilities Act and the Americans with Disabilities Act Amendments Act (ADAAA) Pub. L. 110-325 and all subsequent amendments. The Contractor will not discriminate against persons with disabilities nor against persons due to their relationship to or association with a person with a disability. Any subcontract entered into by the Contractor, relating to this Agreement, to the extent allowed hereunder, shall be subject to the provisions of this paragraph.

## **11.4 Child Support Assignment Orders**

Any contract awarded pursuant to this RFP shall include 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 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 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 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 to comply with any Wage and Earnings Assignment Orders and Notices of Assignment applicable to them personally shall constitute a default by the Contractor under the terms of this Contract, subjecting this Contract to termination where such failure shall continue for more than ninety (90) days after notice of such failure to Contractor by City. Any subcontract entered into by the Contractor 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 to obtain compliance of its subcontractors shall constitute a default by the Contractor under the terms of this contract, subjecting this Contract to termination where such failure shall continue for more than ninety (90) days after notice of such failure to Contractor by the City.

Contractor shall also comply with the Child Support Compliance Act of 1998 of the State of California Employment Development Department. Contractor 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.

#### **11.5 First Source Hiring Ordinance**

Unless approved for an exemption, contractors under contracts used primarily for the furnishing of services to or for the City and that involve an expenditure in excess of \$25,000 and a contract term of at least three (3) months, and certain recipients of City Loans or Grants, shall comply with the provisions of Los Angeles Administrative Sections 10.44, et seq., First Source Hiring Ordinance (FSHO). Proposers shall refer to Standard Provisions for City Contracts (Revised 06/12), Attachment 14, "First Source Hiring Ordinance" for further information regarding the requirements of the Ordinance. The Anticipated Job Opportunities Form (FSHO-1) and Subcontractor Information Form (FSHO-2) contained in the Attachment shall only be required of the Proposer that is selected for award of a contract.

#### **11.6 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 (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). Proposers shall refer to <http://bca.lacity.org/site/pdf/scwro/lwo%20and%20scwro%20rfp%20language%20and%20attachments.pdf> for further information regarding the requirements of the Ordinances.

The selected proposer shall complete and submit a Certificate Regarding Compliance with the Living Wage Ordinance and Service Contract Worker Retention Ordinance. If the selected proposer believes that it meets the qualifications for one of the exemptions described in the LWO List of Statutory Exemptions, it should shall apply for exemption from the Ordinance by submitting the Bidder/Contractor Application for Non-Coverage or Exemption (Form OCC/LW-10), or the Non-Profit/One-Person Contractor Certification of Exemption (OCC/LW-13). The List of Statutory Exemptions, the Application and the Certification are identified on the web page identified above.

#### **11.7 Compliance with Laws**

Proposer assures that it will comply with all applicable requirements of federal, state, County and City of Los Angeles laws, executive orders, regulations, program and administrative requirements, policies and any other requirements governing the funds to be provided by an Agreement executed pursuant to this RFP. Proposer shall comply with state and federal laws and regulations pertaining to labor, wages, hours, and other conditions of employment. Proposer shall comply with new, amended, or revised laws, regulations, and/or procedures that apply to the performance of such an Agreement.

As covered 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 proposals, programs, services and activities. If an individual with a disability requires accommodations to attend the pre-proposal conference, please contact the Contract Administrator at least five working days prior to the scheduled event.

#### **12.0 CONTRACT EXECUTION REQUIREMENTS.**

The successful proposer shall be required to enter into a written agreement and comply with the requirements listed below, among others. **Failure to comply with these requirements will result in non-execution of the contract.** A copy of the City's Standard Agreement is available online at [http://www.lacity.org/cdd/home\\_bidsrfp.html](http://www.lacity.org/cdd/home_bidsrfp.html).

### **12.1 Insurance Certificates**

Contractors may be required to maintain insurance at a level to be determined by the City's Risk Manager, with the City named as an additional insured. Contractors who do not have the required insurance should include the cost of insurance in their bid. Contractors will be required to provide insurance at the time of contract execution.

### **12.2. Certifications**

The Contractor shall provide copies of a Management Representation Statement.

### **12.3 DUNS Number**

All contractors are required to obtain and provide the organization's 9-digit Data Universal Numbering System (DUNS) number or Central Contractor Registration plus 4 extended DUNS number.

To obtain a DUNS number, call D&B's special toll-free number for federal grant applicants: 1-866-705-5711. Your organization can also register for a DUNS number via D&B's Web site at <https://eupdate.dnb.com/requestoptions.asp>. Choose the "DUNS number only" option.

### **12.4 Standard Provisions for City Contracts**

The successful proposer awarded a contract will be required to enter into an Agreement with the City of Los Angeles, approved by the City Attorney as to form. The Contractor shall abide by the City's Standard Provision for City Contracts (rev. 06/12) that is attached hereto and labeled Appendix B.

### **13.0 PROPOSER SIGNATURE DECLARATION PAGE**

The RFP proposal shall include a Signature Declaration Page which includes the following statements and the information contained in the signature box:

The undersigned hereby offers and agrees to furnish the goods and/or routine services in compliance with all the service level requirements, instructions,

specifications, and any amendments contained in this RFP document and any written exceptions in the offer accepted by the City.

This proposal is genuine, and not sham or collusive, nor made in the interest or in behalf of any person not herein named; the proposer has not directly or indirectly induced or solicited any other proposer to put in a sham proposal, or any other person, firm or corporation to refrain from submitting a proposal; and the proposer has not in any manner sought by collusion to secure for itself an advantage over any other proposer.

Each proposal must be signed on behalf of the proposer by an officer authorized to bind the proposer to the proposal.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and I agree to the terms and conditions in this proposal.

Company Name		Date
Signature of Authorized Person		
Printed Name	Title	
Address		
City, State, Zip		

Scope of Work Section	Economic and Workforce Development Department (EWDD)	EDNP
<b>Strategic Planning and Policy Development</b>	<ul style="list-style-type: none"> <li>Prepare and recommend an Economic Development Strategic Plan (EDSP) to Mayor and Council with input from other economic development partners, including the EDNP.</li> </ul>	<ul style="list-style-type: none"> <li>Assist the EWDD with the preparation of the Citywide Economic Development Strategic Plan and Council District Implementation Plans and updates to the plans by providing technical advice and analysis.</li> </ul>
		<ul style="list-style-type: none"> <li>Coordinate and collaborate with valuable research and analysis being undertaken by local universities and the Los Angeles County Economic Development Corporation and similar organizations.</li> </ul>
	<ul style="list-style-type: none"> <li>Prepare and recommend Council District Implementation Plans to Mayor and Council with input from community economic development partners, including the EDNP.</li> </ul>	<ul style="list-style-type: none"> <li>Provide analysis of changes and trends in economic development conditions on the local, State, national and international levels and impacts on the City's business climate.</li> </ul>
		<ul style="list-style-type: none"> <li>Identify industry sectors suitable for the City through research and analysis.</li> </ul>
	<ul style="list-style-type: none"> <li>Provide analysis to the City of State and federal legislation and regulations that could impact local economic conditions, job creation, business development and expansion.</li> </ul>	<ul style="list-style-type: none"> <li>Conduct Citywide economic development research and analysis (including industry specific) at the direction of the EWDD, and continually track performance and recommend refinement of the City's economic development initiatives.</li> </ul>
<b>Business Attraction and Retention</b>	EWDD will manage the following programs and contracts:	<b>On behalf of the City:</b>
	<ul style="list-style-type: none"> <li>BusinessSource Centers</li> </ul>	<ul style="list-style-type: none"> <li>Coordinate with all relevant City departments to facilitate economic development of industrial, commercial, mixed-use, and TOD projects.</li> </ul>
	<ul style="list-style-type: none"> <li>Earned Income Tax Credit</li> </ul>	<ul style="list-style-type: none"> <li>Assist private developers, non-profit organizations and joint-venture entities in accomplishing industrial, commercial, mixed-use, and TOD projects.</li> </ul>
	<ul style="list-style-type: none"> <li>State Enterprise Zone</li> </ul>	<ul style="list-style-type: none"> <li>Assist in the development of public-private partnerships.</li> </ul>
	<ul style="list-style-type: none"> <li>Federal Empowerment Zone</li> <li>Small Business Loan Program</li> <li>Film LA</li> </ul>	<ul style="list-style-type: none"> <li>Refer Small Businesses to the EWDD.</li> <li>Negotiate detailed terms for economic development projects, including, without limitation, construction, timing, development and risk management of economic development transactions to achieve the best outcome at the least risk to the City.</li> <li>Coordinate with the EWDD in the promotion and formation of Business Improvement Districts (BID).</li> <li>Coordinate with the EWDD to provide assistance to microenterprises.</li> </ul>

Scope of Work Section	Economic and Workforce Development Department (EWDD)	EDNP
<p><b>Business Attraction and Retention</b></p>	<ul style="list-style-type: none"> <li>Assist with marketing and promotion of the BIDs, advise existing BIDs and assist with the formation of new BIDs. (Phased-In)</li> <li>Partner with EDNP on various economic development projects and business development initiatives.</li> <li>Evaluate the LA Small Business Source Program and make recommendations to ensure the City fulfills its objective of assisting small businesses.</li> </ul>	<p><b>On behalf of external stakeholders:</b></p> <ul style="list-style-type: none"> <li>Assist new businesses in securing new or expansion locations within the City.</li> <li>Provide guidance to large businesses.</li> <li>Inform new and existing businesses of the City's available financial tools .</li> <li>Assist developers with navigating the master planning and entitlement processes for the economic development of industrial, commercial, mixed-use, and TOD projects.</li> </ul>
<p><b>Economic Development Property Asset Management</b></p>	<ul style="list-style-type: none"> <li>Asset Management Planning Unit (number of staff undetermined, phased-in). The City will continue to oversee administration of City property as it relates to housing City staff and operations.</li> <li>EDSP is expected to identify the City's asset management plan as a priority for Citywide economic development.</li> </ul>	<ul style="list-style-type: none"> <li>Market City properties for development, new businesses or business expansion.</li> <li>Promote industrial, commercial, mixed-use and TOD projects throughout the City by managing and negotiating leases for, and the selling of, City-owned property, and by facilitating the processing of leases and sales through the City's approval process and in making recommendations to the Council and Mayor for approval.</li> <li>Assist the EWDD with the disposition of City-owned properties for economic development purposes and seek to maximize value, take into account matters including, without limitation, anticipated community and economic development, retention of business and industry, cultural and educational opportunities, facilitation of the delivery of goods and services to city residents and input from impacted Neighborhood Councils.</li> <li>Manage City real property assets for economic development purposes, which may include the Proprietary Departments, consistent with applicable laws; including the maintenance, repair, and improvement of those assets.</li> </ul>

Scope of Work Section	Economic and Workforce Development Department (EWDD)	EDNP
<p><b>Economic Development Property Asset Management</b></p>	<ul style="list-style-type: none"> <li>• Acquire real property to carry out economic development functions.</li> <li>• Demolish and clear buildings, structures and other improvements; take actions to prepare real property for development; take actions to remedy any hazardous material or condition.</li> <li>• Convey any interest owned or controlled by the City in real property, generally at its fair reuse value unless other criteria are met, to carry out the public purposes and objectives of economic development in the City.</li> <li>• Relocation planning, advisory assistance and payment of monetary benefits relative to permanent or temporary displacement of any occupants of a site, if needed.</li> <li>• GSD currently manages and repairs all public buildings to the departments and offices of the City of LA per Section 22.535. of the Administrative Code.</li> </ul>	<ul style="list-style-type: none"> <li>• Analyze return on investment of short and long-term dispositions.</li> <li>• Assist in developing a strategic asset management plan for economic development of City-owned properties that includes, but is not limited to the following:               <ul style="list-style-type: none"> <li>o Develop creative opportunities to use the City's land and building resources, public infrastructure investment and available federal, State, City and private financial assistance programs to promote the economic development of the City.</li> <li>o Identify properties for economic development and negotiate and facilitate the lease or sale of some economic development sites through the City approval process.</li> <li>o Advise on repositioning of income-producing assets and redevelopment of City-owned or City-controlled property for those sites identified as economic development opportunity sites.</li> </ul> </li> </ul>
<p><b>Economic Development Transaction Services and Financing</b></p>	<ul style="list-style-type: none"> <li>• Provide reports and make recommendations to the Mayor and Council on the appropriate financial assistance tools for projects:</li> <li>• City Loans (Section 108 Program)</li> <li>• Industrial Development Authority (IDA)</li> <li>• Site Specific Tax Revenue (SSTR)</li> <li>• Execute contracts and contract amendments for economic development purposes</li> </ul>	<p><b>On behalf of the City:</b></p> <ul style="list-style-type: none"> <li>• Assist with financial underwriting and negotiate deal terms of proposed City development projects, including but not limited to project analysis, and/or transactional services.</li> <li>• Negotiate and draft agreements for CDBG grant funds and HUD Section 108 loan guarantee funds and other grant funds to approved projects.</li> <li>• Evaluate the use of Site Specific Tax Revenue for proposed projects.</li> <li>• Assist in the negotiation of financial transactions for purposes of economic development.</li> </ul>

Scope of Work EWDD-EDNP Matrix

Scope of Work Section	Economic and Workforce Development Department (EWDD)	EDNP
<p><b>Economic Development Transaction Services and Financing</b></p>	<ul style="list-style-type: none"> <li>• Certify expenditures to the Chief Accounting Employee of the EWDD.</li> <li>• Submit annual budget to the Mayor and Council.</li> </ul>	<p><b>On behalf of external stakeholders:</b></p> <ul style="list-style-type: none"> <li>• Compile, maintain and disseminate information with respect to the availability of financial assistance tools (New Market Tax Credits, Section 108 Loans, IDA Bonds, etc.) to existing and new large businesses in the City from both public and private sources, whether in the form of loans, grants, tax incentives or any other form subject to California Government Code Section 1090.</li> <li>• Work with private and public sources of financing including the Los Angeles Development Fund, Industrial Development Authority, Workforce Investment Board (WIB), Community Development Corporations, and Community Development Financial Institutions to maximize the use of such financing resources by applicants.</li> </ul>
<p><b>Workforce and Business Development</b></p>	<ul style="list-style-type: none"> <li>• Workforce Development Programs (One Source Centers, WorkSource Centers, Day Laborer, Cash for College, Construction Training and Placement Initiative and Hire LA). Establish workforce development team to manage federal development initiatives and establish partnerships to develop job training programs for City residents.</li> <li>• Ensure that local hiring preferences, living wage jobs, community benefits programs, and project labor agreements will be utilized for economic development projects.</li> <li>• YouthSource Centers (Youth Opportunities Movement/Youth Employment)</li> <li>• Partner with EDNP to coordinate and link emerging industrial business sectors to the various programs carried out by the EWDD.</li> </ul>	<p><b>On behalf of the City:</b></p> <ul style="list-style-type: none"> <li>• Coordinate with the EWDD to display employment opportunities for development projects on the Los Angeles Business Assistance Virtual Network (BAVN).</li> <li>• Work with existing Workforce Investment Boards, First Source Hiring Programs, and other public and private programs to provide potential employment opportunities for City residents through the EWDD and assist in the establishment of joint-venture entities in accomplishing industrial, commercial, mixed-use, and TOD projects subject to State conflict of interest regulations.</li> <li>• Assist in the establishment of joint-venture entities in accomplishing industrial, commercial, mixed-use, and TOD projects subject to State conflict of interest regulations.</li> </ul> <p><b>On behalf of external stakeholders:</b></p> <ul style="list-style-type: none"> <li>• Work to coordinate and link emerging industrial business sectors to the various programs carried out by the EWDD.</li> <li>• Advise external stakeholders on the availability of publicly sponsored education and employment training programs and economic development projects.</li> </ul>

• City retains responsibility for permit processing, zoning, land-use authority and regulations.