



**COUNTY OF LOS ANGELES
AGING AND DISABILITIES DEPARTMENT**

**INVITATION FOR BIDS (IFB)
FOR**

**LONG-TERM CARE OMBUDSMAN PROGRAM (LTCOP)
AAA-LTCOP-2324 IFB**

Solicitation Release Date: April 7, 2023

Mandatory Bidders' Conference: April 17, 2023, at 10:00 a.m. P.T.

Bid Submission Deadline: April 28, 2023, at 5:00 p.m. P.T.

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APPENDICES

- A Sample Subaward:** A sample of the subaward to be executed between County and Subrecipient. It sets forth the terms and conditions for the issuance and performance of all tasks, deliverables, Services and other work identified in the Statement of Work.
- B Required Forms:** Forms that must be completed and included in the bid.
- C Transmittal Form to Request a Solicitation Requirements Review:** Transmittal sent to County requesting a Solicitation Requirements Review.
- D Background and Resources: California Charities Regulation:** An information sheet intended to assist nonprofit agencies with compliance with SB 1262 - the Nonprofit Integrity Act of 2004 and identify available resources.
- E Notice of Intent to Submit Bid:** Form to be completed by potential Bidder (who may be interested in submitting a bid) and submitted to County by the date indicated in the solicitation.

1 SOLICITATION INFORMATION AND MINIMUM REQUIREMENTS

IFB Release Date	4/7/2023
Request for a Solicitation Requirements Review Due	4/12/2023
Deadline to Register for Mandatory Bidder's Conference	4/14/2023
Mandatory Bidder's Conference	4/17/2023
Written Questions Due	4/17/2023
Questions and Answers Released via Addendum	4/21/2023
Bids Due	4/28/2023
Anticipated Subaward Term	July 1, 2023 – June 30, 2024
Minimum Requirements	Refer to Paragraph 3
IFB Contact	Email: aaarfp@ad.lacounty.gov

2 GENERAL INFORMATION

2.1 Purpose

- 2.1.1 The County of Los Angeles, Aging & Disabilities Department (AD) is issuing this Invitation for Bids (IFB) to solicit bids for a Subaward with an organization who can provide all of the Long-Term Care Ombudsman Program (LTCOP) Services identified in Appendix A (Sample Subaward), Exhibit A (Statement of Work) throughout Los Angeles County (Supervisory Districts 1, 2, 3, 4, and 5), excluding the City of Los Angeles. As such, County is issuing this Invitation for Bids (IFB) to solicit responses (bids) from qualified organizations (Bidders) that can provide these Services in accordance with all applicable Federal, State, and local laws, regulations, and guidance.
- 2.1.2 Bids will be accepted from qualified organizations who can provide all of the Program Services for all five (5) Supervisory Districts. Bidder shall submit one (1) Bid and shall identify the Services they will provide in all five (5) Supervisory Districts. County anticipates selecting one (1) Bid to award one (1) Subaward to a Successful Bidder who demonstrates that it is responsive, responsible, qualified, and has the capacity to provide Program Services under the requirements of the Subaward (Appendix A (Sample Subaward)).
- 2.1.3 As part of the AAA Programs, County uses funds designated for LTCOP for the primary purpose of investigating and resolving complaints made by or on behalf of Clients of long-term care facilities. The intent of LTCOP is to advocate for the rights of Clients residing in these facilities, to work to resolve Clients' problems with care, and to bring about changes at the local, State, and national levels to ultimately improve care for all facility residents. LTCOP also promotes policies and practices needed to protect and improve the quality of care and life of the Clients in long-term care facilities and educate consumers (including Clients, their family members, and friends) and providers about Client rights and good care practices. A primary goal of LTCOP is to use Volunteers and Volunteer programs to assist and advocate for the dignity, quality-of-life, and quality-of-care for Clients in long-term care facilities.
- 2.1.4 County estimated total LTCOP funding for Fiscal Year 2023-24 is approximately \$1,710,000. Funding for the Program is made available from the Federal and State funding sources. The funding amount will potentially be distributed as follows:

Funding Source	Estimated Funding Amount
OAA Title III B (Supportive Services and Senior Centers Program Authorized)	\$750,000
OAA Title VII A Chapter 2 (Ombudsman Programs)	\$128,000
OAA Title VII A Chapter 3 (Programs for the Prevention of Elder Abuse, Neglect and Exploitation)	\$78,000
State General Funds Title III B (Ombudsman Programs)	\$238,000
Long-Term Care Facility Citation Penalty Account – Special Deposit Fund	\$222,000
Public Health Licensing and Certification Program	\$51,000
Skilled Nursing Facility Quality and Accountability Fund	\$243,000
Total	\$1,710,000

2.1.5 Subject to Subparagraph 2.4 (Subaward Term), and if County exercises all renewal options, the estimated potential maximum Subaward Sum for four (4) years is approximately \$6,840,000.

2.1.6 County has established minimum units of Service/Contacts to be provided throughout Los Angeles County (Supervisorial Districts 1, 2, 3, 4, and 5), excluding the City of Los Angeles. The minimum number of units is provided as an estimate of County’s need for Program Services, and the final Service units will be negotiated when the Subaward is granted (subject to the availability of funding). The minimum units of Service/Contacts are as follows:

Service Category	Minimum Units of Service/Contacts (1 Contact = 1 Client)
Resident-Level Advocacy – Complaint Resolution	27,200
Resident-Level Advocacy – Information and Consultation to Individuals	5,340
Facility Monitoring/Coverage, LTC Facility Consultation and Training and Establishment of an On-going Presence	2,250
Resident Council Development and Support/Family Council Development and Support	170
Advance Health Care Directive and Property Transfer Witnessing	0
Systems-Level Advocacy	0
Referrals	0
OSLTCO Supplemental Activities	0
Public Education Sessions	25
Training Sessions for Professionals	28
Training Sessions for Caregivers Served by OAA Title III E	0
Development of Coordinated System to Respond to Elder Abuse	555
Distribution of Educational Materials	2,079
Distribution of Educational Products	0
Staff and Volunteer Recruitment/Retention	71
Staff and Volunteer Training	84
Augmentation of LTCOP Services	222

2.2 Overview of Solicitation Document

This Invitation for Bids (IFB):

- 2.2.1 Specifies the Bidder's minimum requirements, provides information regarding some of the requirements of the Subaward and explains the solicitation process.
- 2.2.2 Contains instructions to Bidders on how to prepare and submit their Bid.
- 2.2.3 Explains how the Bids will be reviewed and selected.
- 2.2.4 The following Appendices are included in the IFB:
 - 2.2.4.1 **Sample Subaward:** Lists the terms and conditions in the Subaward.
 - 2.2.4.2 **Required Forms:** Forms contained in this section must be completed and included in the Bid.
 - 2.2.4.3 **Transmittal Form to Request a Solicitation Requirements Review:** Transmittal sent to County requesting a Solicitation Requirements Review.
 - 2.2.4.4 **Background and Resources: California Charities Regulation:** An information sheet intended to assist Non-profit agencies with compliance with SB 1262 – the Nonprofit Integrity Act of 2004 and identify available resources.
 - 2.2.4.5 **Notice of Intent to Submit Bid:** Form to be completed by potential Bidder (who may be interested in submitting a bid) and submitted to County by the date indicated in the solicitation.

2.3 Terms and Definitions

- 2.3.1 Titles, captions and headings contained in this solicitation are inserted as a matter of convenience and for reference and are not intended and must not be deemed or construed to define, limit, extend or otherwise describe the scope or any provision of this solicitation.

2.3.2 Key terms that are used throughout this document (including its Appendices) have been defined in Appendix A (Sample Subaward), Exhibit P (Definitions), unless otherwise stated.

2.3.3 For purposes of this IFB:

2.3.3.1 The term Bidder is used to identify any person, entity, or organization which submits a bid in response to this solicitation. As such, while the information provided in this IFB is intended primarily for Bidder, potential Bidders are highly encouraged to review this solicitation document as well.

2.3.3.2 The term Client is used to identify an individual who meets the eligibility requirements outlined in Appendix A (Sample Subaward), Exhibit A (Statement of Work)), Subparagraph 10.1 (Eligibility), receives Program Services and is counted only once (unduplicated) when determining the total number of unduplicated Clients.

2.3.3.3 The terms “Subrecipient”, “Prospective Subrecipient”, and “Successful Bidder” refers to Bidder who submits a bid in response to this solicitation, successfully passes County’s evaluation/review process, is selected by County to receive a Subaward (contingent upon approval by the County of Los Angeles Board of Supervisors (Board of Supervisors)), and is expected to ultimately sign/execute the resulting Subaward.

2.3.4 Usage of Specific Terms Pursuant to Federal and County Regulations

2.3.4.1 In order to comply with the requirements of [Title 2 Code of Federal Regulations Part 200](#) and [Title 45 Code of Federal Regulations Part 75](#), specific terms are used to refer to the resulting agreement which is identified as the “Subaward” (i.e., Appendix A (Sample Subaward)), the party to that agreement who is identified as “Subrecipient”, a third-party agreement which is identified as the “Lower Tier Subaward”, and a third-party who is identified as a “Lower Tier Subrecipient”.

2.3.4.2 In order to comply with County of Los Angeles codes/statutes and Board of Supervisors policies/mandates, several County of Los Angeles specific terms are also used to refer to the

resulting agreement which is identified as the Subaward (that is, "Contract"), (i.e., Appendix A (Sample Subaward)), the party to that agreement who is identified as the Subrecipient (that is, "Contractor", and a third-party agreement which is identified as the Lower Tier Subaward (that is, "Subcontract"), and a third-party who is identified as a Lower Tier Subrecipient (that is "Subcontractor").

2.3.4.3 In all cases, when the terms Subaward, Subrecipient, Lower Tier Subaward, Lower Tier Subrecipient, Contract, Contractor, Subcontract, and Subcontractor are used then these shall have the meanings provided respectively herein and as noted in Appendix A (Sample Subaward), Exhibit P (Definitions).

2.4 Subaward Term

2.4.1 The Subaward term will be for a period of one (1) year, with three (3) annual options to renew. Such renewals will be determined at County's sole discretion (contingent upon availability of funding, Subrecipient's performance, and other criteria to be determined by County). The Subaward is expected to commence on July 1, 2023, and continue through June 30, 2024, following approval by the County of Los Angeles Board of Supervisors' (BOS).

2.5 Subaward Rates

2.5.1 Throughout the term of the Subaward, and such term shall include any renewal options exercised by County, Subrecipient's costs must reflect true, actual, and supported costs which are incurred solely for providing Services under the Subaward. Such true/actual costs are those costs which are net of any applicable credits including, but not limited to, discounts, refunds, adjustments, rebates, allowances, etc. and are inclusive of any taxes, delivery/shipping charges, etc. County shall reimburse Subrecipient for supplying the Services as set forth in the Subaward.

2.6 Days of Operation

2.6.1 Subrecipient will be required to provide Program Services a minimum of five (5) days per week (Monday thru Friday), eight (8) hours per day during the hours of 8:00 a.m. to 5:00 p.m. (normal business hours), and its offices will be open for business during this timeframe. Subrecipient's

Staff must be available during these normal business hours. Subrecipient is not required to provide services on County recognized holidays. A list of County recognized holidays is provided in Appendix A (Sample Subaward), Exhibit A (Statement of Work), Attachment 2 (County Recognized Holidays).

2.7 Indemnification and Insurance

2.7.1 Subrecipient will be required to comply with the indemnification provisions contained in Appendix A (Sample Subaward), Subparagraph 8.23 (Indemnification). Subrecipient must procure, maintain, and provide to the County proof of insurance coverage for all the programs of insurance along with associated amounts specified in Appendix A (Sample Subaward), Subparagraph 8.24 (General Provisions for all Insurance Coverage) and Subparagraph 8.25 (Insurance Coverage).

2.8 Health Insurance Portability and Accountability Act of 1996 (HIPAA)

2.8.1 Subrecipient will be required to comply with the Administrative Simplification requirements of the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) as in effect and as may be amended, as contained in Exhibit I (Business Associate Agreement under the Health Insurance Portability and Accountability Act of 1996 (“HIPPA”)) of Appendix A (Sample Subaward).

3 BIDDER’S MINIMUM QUALIFICATIONS

Interested and qualified Bidders that can demonstrate their ability to successfully provide the required services outlined in Exhibit A (Statement of Work) of Appendix A (Sample Subaward) are invited to submit bids, provided they meet the following minimum requirements.

3.1 Experience

3.1.1 Bidder must have five (5) consecutive years of experience, obtained within the last seven (7) years (between 2015 - 2022), providing LTCOP Services or services which are equivalent or substantially similar to the Program Services identified in Exhibit A (Statement of Work) of Appendix A (Sample Subaward).

3.2 Mandatory Staff

3.2.1 Bidder must have **all** Mandatory Staff who meet all the requirements listed in Appendix A (Sample Subaward), Exhibit A (Statement of Work),

Subparagraph 6.3 (Project Manager) and Subparagraph 6.4 (Personnel). All Mandatory Staff must be listed on Bidder's completed Appendix B (Required Forms), Exhibits 10-16 (Proposed Budget).

3.3 Debarment

3.3.1 Bidder must not be debarred or have an equivalent prohibition on doing business with Proposer, by any government agency within the last five (5) years.

3.4 Unique Entity Identification Number

3.4.1 Bidder must have a current, valid, and active Unique Entity Identification (UEI) Number. Bidder must provide the UEI Number in Appendix B (Required Forms), Exhibit 1 (Bidder's Organization Questionnaire/Affidavit). If Bidder does not have a UEI number, the UEI may be obtained by registering for this number at: <https://sam.gov/content/entity-registration>. Upon completion, Bidder must provide documentation (e.g., print screen, confirmation, etc.) of its registration for the UEI number as an attachment to Appendix B (Required Forms), Exhibit 1 (Bidder's Organization Questionnaire/Affidavit).

3.5 Organizational Business Structure

3.5.1 Bidder's organizational business structure must be one of the following:

3.5.1.1 A non-profit corporation, public/government entity, or joint powers agency.

3.5.1.2 Non-profit Corporation, or Joint Powers Agency: Proposer's organization must be either a Single-Purpose Agency or Multi-Purpose Agency

3.5.1.3 Non-profit Corporation, Public/Government Entity, or Joint Powers Agency: If Bidder's organization is a Multi-Purpose Agency and/or a public/government entity, it must ensure that none of its other Sponsored Programs conflict with the objectives and policies of LTCOP, and it must devote adequate resources to meet LTCOP objectives.

3.6 Unresolved Disallowed Costs with County Contract(s)

- 3.6.1 If Bidder's compliance with a County contract has been reviewed by the County of Los Angeles Department of the Auditor-Controller (A-C) within the last ten (10) years, Bidder must not have unresolved questioned costs identified by the A-C, in an amount over \$100,000.00, that are confirmed to be disallowed costs by the contracting County department, and remain unpaid for six (6) months or more from the date of disallowance, unless such disallowed costs are the subject of current good faith negotiations to resolve the disallowed costs, as determined in the sole discretion of County.

4 COUNTY'S RIGHTS AND RESPONSIBILITIES

4.1 County's Right to Amend Invitation for Bids (IFB)

- 4.1.1 County has the unlimited right to amend the IFB by written addendum. The County is responsible only for that which is expressly stated in the solicitation document and any authorized written addenda thereto. Such addendum will be made available to each person or organization which County records indicate has received this IFB. County reserves the right to post the addendum/addenda on its website as follows: <https://www.lacountyad.org/businesshttps://www.lacountyad.org/business>. Should such addendum require additional information not previously requested, failure to address the requirements of such addendum may result in the proposal being found non-responsive and not being considered, as determined in the sole discretion of the County. The County is not responsible for and will not be bound by any representations otherwise made by any individual acting or purporting to act on its behalf.

4.2 Final Subaward Award by the Board of Supervisors

- 4.2.1 Notwithstanding a recommendation of AD, agency, individual, or other, the Board of Supervisors retains the right to exercise its judgment concerning the selection of a bid and the terms of any resultant agreement, and to determine which bid best serves the interests of the County. The Board is the ultimate decision-making body and makes the final determinations necessary to arrive at a decision to award, or not award, a Subaward (that is, "Contract").

4.3 County Option to Reject Bids

- 4.3.1 Bidders are hereby advised that this IFB is a solicitation for bids only, and is not intended, and is not to be construed as, an offer to enter into a subaward or as a promise to engage in any formal competitive bidding or negotiations pursuant to any statute, ordinance, rule, or regulation. County may, at its sole discretion, reject any or all bids submitted in response to this IFB or may, in its sole discretion, reject all bids and cancel this IFB in its entirety, or cancel any portion of this IFB. County will not be liable for any costs incurred by a bidder in connection with the preparation and submission of any bid. The County reserves the right to waive inconsequential disparities or any informalities in a bid if the sum and substance of the Bid is present.

4.4 Background and Security Investigations

- 4.4.1 Background and security investigations of bidder's staff may be required at the discretion of the County as a condition of beginning and continuing work under any resulting subaward. The cost of background checks is the responsibility of the Subrecipient.

5 NOTIFICATION TO BIDDERS

5.1 Notice to Bidders Regarding the Public Records Act

- 5.1.1 Responses to this solicitation will become the exclusive property of the County. Absent extraordinary circumstances, the recommended Bidder's bid will become a matter of public record when (1) Subaward negotiations are complete; (2) AD receives a letter from the recommended Bidder's authorized officer that the negotiated subaward is the firm offer of the recommended Bidder; and (3) AD releases a copy of the recommended Bidder's bid in response to a Notice of Intent to Request a Proposed Contractor Selection Review under Board Policy No. 5.055 ([Services Contract Solicitation Protest](#)).
- 5.1.2 Notwithstanding the above, absent extraordinary circumstances, all bids will become a matter of public record when the County's recommendation appears on the Board agenda.
- 5.1.3 Exceptions to disclosure are those parts or portions of all bids that are justifiably defined as business or trade secrets, and plainly marked by the Bidder as "Trade Secret," "Confidential," or "Proprietary."

- 5.1.4 The County will not, in any way, be liable or responsible for the disclosure of any such record or any parts thereof, if disclosure is required or permitted under the California Public Records Act or otherwise by law. A blanket statement of confidentiality or the marking of each page of the bid as confidential will not be deemed sufficient notice of exception. Bidders must specifically label only those provisions of their respective bid which are "Trade Secrets," "Confidential," or "Proprietary" in nature.
- 5.1.5 In the event the County is required to defend an action on a Public Records Act request for any of the aforementioned documents, information, books, records, and/or contents of a proposal marked "Confidential", "Trade Secrets", or "Proprietary", Bidder agrees to defend and indemnify County from all costs and expenses, including reasonable attorneys' fees, incurred in the connection with any action, proceedings, or liability arising in connection with the Public Records Act request.

5.2 Contact with County Personnel

- 5.2.1 Any contact regarding this IFB or any matter relating thereto must be limited to the designated timeframes and manner as indicated in this IFB document (and any addendum thereto). Such contact must be in writing and e-mailed to: aaarp@ad.lacounty.gov. Please allow County up to two (2) business days to respond to your question.
- 5.2.2 If it is discovered that Bidder contacted and/or received information from any County personnel, other than as specified above, regarding this solicitation, County, in its sole determination, may disqualify their bid from further consideration.

5.3 Mandatory Requirement to Register on County's WebVen

- 5.3.1 Prior to Subaward (that is, "Contract"), all potential Subrecipients (that is, "Contractors") must register in the County's WebVen. The WebVen contains the Bidder's business profile and identifies the goods/services the business provides. Registration can be accomplished online via the Internet by accessing the County's home page at <http://camisvr.co.la.ca.us/webven/>.

5.4 Protest Process

- 5.4.1 Under Board Policy No. 5.055 ([Services Contract Solicitation Protest](#)), any prospective Bidder may request a review of the requirements under

a solicitation for a Board-approved services contract, as described in Subparagraph 5.4.3 (Grounds for Review) below. Additionally, any actual Bidder may request a review of a disqualification or of a proposed contract award under such solicitation as described respectively in the Subparagraph 5.4.3 (Grounds for Review). It is the responsibility of the Bidder challenging the decision of AD to demonstrate that AD committed a sufficiently material error in the solicitation process to justify invalidation of a proposed contract award.

5.4.2 Throughout the review process, the County has no obligation to delay or otherwise postpone an award of a contract based on a Bidder protest. In all cases, the County reserves the right to make an award when it is determined to be in the best interest of the County of Los Angeles to do so.

5.4.3 **Grounds for Review**

5.4.3.1 Unless state or federal statutes or regulations otherwise provide, the grounds for review of a solicitation for a Board-approved services contract provided for under Board Policy No. 5.055 ([Services Contract Solicitation Protest](#)) are limited to the following:

5.4.3.1.1 Solicitation Requirements Review (Reference Subparagraph 9.1)

5.4.3.1.2 Disqualification Review (Reference Subparagraph 9.2)

5.4.3.1.3 Proposed Contractor Selection Review (Reference Subparagraph 9.3)

5.5 Conflict of Interest

5.5.1 No County employee whose position in the County enables him/her to influence the selection of a Subrecipient for this IFB, or any competing IFB, nor any spouse of economic dependent of such employees, will be employed in any capacity by a Bidder or have any other direct or indirect financial interest in the selection of a Subrecipient. Bidder must certify that he/she is aware of and has read [Section 2.180.010 of the Los Angeles County Code](#) as stated in Exhibit 2 (Certificate of Compliance) of Appendix B (Required Forms).

5.6 Determination of Bidder Responsibility

- 5.6.1 A responsible bidder is a bidder who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity and experience to satisfactorily perform the subaward. It is the County's policy to conduct business only with responsible bidders.
- 5.6.2 Bidders are hereby notified that, in accordance with [Chapter 2.202 of the County Code](#), the County may determine whether the Bidder is responsible based on a review of the Bidder's performance on any contracts, including but not limited to County contracts. Particular attention will be given to violations of labor laws related to employee compensation and benefits, and evidence of false claims made by the Bidder against public entities. Labor law violations which are the fault of the lower tier subrecipients (that is, "subcontractors") and of which the bidder had no knowledge will not be the basis of a determination that the Bidder is not responsible.
- 5.6.3 The County may declare a Bidder to be non-responsible for purposes of this contract if the Board of Supervisors, in its discretion, finds that the Bidder has done any of the following: (1) violated a term of a contract with the County or a nonprofit corporation created by the County; (2) committed an act or omission which negatively reflects on the Bidder's quality, fitness or capacity to perform a contract with the County, any other public entity, or a nonprofit corporation created by the County, or engaged in a pattern or practice which negatively reflects on same; (3) committed an act or omission which indicates a lack of business integrity or business honesty; or (4) made or submitted a false claim against the County or any other public entity.
- 5.6.4 If there is evidence that the apparent highest ranked Bidder may not be responsible, AD will notify the Bidder in writing of the evidence relating to the Bidder's responsibility, and its intention to recommend to the Board of Supervisors that the Bidder be found not responsible. AD will provide the Bidder and/or the Bidder's representative with an opportunity to present evidence as to why the Bidder should be found to be responsible and to rebut evidence which is the basis for AD's recommendation.
- 5.6.5 If the Bidder presents evidence in rebuttal to AD, AD will evaluate the merits of such evidence, and based on that evaluation, make a recommendation to the Board of Supervisors. The final decision

concerning the responsibility of the Bidder will reside with the Board of Supervisors.

- 5.6.6 These terms will also apply to proposed subcontractors of bidders on County contracts.

5.7 Bidder Debarment

- 5.7.1 The Bidder is hereby notified that, in accordance with [Chapter 2.202 of the County Code](#), the County may debar the Bidder from bidding or proposing on, or being awarded, and/or performing work on other County contracts for a specified period of time, which generally will not exceed five (5) years but may exceed five (5) years or be permanent if warranted by the circumstances, and the County may terminate any or all of the Bidder's existing contracts with County, if the Board of Supervisors finds, in its discretion, that the Bidder has done any of the following: (1) violated a term of a contract with the County or a nonprofit corporation created by the County; (2) committed an act or omission which negatively reflects on the Bidder's quality, fitness or capacity to perform a contract with the County, any other public entity, or a nonprofit corporation created by the County, or engaged in a pattern or practice which negatively reflects on same; (3) committed an act or offense which indicates a lack of business integrity or business honesty; or (4) made or submitted a false claim against the County or any other public entity. These terms will also apply to proposed subcontractors of bidders on County contracts.

- 5.7.2 A listing of contractors that are currently on the Debarment List for Los Angeles County may be obtained on the following website: <https://doingbusiness.lacounty.gov/listing-of-contractors-debarred-in-los-angeles-county/>.

5.8 Gratuities

5.8.1 Attempt to Secure Favorable Treatment

It is improper for any County officer, employee or agent to solicit consideration, in any form, from a Bidder with the implication, suggestion or statement that the Bidder's provision of the consideration may secure more favorable treatment for the Bidder in the award of a subaward (that is, "Contract") or that the Bidder's failure to provide such consideration may negatively affect the County's consideration of the Bidder's submission. A Bidder must not offer or give either directly or through an

intermediary, consideration, in any form, to a County officer, employee or agent for the purpose of securing favorable treatment with respect to the award of a subaward.

5.8.2 Bidder Notification to County

A Bidder must immediately report any attempt by a County officer, employee or agent to solicit such improper consideration. The report must be made either to the County manager charged with the supervision of the employee or to the County Auditor-Controller's Employee Fraud Hotline at (800) 544-6861. Failure to report such a solicitation may result in the Bidder's submission being eliminated from consideration.

5.8.3 Form of Improper Consideration

Among other items, such improper consideration may take the form of cash, discounts, services, the provision of travel or entertainment, or tangible gifts.

5.9 Notice to Bidders Regarding the County Lobbyist Ordinance

5.9.1 The Board of Supervisors of the County of Los Angeles has enacted an ordinance regulating the activities of persons who lobby County officials. This ordinance, referred to as the "Lobbyist Ordinance", defines a County Lobbyist and imposes certain registration requirements upon individuals meeting the definition. The complete text of the ordinance can be found in [County Code Chapter 2.160](#). In effect, each person, corporation or other entity that seeks a County permit, license, franchise or subaward (that is, "contract") must certify compliance with the ordinance. As part of this solicitation process, it will be the responsibility of each Bidder to review the ordinance independently as the text of said ordinance is not contained within this IFB. Thereafter, each person, corporation or other entity submitting a response to this solicitation, must certify that each County Lobbyist, as defined by [Los Angeles County Code Section 2.160.010](#), retained by the Bidder is in full compliance with [Chapter 2.160 of the Los Angeles County Code](#) and each such County Lobbyist is not on the Executive Office's List of Terminated Registered Lobbyists.

5.10 Consideration of GAIN/GROW Participants for Employment

- 5.10.1 As a threshold requirement for consideration for contract award, bidder must demonstrate a proven record of hiring participants in the County's [Department of Public Social Services Greater Avenues for Independence \(GAIN\) or General Relief Opportunity for Work \(GROW\) Programs](#) or must attest to a willingness to consider GAIN/GROW participants for any future employment openings if the participants meet the minimum qualifications for that opening. Bidders must attest to a willingness to provide employed GAIN/GROW participants access to the Bidder's employee mentoring program, if available, to assist these individuals in obtaining permanent employment and/or promotional opportunities.
- 5.10.2 Bidders who are unable to meet this requirement will not be considered for contract award. Bidders must complete and return Exhibit 2 (Certificate of Compliance) of Appendix B (Required Forms), along with their bid.

5.11 Jury Service Program

- 5.11.1 The prospective Subaward (that is "Contract") is subject to the requirements of the County's Contractor Employee Jury Service Ordinance ("Jury Service Program") ([Los Angeles County Code, Chapter 2.203](#)). Prospective bidders should carefully review the Jury Service Ordinance and Subparagraph 8.8 (Compliance with the County's Jury Service Program) of Appendix A (Sample Contract), both of which are incorporated by reference into and made a part of this IFB. The Jury Service Program applies to both Subrecipient (that is "Contractor") and their Lower Tier Subrecipients (that is, "Subcontractors"). **Bidders that fail to comply with the requirements of the Jury Service Program will be considered non-responsive and excluded from further consideration.**
- 5.11.2 Bidders must certify compliance with County's Contractor Employee Jury Service Ordinance in Exhibit 2 (Certificate of Compliance). If a Bidder does not fall within the Jury Service Program's definition of "Contractor" or if it meets any of the exceptions to the Jury Service Program, then the Bidder must so indicate in Exhibit 2 (Certificate of Compliance) of Appendix B (Required Forms), and include with its submission all necessary documentation to support the claim such as tax returns or a collective bargaining agreement, if applicable. Upon

reviewing the Bidder's application, the County will determine, in its sole discretion, whether the Bidder falls within the definition of Contractor or meets any of the exceptions to the Jury Service Program. The County's decision will be final.

5.12 Notification to County of Pending Acquisitions/Mergers by Bidding Company

5.12.1 The Bidder must notify the County of any pending acquisitions/mergers of its company unless otherwise legally prohibited from doing so. If the Bidder is restricted from legally notifying the County of pending acquisitions/mergers, then it should notify the County of the actual acquisitions/mergers as soon as the law allows and provide to the County the legal framework that restricted it from notifying the County prior to the actual acquisitions/mergers. This information must be provided by the Bidder in Exhibit 1, (Bidder's Organization Questionnaire/Affidavit) of Appendix B (Required Forms). Failure of the Bidder to provide this information may eliminate its bid from any further consideration. Bidder will have a continuing obligation to notify the County and update any changes to its response in Exhibit 1 (Bidder's Organization Questionnaire/Affidavit) during the solicitation.

5.13 Bidder's Charitable Contributions Compliance

5.13.1 California's "Supervision of Trustees and Fundraisers for Charitable Purposes Act" regulates receiving and raising charitable contributions. Among other requirements, those subject to the Charitable Purposes Act must register. The 2004 Nonprofit Integrity Act (SB 1262, Chapter 919) increased Charitable Purposes Act requirements. Prospective Bidders should carefully read the Appendix D (Background and Resources: California Charities Regulation). These rules cover California public benefit corporations, unincorporated associations, and trustee entities and may include similar foreign corporations doing business or holding property in California. The Nonprofit Integrity Act contains substantive requirements affecting executive compensation, fund-raising practices and documentation. Charities with over \$2 million of revenues (excluding funds that must be accounted for to a governmental entity) also have specific audit requirements.

5.13.2 All prospective bidders must determine if they receive or raise charitable contributions which subject them to the Charitable Purposes Act and complete the Charitable Contributions Certification, Exhibit 2 (Certificate

of Compliance) in Appendix B (Required Forms) certifying: 1) they do not currently receive or raise charitable contributions regulated under the California Charitable Purposes Act, (including the Nonprofit Integrity Act) but will comply if they become subject to coverage of those laws during the term of a County subaward (that is, “contract”) or 2) they are currently complying with their obligations under the Charitable Purposes Act, attaching a copy of their most recent filing with the Registry of Charitable Trusts. A completed Exhibit 2 (Certificate of Compliance) is a required part of any subaward with the County.

- 5.13.3 Prospective Bidders that do not complete Exhibit 2 (Certificate of Compliance) as part of the solicitation process may, in the County’s sole discretion, be disqualified from Subaward (that is, “Contract”) award. A bidder that fails to comply with its obligations under the Charitable Purposes Act is subject to either Subaward termination or debarment proceedings or both. ([County Code Chapter 2.202](#)).

5.14 Defaulted Property Tax Reduction Program

- 5.14.1 The prospective subaward (that is, “contract”) is subject to the requirements of the County’s Defaulted Property Tax Reduction Program (“Defaulted Tax Program”) ([Los Angeles County Code, Chapter 2.206](#)). Prospective Bidders should reference the pertinent provisions in Subparagraphs 8.51 (Warranty of Compliance with County’s Defaulted Property Tax Reduction Program) and 8.52 (Termination for Breach of Warranty to Maintain Compliance with County’s Defaulted Tax Program) of Appendix A (Sample Contract), both of which are incorporated by reference into and made a part of this solicitation. The Defaulted Tax Program applies to both Subrecipients (that is, “Contractors”) and their Lower Tier Subrecipients (that is, “Subcontractors”).
- 5.14.2 Bidders will be required to certify that they are in full compliance with the provisions of the Defaulted Tax Program and must maintain compliance during the term of any contract that may be awarded pursuant to this solicitation or must certify that they are exempt from the Defaulted Tax Program by completing Exhibit 2 (Certificate of Compliance) in Appendix B (Required Forms). Failure to maintain compliance, or to timely cure defects, may be cause for termination of a contract or initiation of debarment proceedings against the non-compliant contractor ([Los Angeles County Code, Chapter 2.202](#)).

5.14.3 Bids that fail to comply with the certification requirements of the Defaulted Tax Program will be considered non-responsive and excluded from further consideration.

5.15 Bidder's Acknowledgement of County's Commitment to Zero Tolerance Policy on Human Trafficking

5.15.1 On October 4, 2016, the Los Angeles County Board of Supervisors approved a motion taking significant steps to protect victims of human trafficking by establishing a zero-tolerance policy on human trafficking. The policy prohibits Bidders engaged in human trafficking from receiving a Subaward (that is, "Contract") or performing services under a County contract.

5.15.2 Bidders are required to complete Exhibit 2 (Certificate of Compliance) in Appendix B (Required Forms), certifying that they are in full compliance with the County's Zero Tolerance Policy on Human Trafficking provision as defined in Subparagraph 8.54 (Compliance with County's Zero Tolerance Policy on Human Trafficking) of Appendix A (Sample Subaward). Further, Bidders are required to comply with the requirements under said provision for the term of any contract awarded pursuant to this solicitation.

5.16 Intentionally Omitted

5.17 Default Method of Payment: Direct Deposit or Electronic Funds Transfer (EFT)

5.17.1 County, at its sole discretion, has determined that the most efficient and secure default form of payment for goods and/or services provided under a subaward (that is, "contract") with County will be Electronic Funds Transfer (EFT) or direct deposit, unless an alternative method of payment is deemed appropriate by the Auditor-Controller (A-C).

5.17.2 Upon Contract award or at the request of the A-C and/or the contracting department (AD), Subrecipient (that is, "Contractor") must submit a direct deposit authorization request with banking and vendor information, and any other information that the A-C determines is reasonably necessary to process the payment and comply with all accounting, record keeping, and tax reporting requirements.

- 5.17.3 Any provision of law, grant, or funding agreement requiring a specific form or method of payment other than EFT or direct deposit will supersede this requirement with respect to those payments.
- 5.17.4 Upon Contract award or at any time during the duration of the contract, Contractor may submit a written request for an exemption to this requirement. The A-C, in consultation with the contracting department (AD), will decide whether to approve exemption requests.

5.18 Bidder's Acknowledgement of County's Commitment to Fair Chance Employment Hiring Practices

- 5.18.1 On May 29, 2018, the Los Angeles County Board of Supervisors approved a Fair Chance Employment Policy in an effort to remove job barriers for individuals with criminal records. The policy requires businesses that contract with the County to comply with fair chance employment hiring practices set forth in [California Government Code Section 12952](#).
- 5.18.2 Bidders are required to complete Exhibit 2 (Certificate of Compliance) in Appendix B (Required Forms), certifying that they, and their lower tier subrecipients (that is, "subcontractors") are in full compliance with [Section 12952](#), as indicated in Appendix A (Sample Subaward). Further, bidders are required to comply with the requirements under [Section 12952](#) for the term of any Subaward (that is, "Contract") awarded pursuant to this solicitation.

5.19 Contractor Alert Reporting Database

- 5.19.1 County maintains the Contractor Alert Reporting Database (CARD), which is used to track/monitor poorly performing subrecipients. When a County department identifies a significant performance/non-compliance issue(s) with a subrecipient, the department will provide notice to the subrecipient and will give the subrecipient an opportunity to correct the issue(s). If the subrecipient does not take any appropriate steps to correct the issue(s), the County department will enter the subrecipient, along with any other relevant information pertaining to the subrecipient's performance issue(s), into CARD.
- 5.19.2 The information entered into CARD can be accessed by all County departments, and will be used, along with any other relevant information not included in CARD, in determining bidder responsibility. If a department reviews this information and determines that a finding of

non-responsibility should be pursued, the department will adhere to the guidelines specified in the [Los Angeles County Code Chapter 2.202](#), and County's [Implementation Procedures for Determinations of Contractor Non-Responsibility and Contractor Debarment](#).

5.20 Prohibition from Participation in Future Solicitation(s)

- 5.20.1 A Bidder, or a Subrecipient (that is, "Contractor") or its subsidiary or Lower Tier Subrecipient (that is, "Subcontractor"), is prohibited from submitting a bid or proposal in a County solicitation if the Bidder/Contractor has provided advice or consultation for the solicitation. A Bidder/Contractor is also prohibited from submitting a bid or proposal in a County solicitation if the Bidder/Contractor has developed or prepared any of the solicitation materials on behalf of the County. A violation of this provision will result in the disqualification of the Bidder/Contractor from participation in the County solicitation or the termination or cancellation of any resultant County contract. ([Los Angeles County Code, Chapter 2.202](#)).

5.21 COVID-19 Vaccinations of County Contractor Personnel

- 5.21.1 Bidders are advised that it must comply with Chapter 2.212 (COVID-19 [Vaccinations of County Contractor Personnel](#)) of County Code Title 2 - Administration, Division 4 as a condition of performing work under any awarded contract resulting from this solicitation. Bidders are advised to review the requirements of Chapter 2.212 (COVID-19 Vaccinations of County Contractor Personnel) and the sample subaward (that is "contract") requirements prior to submitting a bid to this solicitation. A completed Exhibit F (COVID-19 Vaccination Certification of Compliance) is a required part of any contract with the County.

5.22 Community Business Enterprise (CBE) Participation

- 5.22.1 County has adopted a CBE Program, which includes business enterprises owned by disabled veterans, disadvantaged business enterprises, minority and women-owned businesses, and lesbian, gay, bisexual, transgender, queer, and questioning-owned business enterprises. County has established an annual goal that twenty five percent (25%) of all County contract eligible procurement dollars will go to certified CBEs. The program also maintains data on the types of businesses registered as CBEs and their utilization. The Bidder's CBE

participation must be reflected in Exhibit 6 (Community Based Enterprise (CBE) Information) form in Appendix B (Required Forms).

- 5.22.2 All Bidders must document good faith efforts it has taken to assure that CBEs are utilized, when possible, to provide supplies, equipment, technical services, and other services under this Subaward (that is, “Contract”). The Bidder must make documents related to these good faith efforts available to the County upon request.
- 5.22.3 To obtain a list of firms that are certified by the County in the CBE Program, send an e-mail request to the County of Los Angeles Department of Economic Opportunity (DEO): CBESBE@opportunity.lacounty.gov with the subject “Request for CBE Listing.” For additional information contact the Office of Small Business at: (844) 432-4900 or at OSB@opportunity.lacounty.gov.
- 5.22.4 County strongly encourages participation by CBEs; however, the final selection will be made without regard to race, color, creed, or gender. The final selection will be based on the Bidder's ability to provide the best service and value to the County.

5.23 Universal Identifier and System for Award Management (SAM)

- 5.23.1 Upon selection to receive a Subaward, Subrecipient must obtain a Universal Identifier. The Universal Identifier is a Unique Entity Identification (UEI) comprised of a unique twelve-character alpha numeric identification number assigned by the System of Award Management (SAM). Subrecipient may register for a UEI number at <https://sam.gov/content/entity-registration>. Throughout the entirety of the Subaward, Subrecipient must maintain an “Active” status in SAM. Subrecipient must immediately update its profile and other relevant information as required in order for County to verify/validate Subrecipient’s “Active” status.

6 COUNTY’S PREFERENCE PROGRAMS

6.1 Overview of County’s Preference Programs

- 6.1.1 County of Los Angeles has three preference programs. The Local Small Business Enterprise (LSBE), Disabled Veteran Business Enterprise (DVBE), and Social Enterprise (SE). The Board of Supervisors encourages business participation in the County’s contracting process by continually streamlining and simplifying our selection process and

expanding opportunities for these businesses to compete for County opportunities.

- 6.1.2 The Preference Programs (LSBE, DVBE, and SE) require that a business complete certification prior to requesting a preference in a solicitation. This program and how to obtain certification are further explained in Subparagraphs 6.2, 6.4, and 6.5 of this solicitation. Additional information on the County's preference programs is also available on the Department of Consumer and Business Affairs (DCBA) website at: <http://dcba.lacounty.gov>.
- 6.1.3 In no case will the Preference Programs (LSBE, DVBE, and SE) price or scoring preference be combined with any other county preference program to exceed fifteen percent (15%) in response to any County solicitation.
- 6.1.4 Sanctions and financial penalties may apply to a business that knowingly, and with intent to defraud, seeks to obtain or maintain certification as a certified LSBE, DVBE, or SE when not qualified.

6.2 Local Small Business Enterprise (LSBE) Preference Program

- 6.2.1 County will give the LSBE preference during the solicitation process to businesses that meet the definition of an LSBE for solicitations subject to the federal restriction on geographical preferences, consistent with [Chapter 2.204.030D.2 of the Los Angeles County Code](#).
- 6.2.2 Bidder must be certified by DCBA prior to requesting the LSBE preference in a solicitation. To apply for certification as an LSBE, Bidder should contact DCBA at <http://dcba.lacounty.gov>.
- 6.2.3 Bidders requesting the LSBE preference must complete and submit Exhibit 3 (Request for Preference Consideration) in Appendix B (Required Forms) and submit their LSBE certification approval letter ("Certification for Non-Federally Funded Solicitations") from the DCBA with their bid.

6.3 Local Small Business Enterprise (LSBE) Prompt Payment Program

- 6.3.1 It is the intent of the County that Certified LSBEs receive prompt payment for services they provide to County Departments. Prompt payment is defined as fifteen (15) calendar days after receipt of an

undisputed invoice consistent with [Chapter 3.035 of the Los Angeles County Board of Supervisors Policy Manual](#).

6.4 Social Enterprise (SE) Preference Program

- 6.4.1 County will apply the SE preference during the solicitation process to businesses that meet the definition of a SE for solicitations subject to the federal restriction on geographical preferences, consistent with [Chapter 2.205 of the Los Angeles County Code](#).
- 6.4.2 Bidder must be certified by DCBA, prior to requesting the SE preference in a solicitation. To apply for certification as an SE, Bidder should contact DCBA at <http://dcba.lacounty.gov>.
- 6.4.3 Bidder must complete and submit Exhibit 3 (Request for Preference Consideration) in Appendix B (Required Forms) and submit their SE certification approval letter (“Certification for Non-Federally Funded Solicitations”) from the DCBA with their bid.

6.5 Disabled Veteran Business Enterprise (DVBE) Preference Program

- 6.5.1 County will apply the DVBE preference during the solicitation process to bidders that meet the definition of a DVBE, consistent with [Chapter 2.211 of the Los Angeles County Code](#).
- 6.5.2 Bidder must be certified by DCBA, prior to requesting the DVBE preference in a solicitation. To apply for certification as a DVBE, Bidder should contact DCBA at <http://dcba.lacounty.gov>.
- 6.5.3 Bidder requesting the DVBE preference must complete and submit Exhibit 3 (Request for Preference Consideration) in Appendix B (Required Forms) and submit a letter of certification from the DCBA with their bid.

7 INVITATION FOR BIDS (IFB) REQUIREMENTS

This section contains key project dates and activities as well as instructions to Bidders in how to prepare and submit their Bid.

7.1 County Responsibility

The County is not responsible for representations made by any of its officers or employees prior to the execution of the Subaward unless such understanding or representation is included in the Subaward.

7.2 Truth and Accuracy of Representations

False, misleading, incomplete, or deceptively unresponsive statements in connection with a Bid will be sufficient cause for rejection of the Bid. The evaluation and determination in this area will be at the Director's sole judgment and his/her judgment will be final. All bids must be firm and final offers and may not be withdrawn for a period of one hundred eighty (180) days following the final proposal submission date.

7.3 IFB Timetable

The timetable for this IFB is as follows:

EVENT	DATE/TIME
Release of IFB	4/7/2023
Deadline to Submit Request for a Solicitation Requirements Review (Refer to Subparagraph 9 – Protest Process Overview)	4/12/2023
Deadline to Register for Mandatory Bidders' Conference	4/14/2023 5:00 p.m. (P.T)
Mandatory Bidders' Conference (Refer to Subparagraph 7.5)	4/17/2023 10:00 a.m. (P.T.)
Written Questions Due	4/17/2023 5:00 p.m. (P.T)
Questions and Answers Released (Subject to change at County's sole discretion)	4/21/2023
Notice of Intent to Submit Bid Due (Refer to Subparagraph 7.9.1)	4/24/2023
Bids Due	4/28/2023 5:00 p.m. (P.T)

7.4 Bidders' Questions

7.5 Mandatory Bidders' Conference

- 7.5.1 A Mandatory Bidders' Conference will be held to discuss the IFB requirements. Bidders will have the option to join the Conference virtually or by telephone. During the conference, County staff will respond to questions from potential bidders. All potential bidders must attend this conference, or their bids will be rejected as non-responsive (disqualified) without review and eliminated from further consideration. The conference is scheduled as follows:

Date and Time:

April 17, 2023, at 10:00 a.m. (P.T.)

Telephone Conference Information is as follows:

Phone Number: **(323) 776-6996**

Conference ID: **182 988 519 #** (when prompted, provide your full name and the name of your organization)

- 7.5.2 The Conference will begin at 10:00 a.m. (P.T.) and will conclude at either 12:00 p.m. (P.T.) or once all questions have been addressed, whichever occurs first. Prospective Bidders are advised to join timely to ensure that they can participate in the Conference. No participants will be allowed to join once the Conference has ended.
- 7.5.3 Prospective Bidders who wish to join the Conference virtually must register by submitting an email with the subject line "*Attendance for AAA-LTCOP-2324 IFB Bidders' Conference*" to aaarfp@ad.lacounty.gov by the date provided in Subparagraph 7.3 (IFB Timetable). Email should include the Organization's name, name of attendees, and attendees' phone number and email address.
- 7.5.4 Prospective Bidders who wish to join the Conference by telephone must register by submitting an email with the subject line "*Attendance for AAA-LTCOP-2324 IFB Bidders' Conference*" to aaarfp@ad.lacounty.gov by the date provided in Subparagraph 7.3 (IFB Timetable). Email should include the Organization's name, attendee's name and email address, and the phone number attendee will be calling in from.

7.6 Preparation of the Bid

- 7.6.1 Bids must be prepared and submitted in the prescribed format. Any Bid that deviates from this format may be rejected as non-responsive without review at the County's sole discretion.

7.7 Bid Format and Review Process

- 7.7.1 The Bid must be typed using 12-point Arial font on 8 ½ by 11" paper size, with 1" margins on each side. Each narrative paragraph must be single-spaced between each line and double-spaced between paragraphs. Include information in footers to identify each page, this information must include Bidder's name, page number, and solicitation title. Attachments such as charts, maps, reports, etc. that Bidder uses to address or support any narrative response do not need to be labeled with this footer information; however, each attachment must be clearly labeled/identified.

- 7.7.2 Each Section and Subsection of the bid must be clearly identified in the Table of Contents and must follow the order specified in this Subparagraph. Bidder must identify every response in the Bid by referencing the Section and Subsections as detailed in this Subparagraph. All attachments (if applicable) must be inserted immediately after the Section/Subsection to which Bidder is responding.

- 7.7.3 **Bidder must ensure that it addresses all of the elements that are required to be included in its Bid and submits the Bid by the final Bid submission deadline.**

- 7.7.4 **All Forms that are required to be submitted in the Bid and require a signature must be signed by Bidder's Authorized Representative. Electronic signatures are acceptable forms of authorization for purposes of this IFB.**

- 7.7.5 The content and sequence of the Bid must be as follows:

7.7.5.1 Table of Contents

The Table of Contents must be a comprehensive listing of material included in the Bid. This section must include a clear definition of the material, identified by sequential page numbers and by section and paragraph reference numbers.

7.7.5.2 Pricing Sheet(s) (Section A)

7.7.5.2.1 Bidder shall complete Exhibit 9 (Pricing Schedule) as provided in Appendix B (Required Forms).

7.7.5.2.2 Bids will be examined to determine the lowest price (i.e., lowest cost bid), where the lowest cost bid reflects the lowest cost per unduplicated Client as indicated in Exhibit 9 (Pricing Schedule) of Appendix B (Required Forms). A maximum of 5,000 points will be awarded to the lowest cost bid. All other bids will be compared to the bid with the lowest cost per unduplicated Client, and points will be awarded to the other bids in proportion to the bid with the lowest cost per unduplicated Client. Should one or more of the Bidders requests and be granted the Local Small Business Enterprise Preference, Social Enterprise Preference, or Disabled Veteran Business Enterprise Preference, the lowest cost bid will be determined as follows:

7.7.5.2.2.1 Fifteen percent (15%) of the lowest cost per unduplicated Client will be calculated to determine the Preference Amount. The Preference Amount will be deducted from the cost per unduplicated Client for Bidder(s) who requested and were granted a Preference. This would effectively decrease the cost per unduplicated Client for Bidder who qualifies to receive the Preference (only for purposes of determining the lowest cost bid).

7.7.5.2.2.2 In no case will any Preference be combined to exceed fifteen percent (15%) of the cost per unduplicated Client for Bidder who meets the specifications for the Preference (i.e., when Bidder requests and is certified

under more than one (1) of the Preference Programs, only one (1) Preference of fifteen percent (15%) will be applied to the Bid).

7.7.5.2.3 Bidder shall also complete Exhibits 10-16 (Proposed Budget) and Exhibits 17-23 (Proposed Program Services) as provided in Appendix B (Required Forms).

7.7.5.2.3.1 Exhibits 10-23 shall be completed accurately based on the requirements noted on each exhibit and provided in Appendix A (Sample Subaward). For **each** funding source, the total cost reported on Exhibits 17-23 (Proposed Program Services) and the grand total SSY1 reported on Exhibits 10-16 (Proposed Budget) shall match the estimated annual funding amount reflected in Exhibit 9 (Pricing Schedule) and shall represent Bidder's agreement to perform the Program Services identified therein. All mandatory staffing positions shall be reflected on the applicable Exhibits 10-16 (Proposed Budget).

7.7.5.2.4 **Bidder must provide completed Exhibit 9 (Pricing Schedule), Exhibits 10-16 (Proposed Budget), and Exhibits 17-23 (Proposed Program Services) in Section A of the bid.**

7.7.5.3 Bidder's Qualifications (Section B)

Demonstrate that the Bidder's organization has the experience to perform the required services. The following sections must be included:

7.7.5.3.1 **Bidder's Background and Experience (Section B.1)**

7.7.5.3.1.1 The Bidder must complete, sign and date Exhibit 1 (Bidder's Organization Questionnaire/Affidavit) as set forth in Appendix B (Required Forms). **The person signing the form must be authorized to sign on behalf of the Bidder and to bind the Bidder in a Subaward.**

7.7.5.3.1.2 **Bidder's completed Exhibit 1 (Bidder's Organization Questionnaire/Affidavit) must be provided in Section B.1 of the bid.**

7.7.5.3.1.3 Bidder must provide a written narrative of relevant background information to demonstrate that the Bidder meets or exceeds the minimum requirement(s) stated in Paragraph 3 (Bidder's Minimum Qualifications) and has the capability to perform the required services as a corporation or other entity.

7.7.5.3.1.4 **Bidder must provide this narrative in Section B.1 of the bid.**

7.7.5.3.1.5 Taking into account the structure of the Bidder's organization, Bidder must determine which of the below referenced supporting documents the County requires. If the Bidder's organization does not fit into one of these categories, upon receipt of the Bid or at some later time, the County may, in its discretion, request additional documentation regarding the Bidder's business organization

and authority of individuals to sign a Subaward.

Required Support Documents:

7.7.5.3.1.5.1 If Bidder's organizational structure is a Corporation or Limited Liability Company (LLC), Bidder must submit the following documentation with the Bid:

- A copy of a "Certificate of Good Standing" with the state of incorporation/organization.
- A conformed copy of the most recent "Statement of Information" as filed with the California Secretary of State listing corporate officers or members and managers.

7.7.5.3.1.5.2 If Bidder's organizational structure is a Limited Partnership, Bidder must submit the following

documentation with the Bid:

- Bidder must submit a conformed copy of the Certificate of Limited Partnership or Application for Registration of Foreign Limited Partnership as filed with the California Secretary of State, and any amendments.

7.7.5.3.1.5.3 The review will include verification of references submitted, a review of the Contractor Alert Reporting Database (CARD), if applicable, reflecting past performance history on County subawards, and a review of terminated subawards.

7.7.5.3.1.5.4 If the above referenced documents are not available at the time of Bid submission, Bidders must request the appropriate documents from the California Secretary

of State and provide a statement on the status of the request.

7.7.5.3.1.5.5 Authorization Warranty

In addition to the above-mentioned documents, Bidder must also submit an Authorization Warranty.

Authorization Warranty shall take the form of a current, valid, adopted/approved resolution, order, motion, or letter (on Bidder's official letterhead) from Bidder's governing body (e.g., Board of Directors, City Council, etc.). Such authorization warranty shall minimally include the following elements:

- Reference to this procurement (identified by name and number).
- Authorize submission of the Bid on behalf of Bidder's organization in

response to this procurement.

- Indicate the individual(s), by name and/or title, who is authorized to sign the Bid.
- Indicate the individual(s), by name and/or title, who is authorized to execute the Subaward, if awarded, and any amendments or addendums thereto, and bind Bidder to this agreement.
- Authorize approval and acceptance of the Subaward Sum(s), if awarded.
- Reference the title of the Subaward, if awarded, as follows: Subaward by and Between County of Los Angeles Aging and Disabilities Department and {Bidder's Legal Name} for LTCOP Services Subaward Period July 2023 – June 2024.

7.7.5.3.1.5.6 **Bidder must provide all of the required documents in Section B.1 of the bid.**

7.7.5.3.2 Bidder's References (Section B.2)

7.7.5.3.2.1 Bidder must provide three (3) references in Exhibit 8 (Bidder's List of References), in Appendix B (Required Forms), where the same or similar scope of services was provided. Each of the three (3) references shall be from separate contracts providing separate services. Bidder shall indicate a specific person who will be contacted by County as part of conducting the reference check. When providing information for any, one (1) reference (i.e., organization, entity, firm, etc.), Bidder shall only use one (1) point of contact and one (1) contract for that reference.

7.7.5.3.2.2 It is the Bidder's sole responsibility to ensure that information provided for each reference is accurate.

7.7.5.3.2.3 County may disqualify a Bidder if:

7.7.5.3.2.3.1 references fail to substantiate Bidder's description of the services provided; or

7.7.5.3.2.3.2 references fail to support that Bidder has a continuing pattern of providing

capable, productive and skilled personnel, or

7.7.5.3.2.3.3 County is unable to reach the point of contact with reasonable effort. It is the Bidder's responsibility to inform the point of contact of normal working hours.

7.7.5.3.2.4 Bidder shall also complete and submit Exhibit 4 (Bidder's Debarment History and List of Terminated Contracts) and must include all public entities contracts for the last three (3) years.

7.7.5.3.2.5 **Bidder's completed Exhibit 8 (Bidder's List of References) and Exhibit 4 (Bidder's Debarment History and List of Terminated Contracts) must be provided in Section B.2 of the bid.**

7.7.5.3.3 Bidder's Pending Litigation and Judgments (Section B.3)

7.7.5.3.3.1 County will conduct a review of bidder's pending litigation and judgements. Bidder must identify by name, case and court jurisdiction any pending litigation in which Bidder is involved, or judgments against Bidder in the past five (5) years. Additionally, Bidder must provide a written statement describing the size and scope of any pending or threatening litigation against the Bidder or principals of the Bidder.

7.7.5.3.3.2 A review to determine the magnitude of any pending litigation or judgments against the Bidder will be conducted by County.

7.7.5.3.3.3 Notations such as “not applicable” or “n/a” are not a valid response and will be deemed as “non-responsive”. County may reject/disqualify the bid when such a determination is made.

7.7.5.3.3.4 **Bidder must provide the written statement in Section B.3 of the bid.**

7.7.5.4 Required Forms (Section C)

7.7.5.4.1 Bidder must complete, sign, and date all of the following forms as indicated on Appendix B (Required Forms):

7.7.5.4.1.1 Exhibit 1 (Bidder’s Organization Questionnaire/Affidavit)

7.7.5.4.1.2 Exhibit 2 (Certification of Compliance)

7.7.5.4.1.3 Exhibit 3 (Request for Preference Consideration)

7.7.5.4.1.4 Exhibit 4 (Bidder’s Debarment History and List of Terminated Contracts)

7.7.5.4.1.5 Exhibit 5 (Declaration)

7.7.5.4.1.6 Exhibit 6 (Community Business Enterprise (CBE) Information)

7.7.5.4.1.7 Exhibit 7 (Minimum Requirements)

7.7.5.4.1.8 Exhibit 8 (Bidder’s List of References)

7.7.5.4.1.9 Exhibit 9 (Pricing Schedule)

- 7.7.5.4.1.10 Exhibit 10 (Proposed Budget)
- 7.7.5.4.1.11 Exhibit 11 (Proposed Budget)
- 7.7.5.4.1.12 Exhibit 12 (Proposed Budget)
- 7.7.5.4.1.13 Exhibit 13 (Proposed Budget)
- 7.7.5.4.1.14 Exhibit 14 (Proposed Budget)
- 7.7.5.4.1.15 Exhibit 15 (Proposed Budget)
- 7.7.5.4.1.16 Exhibit 16 (Proposed Budget)
- 7.7.5.4.1.17 Exhibit 17 (Proposed Program Services)
- 7.7.5.4.1.18 Exhibit 18 (Proposed Program Services)
- 7.7.5.4.1.19 Exhibit 19 (Proposed Program Services)
- 7.7.5.4.1.20 Exhibit 20 (Proposed Program Services)
- 7.7.5.4.1.21 Exhibit 21 (Proposed Program Services)
- 7.7.5.4.1.22 Exhibit 22 (Proposed Program Services)
- 7.7.5.4.1.23 Exhibit 23 (Proposed Program Services)

7.7.5.4.2 Missing and/or incomplete forms and/or organizational documents may subject the bid to disqualification at County's sole determination.

7.7.5.5 Proof of Insurability (Section D)

- 7.7.5.5.1 Bidder must provide proof of insurability that meets all insurance requirements set forth in the Appendix A (Sample Subaward), Subparagraphs 8.24

(General Provisions for all Insurance Coverage) and 8.25 (Insurance Coverage). If a Bidder does not currently have the required coverage, a letter from a qualified insurance carrier indicating a willingness to provide the required coverage should the Bidder be awarded a Subaward may be submitted with the Bid.

7.7.5.6 Proof of Licenses (Section E)

7.7.5.6.1 Bidder must provide a current/valid copy of the State Certification for each Ombudsman Representative (Employee and Volunteer), who is reflected in completed Appendix B (Required Forms), Exhibits 10-16 (Proposed Budget).

7.7.5.7 Financial Capability (Section F)

The County will conduct a review to determine Bidder's financial capability by using the financial criteria set forth by the A-C and the information/documentation provided in the Bid.

7.7.5.7.1 Bidders must provide copies of three (3) full years of its organization-wide audited financial statements and single audit reports.

7.7.5.7.1.1 Bidders who do not have single audit reports must provide copies of three (3) full fiscal years of its organization-wide audited financial statements.

7.7.5.7.2 Organization-wide audited financial statements and single audit reports must reflect Bidder's financial activities for one of the following timeframes:

7.7.5.7.2.1 FY 2018-19, FY 2019-20, and FY 2020-21

7.7.5.7.2.2 FY 2019-20, FY 2020-21 and FY 2021-22

7.7.5.7.3 These financial documents must be prepared by an independent auditor and must provide an accurate,

verifiable representation of the entire financial position of Bidder's organization.

7.7.5.7.4 The organization-wide audited financial statements and/or single audit reports must minimally include the following:

7.7.5.7.4.1 Balance Sheet, Statement of Financial Position, or Statement of Net Assets, including all supporting schedules (i.e., Current Assets, Current Liabilities, Detailed Aged Payables, Aged Receivables, Notes Payable, etc.)

7.7.5.7.4.2 Income Statement, Profit and Loss Statement, Statement of Operations, or Statement of Activities

7.7.5.7.4.3 Statement of Cash Flow

7.7.5.7.4.4 Independent Auditor's Opinion

7.7.5.7.4.5 Any notes to the Statements

7.7.5.7.4.6 Statement of Functional Expenses

7.7.5.7.5 **Bidder must not submit income tax Returns to meet this requirement.**

7.7.5.7.6 If Bidder is a subsidiary of another company, in addition to providing Bidder's own organization-wide audited financial statements and single audit reports as indicated in this Subparagraph 7.7.5.7, Bidder must also provide three (3) full fiscal years of its ultimate parent company's organization-wide audited financial statements and single audit reports. The parent company's financial documents must meet the same requirements noted in this Subparagraph 7.7.5.7 and must reflect parent company's financial activities.

7.7.5.7.7 Provision of the parent company's financial information does not by itself satisfy the requirement for the provision of Bidder's financial information. In addition, the financial capability of the parent company cannot be substituted for Bidder's financial capability unless Bidder provides documented evidence that its parent company agrees to sign a parental guarantee; Bidder must submit this evidence with its Bid. If Bidder is not a subsidiary of another company, Bidder must provide a statement indicating such position.

7.7.5.7.8 **Bidder must provide its audited financial statements and single audit reports, the financial audit report from other County departments (if applicable), and financial statements from its parent company (if applicable) as part of Section F of the bid.**

7.8 Bid Submission

7.8.1 Notice of Intent to Submit Bid

In an effort to plan the review portion of this solicitation, County requests Prospective Bidder's that intend to submit a Bid to complete Appendix E (Notice of Intent to Submit Bid) and submit it to County by e-mail no later than April 24, 2023 by 5:00 p.m. (PT) using the following e-mail address: aaarfp@ad.lacounty.gov

7.8.2 Electronic Submission

7.8.2.1 Bid must be submitted in an electronic format via email to aaarfp@ad.lacounty.gov and must include the following text in the subject line: AAA-LTCOP-2324 IFB by *Bidder's name*.

7.8.2.2 Bid must be in the form of a clearly legible PDF/scanned document(s) and be an exact representation of the Bid (i.e., no pages shall be missing or misplaced, etc.).

7.8.2.3 It may be necessary to submit the Bid as multiple PDF documents in multiple e-mails in the event that the full Bid

cannot be submitted as one file due to size restrictions imposed by internet service providers. Bidder must include clear descriptions of the content(s) of each.

7.8.2.4 Bidder accepts sole responsibility for ensuring that the Bid submitted as an electronic PDF/scanned document(s) are free from defects and can be accessed by County. When County cannot access the Bid, it may be rejected and deemed non-responsive.

7.8.3 In the event Bidder identifies any part or portion of the Bid as confidential, proprietary, and/or trade secret, Bidder must also include a redacted Business Proposal in searchable Adobe PDF format, with all confidential, proprietary and trade secret information redacted, as part of its proposal submission. With respect to this requirement, Bidder must submit one (1) electronic copy in searchable Adobe PDF format, with confidential, proprietary and trade secret information redacted. Proposers must specifically redact only those parts of the Business Proposal that are actually trade secrets, confidential, or proprietary in nature. Blanket or categorical redactions and/or statements of confidentiality, or the marking of each page of the proposal as "Trade Secret," "Confidential," or "Proprietary," are not acceptable, and will be rejected in the sole discretion of the County.

7.8.4 It is the sole responsibility of the submitting Bidder to ensure that its Bid is received before the submission deadline. Bidders will bear all risks associated with delays in delivery. Any Bid received after the Bid submission deadline as listed in Subparagraph 7.3 (IFB Timetable), will not be accepted and will not be evaluated.

7.8.5 All Bids will be firm offers and may not be withdrawn for a period of one hundred eighty (180) days following the last day to submit bids.

8 SELECTION PROCESS OVERVIEW

8.1 Review Process

The bid that receives the highest total score of 5,000 points will be determined to be the lowest cost bid. Once the lowest cost bid has been determined, it will be reviewed to further determine whether Bidder meets the Minimum Requirements, and is responsive and responsible.

8.2 Adherence to Minimum Requirements

- 8.2.1 County will review Bidder's completed Exhibit 1 (Bidder's Organization Questionnaire/Affidavit) and Exhibit 7 (Minimum Requirements) of Appendix B (Required Forms) and determine if the Bidder meets the minimum requirements as outlined in Paragraph 3 of this IFB.
- 8.2.2 Failure of the Bidder to comply with the minimum requirements may eliminate its bid from any further consideration. County reserves the right to waive inconsequential disparities or any informalities in a bid if the sum and substance of the bid is present.

9 PROTEST PROCESS OVERVIEW

9.1 Solicitation Requirements Review

Any person or entity may seek a Solicitation Requirements Review by submitting Appendix C (Transmittal Form to Request a Solicitation Requirements Review) to County. A request for a Solicitation Requirements Review may be denied, in the Department's sole discretion, if the request does not satisfy all the following criteria:

- 9.1.1 The request is made within the time frame identified in the solicitation document (generally within ten (10) business days of the issuance of the solicitation document);
- 9.1.2 The request includes documentation (e.g., letterhead, business card, etc.), which identifies the underlying authority of the person or entity to submit a bid;
- 9.1.3 The request itemizes in appropriate detail, each matter contested and factual reasons for the requested review; and
- 9.1.4 The request asserts either that:
 - 9.1.4.1 Application of the minimum requirements, evaluation criteria and/or business requirements unfairly disadvantages the person or entity; or,
 - 9.1.4.2 Due to unclear instructions, the process may result in the County not receiving the best possible responses from prospective bidders.

- 9.1.5 The Solicitation Requirements Review will be completed, and County's determination will be provided to the requesting person or entity, in writing, within a reasonable time prior to the bid due date.

9.2 Disqualification Review

- 9.2.1 A bid may be disqualified from consideration because County determined it was a non-responsive bid at any time during the review/evaluation process. If County determines that a bid was disqualified due to non-responsiveness, County will notify the Bidder in writing.
- 9.2.2 Upon receipt of the written determination of non-responsiveness, Bidder may submit a written request for a Disqualification Review within the timeframe specified in the written determination.
- 9.2.3 A request for a Disqualification Review may, in County's sole discretion, be denied if the request does not satisfy all of the following criteria:
 - 9.2.3.1 The request for a Disqualification Review is submitted timely (i.e., by the date and time specified in the written determination); and
 - 9.2.3.2 The request for a Disqualification Review asserts that County's determination of disqualification due to non-responsiveness was erroneous (e.g., factual errors, etc.) and provides factual support on each ground asserted as well as copies of all documents and other material that support the assertions.
- 9.2.4 The Disqualification Review must be completed, and the determination will be provided to the requesting Bidder, in writing, prior to the conclusion of the evaluation process.

9.3 Proposed Contractor Selection Review

- 9.3.1 Any non-selected bidder that has timely submitted a notice of its intent to request a Proposed Contractor Selection Review as described in this Subparagraph may submit a written request for a Proposed Contractor Selection Review, in the manner and timeframe as will be specified by County.

- 9.3.2 A request for a Proposed Contractor Selection Review may, in County's sole discretion, be denied if the request does not satisfy all of the following criteria:
- 9.3.2.1 The request for a Proposed Contractor Selection Review is submitted timely (i.e., by the date and time specified by County);
 - 9.3.2.2 The person or entity requesting a Proposed Contractor Selection Review asserts in appropriate detail with factual reasons one or more of the following grounds for review:
 - 9.3.2.2.1 County materially failed to follow procedures specified in its solicitation document. This includes:
 - 9.3.2.2.1.1 Failure to correctly apply the standards for reviewing the bid format requirements.
 - 9.3.2.2.1.2 Failure to correctly apply the standards, and/or follow the prescribed methods, for evaluating the bids as specified in the solicitation document.
 - 9.3.2.2.1.3 Use of evaluation criteria that were different from the evaluation criteria disclosed in the solicitation document.
 - 9.3.2.2.2 County made identifiable mathematical or other errors in evaluating bids, resulting in the Bidder receiving an incorrect score and not being selected as the recommended Subrecipient.
 - 9.3.2.2.3 Another basis for review as provided by state or federal law; and
 - 9.3.2.3 The request for a Proposed Contractor Selection Review sets forth sufficient detail to demonstrate that, but for County's alleged failure, the Bidder would have been the lowest cost, responsive and responsible bid or the highest-scored bid, as the case may be.

9.3.2.4 Upon completing the Proposed Contractor Selection Review, County will issue a written decision to the Bidder within a reasonable time following receipt of the request for a Proposed Contractor Selection Review, and always before the date the Subaward recommendation is to be heard by the Board of Supervisors. The written decision will additionally instruct the Bidder of the manner and timeframe for requesting a County Independent Review see Subparagraph 9.4 (County Independent Review) below.

9.4 County Independent Review

9.4.1 Any non-selected bidder that is not satisfied with the results of the Proposed Contractor Selection Review may submit a written request for a County Independent Review in the manner and timeframe specified by County in the County's written decision regarding the Proposed Contractor Selection Review.

9.4.2 The request for a County Independent Review may, in County's sole discretion, be denied if the request does not satisfy all of the following criteria:

9.4.2.1 The request for a County Independent Review is submitted timely (i.e., by the date and time specified by County); and

9.4.2.2 The person or entity requesting the County Independent Review has limited the request to items raised in the Proposed Contractor Selection Review as listed in Subparagraph 9.3 (Proposed Contractor Selection Review) above.

9.4.3 Upon completion of the County Independent Review, County will provide a copy of the final written determination to the non-selected bidder.