



AGING AND DISABILITIES DEPARTMENT

**REQUEST FOR PROPOSALS
FOR
ADULT PROTECTIVE SERVICES
CENTER OF EXCELLENCE PROGRAM
APS-CENTER-2223 RFP**

**Prepared By
County of Los Angeles**

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APPENDICES

- A Sample Subaward:** Identifies the terms and conditions in the subaward.
- B Required Forms:** Forms that must be completed and included in the proposal.
- C Transmittal Form to Request a Solicitation Requirements Review:** Transmittal sent to Department 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.

0 SOLICITATION INFORMATION AND MINIMUM REQUIREMENTS

RFP Release Date	October 7, 2022
Request for a Solicitation Requirements Review Due	October 20, 2022
Deadline to Register for Proposer's Conference	October 18, 2022
Proposer's Conference	October 19, 2022
Written Questions Due	October 20, 2022
Questions and Answers Released via Addendum	October 25, 2022
Proposals Due	November 7, 2022
Anticipated Contract Term	Two (2) Years—January 1 2023 to December 31, 2024
Minimum Requirements	Please see Paragraph 3.0
RFP Contact	center2223rfp@ad.lacounty.gov

1 INTRODUCTION

1.1 Request for Proposals for Adult Protective Services, Center of Excellence Program Services

1.1.1 County of Los Angeles through its Department of Aging and Disabilities (County or AD) is issuing this Request for Proposals (RFP), solicitation number APS-CENTER-2223 RFP, to solicit responses (Proposals) for Subawards with qualified organizations (Proposers) that can provide the Adult Protective Services (APS), Center of Excellence, otherwise referred to herein as (“Program” or “Forensic Center”) for Services identified in Appendix A (Sample Subaward), Exhibit A (Statement of Work) throughout Los Angeles County (Supervisory Districts 1, 2, 3, 4, and 5), The total available funding under this RFP for the two (2) year term is estimated to be **\$1,000,000.00**.

1.1.2 Proposals will be accepted from qualified organizations who can provide Program services as detailed in Appendix A (Sample Subaward), Exhibit A (Statement of Work). County anticipates selecting one (1) Proposal to award to a Successful Proposer who can demonstrate that they are responsive, responsible, qualified, and have the capacity to provide the Services under the requirements of the Subaward (Appendix A (Sample Subaward)).

1.2 Terms and Definitions

1.2.1 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.

1.2.2 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.

1.2.3 For purposes of this RFP:

1.2.3.1 The term Proposer is used to identify any person, entity, or organization which submits a Proposal in response to this solicitation. As such, while the information provided in this RFP is intended primarily for Proposer, potential Proposers are highly encouraged to review this solicitation document as well.

1.2.3.2 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), receives Program

Services, and is counted only once (unduplicated) when determining the total number of unduplicated Clients.

1.2.3.3 The terms Subrecipient, Prospective Subrecipient, and Successful Proposer shall refer to an organization that submits a Proposal 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.

1.2.4 Usage of Specific Terms Pursuant to Federal and County Regulations

1.2.4.1 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".

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

1.2.4.3 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).

1.3 Background

1.3.1 The County administers an array of federal, state, and local social service programs for the benefit of Los Angeles County residents. The APS Center of Excellence is one of these programs and it is designed to promote the health, safety, well-being and independence of older and dependent adults, otherwise referred to herein as "Clients" as defined in Appendix A (Sample Subaward), Exhibit P (Definitions). The Program's mission is to integrate interdisciplinary aging components with clinical capabilities to ensure aging-related services are provided to improve care and better meet the needs of a growing older adult population while

addressing the needs of dependent adults as well. Successful Proposer shall provide Program Services as described in Appendix A Exhibit A (Statement of Work), Subparagraph 10.0 Specific Work Requirements.

1.4 Overview of Program Services

1.4.1 Program shall include a multi-disciplinary team and a project management team. The multi-disciplinary team, led by a Forensic Neuropsychologist, provides neuropsychological evaluations of victims for protection and prosecution purposes, capacity declarations, testimony in court, continuous collaboration with team members, as well as training to public and private entities. Program affords greater likelihood that the older or dependent adult will be protected through successful prosecution and decreases the likelihood of recidivism.

1.4.2 The target population for the Program consists primarily of older adults (aged 60 and over) and dependent adults (aged 18-59) who are the victims of abuse and/or neglect. Types of abuse include, but are not limited to, physical, psychological, sexual, financial, and emotional. Neglect includes neglect by self and others.

1.4.3 Program will have four major components, as further described herein:

- The APS Forensic Center Multi-Disciplinary Team;
- APS Capacity Declarations;
- APS Case Services that will consist of prevention, intervention and support for APS workers; and
- A training program for APS Social Workers and APS Social Services Supervisors.

1.4.4 Program Services includes:

1.4.4.1 As further specified in Appendix A (Sample Subaward), Exhibit A (Statement of Work), The multi-disciplinary team, led by a Forensic Neuropsychologist, shall provide neuropsychological evaluations of APS clients or protection and prosecution purposes, capacity declarations, testimony in court, continuous collaboration with team members, as well as training to public and private entities. Other Multi-Disciplinary Team members may include stakeholders from Adult Protective Services, Public Guardian, non-profit legal firms, mental health staff, local law enforcement, Coroner, Long Term Care Ombudsman, District Attorney, Los Angeles City Attorney, geriatrician, advocates, community-based organizations and disability service

providers. A Project Manager will provide day to day coordination.

- 1.4.4.2 As further detailed in Section 10.0 (Specific Work Requirements), Subrecipient shall assist the County to: conduct case reviews, in-home medical and mental status evaluations, and evidentiary investigation of older and dependent adult abuse cases; better understand, identify and treat elder and dependent abuse; support the prevention of elder and dependent abuse through greater awareness and education among those professionals who work with older and dependent adults; and promote the health, safety, well-being and independence of older and dependent adults.

2 PURPOSE-SUBAWARD FOR CENTER FOR EXCELLENCE PROGRAM SERVICES

2.1 Statement of Work (SOW)

- 2.1.1 Successful Proposer/Subrecipient shall be expected to implement the requirements outlined in Appendix A (Sample Subaward), Exhibit A (Statement of Work) if selected to receive a Subaward. Subrecipient shall provide the Program services identified in Exhibit A (Statement of Work), Subparagraph 10.0, Specific Work Requirements, throughout Los Angeles County for the duration of the Subaward term (including any term extensions exercised by County).

2.1.2 Estimated Funding for Program Services

- 2.1.2.1 County estimates that the total funding for Fiscal Year 2022-23 for Program Services is approximately \$500,000, which is comprised of monies funded from the United States Department of Health and Human Services and California Department of Social Services. The term of the initial contract is for two years funded at \$1,000,000.

2.2 Sample Subaward: County Terms and Conditions

Successful Proposer will be expected to implement the requirements outlined in Appendix A (Sample Subaward) of this RFP.

2.2.1 Anticipated Subaward Term

- 2.2.1.1 The anticipated Subaward term shall be for a period of two (2) years with three (3) annual options to renew where such renewals shall 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 January 1, 2023 and continue through December 31, 2024, following approval by the County of Los Angeles Board of Supervisors (Board of Supervisors).

2.2.2 Contract Rates

2.2.2.1 Subrecipient's rates shall remain firm and fixed for the term of the Subaward, and such term shall include any renewal options exercised by County. These rates shall represent Subrecipient's 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.

2.2.2.2 Intentionally Omitted.

2.2.3 Days of Operation

2.2.3.1 Subrecipient shall provide Program Services a minimum of five (5) days per week (Monday through 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 shall be open for business during this timeframe. Subrecipient's Staff shall be available during these normal business hours. Subrecipient is not required to provide Services on County recognized holidays (a list of the holidays is provided in Appendix A (Sample Subaward), Exhibit A (Statement of Work), Attachment 3 (County Recognized Holidays)).

2.2.4 Indemnification and Insurance

2.2.4.1 Subrecipient (that is "Contractor") will be required to comply with the provisions contained in Paragraph 8.23 (Indemnification) of Appendix A (Sample Contract). The contractor must procure, maintain, and provide to the County proof of insurance coverage for all the programs of insurance along with associated amounts specified in Paragraph 8.24 (General Provisions for all Insurance Coverage) and Paragraph 8.25 (Insurance Coverage) of Appendix A (Sample Subaward).

2.2.5 Health Insurance Portability and Accountability Act of 1996 (if applicable)

2.2.5.1 Subrecipient (that is “Contractor”) 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 (“HIPAA”)) of Appendix A (Sample Subaward).

3 PROPOSER’S MINIMUM QUALIFICATIONS

3.1 Information for Interested and Qualified Proposers

3.1.1 Interested and qualified proposers that can demonstrate their ability and qualifications to successfully provide the required services outlined in Exhibit A (SOW and Attachments) of Appendix A (Sample Contract) are invited to submit a proposal(s), provided they meet the following mandatory requirements.

3.2 Minimum Requirements to Submit Proposal

3.2.1 Experience

3.2.1.1 Proposer must have five (5) consecutive years of experience, obtained within the past ten (10) years, providing services which are equivalent or substantially similar to Program Services described in Appendix A, Sample Subaward, Exhibit A, Statement of Work, Section 10.0 (Specific Work Requirements).

3.2.2 Mandatory Staff

3.2.2.1 Proposer shall have the following mandatory staff who meet all the requirements listed in Appendix A (Sample Subaward), Exhibit A (Statement of Work), Subsection 6.1.2 (Subrecipient’s Personnel) for Program Services: Neuropsychologist and Project Manager. Such Staff shall be listed on Proposer’s completed Appendix B (Required Forms), Form Exhibit 9 (Proposed Budget).

3.2.3 Debarment

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

3.2.4 Organizational Business Structure

3.2.4.1 Proposer’s organizational business structure shall be a non-profit corporation, for-profit, public/government entity, or joint powers agency.

3.2.4.2 Non-profit Corporation, For-profit or Joint Powers Agency: Proposer's organization shall be either a Single-Purpose Agency or Multi-Purpose Agency.

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

3.2.5 Unresolved Disallowed Costs with County Contract(s)

3.2.5.1 If Proposer's compliance with a County contract has been reviewed by the County of Los Angeles Department of the Auditor-Controller (Auditor-Controller) within the last ten (10) years, Proposer must not have unresolved questioned costs identified by the Auditor-Controller, in an amount over \$100,000.00, that are confirmed to be disallowed costs by the contracting County of Los Angeles 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 Representations Made Prior to Contract Execution

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

4.2 Final Contract Award by the Board of Supervisors

4.2.1 Notwithstanding a recommendation of a Department, agency, individual, or other, the Board of Supervisors retains the right to exercise its judgment concerning the selection of a proposal and the terms of any resultant agreement, and to determine which proposal 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 contract.

4.3 County's Option to Reject Proposals

4.3.1 Proposers are hereby advised that this RFP is a solicitation for proposals only, and is not intended, and is not to be construed as, an offer to enter into a contract or as a promise to engage in any formal competitive bidding

or negotiations pursuant to any statute, ordinance, rule, or regulation. The County may, at its sole discretion, reject any or all proposals submitted in response to this RFP or may, in its sole discretion, reject all proposals and cancel this RFP in its entirety. The County will not be liable for any costs incurred by the proposer in connection with the preparation and submission of any proposal. The County reserves the right to waive inconsequential disparities in a submitted proposal.

4.4 County's Right to Amend Request for Proposals

4.4.1 The County has the right to amend the RFP 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 RFP. County reserves the right to post the addendum/addenda on its website as follows: <https://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.

4.5 Background and Security Investigations

4.5.1 Background and security investigations of contractor's staff may be required at the discretion of the County as a condition of beginning and continuing work under any resulting contract. The cost of background checks is the responsibility of the contractor.

5 NOTIFICATION TO PROPOSERS

5.1 Notice to Proposers Concerning the Public Records Act

5.1.1 Responses to this solicitation will become the exclusive property of the County. Absent extraordinary circumstances, the recommended proposer's proposal will become a matter of public record when 1) contract negotiations are complete; 2) AD receives a letter from the recommended proposer's authorized officer that the negotiated contract is the firm offer of the recommended proposer; and 3) AD releases a copy of the recommended proposer's proposal 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 proposals will become a matter of public record when the Department's proposer recommendation appears on the Board agenda.

- 5.1.3 Exceptions to disclosure are those parts or portions of all proposals that are justifiably defined as business or trade secrets, and plainly marked by the proposer 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 proposal as confidential will not be deemed sufficient notice of exception. The proposers must specifically label only those provisions of their respective proposal 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", proposer agrees to defend and indemnify County from all costs and expenses, including reasonable attorneys' fees, incurred in 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 All contact regarding this RFP or any matter relating thereto must be in writing, and e-mailed to:

center2223rfp@ad.lacounty.gov

- 5.2.2 If it is discovered that proposer contacted and received information from any County personnel, other than the person specified above, regarding this solicitation, County, in its sole determination, may disqualify their proposal from further consideration.

5.3 Mandatory Requirement to Register on County's WebVen

- 5.3.1 Prior to a contract award, all potential contractors must register in the County's WebVen. WebVen contains the vendor'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 Policy Review Process

- 5.4.1 Under Board Policy No. 5.055 ([Services Contract Solicitation Protest](#)) any prospective proposer may request a review of the requirements under a solicitation for a Board-approved services contract, as described in Paragraph 5.4.3 (Grounds for Review) below. Additionally, any actual proposer may request a review of a disqualification or of a proposed

contract award under such a solicitation, as described respectively in the paragraphs below. It is the responsibility of the proposer challenging the decision of a County Department to demonstrate that the Department 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 contract based on a proposer 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**

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 Solicitation Requirements Review (referenced in Paragraph 9.1)

5.4.3.2 Disqualification Review (referenced in Paragraph 9.2)

5.4.3.3 Department's Proposed Contractor Selection Review (referenced in Paragraph 9.3)

5.5 Conflict of Interest

5.5.1 No County employee whose position in the County enables them to influence the selection of a contractor for this RFP, or any competing RFP, nor any spouse or economic dependent of such employees, will be employed in any capacity by a proposer or have any other direct or indirect financial interest in the selection of a contractor. Proposer must certify that they are aware of and have read [Section 2.180.010 of the Los Angeles County Code](#) as stated in Exhibit 2 (Certification of Compliance) of Appendix B (Required Forms).

5.6 Determination of Proposer Responsibility

5.6.1 A responsible proposer is a proposer who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity and experience to satisfactorily perform the contract. It is the County's policy to conduct business only with responsible proposers.

5.6.2 Proposers are hereby notified that, in accordance with [Chapter 2.202 of the County Code](#), the County may determine whether the proposer is responsible based on a review of the proposer'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

proposer against public entities. Labor law violations which are the fault of the subcontractors and of which the proposer had no knowledge must not be the basis of a determination that the proposer is not responsible.

- 5.6.3 The County may declare a proposer to be non-responsible for purposes of this contract if the Board of Supervisors, in its discretion, finds that the proposer 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 proposer'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 proposer may not be responsible, the Department will notify the proposer in writing of the evidence relating to the proposer's responsibility, and its intention to recommend to the Board of Supervisors that the proposer be found not responsible. The Department will provide the proposer and/or the proposer's representative with an opportunity to present evidence as to why the proposer should be found to be responsible and to rebut evidence which is the basis for the Department's recommendation.
- 5.6.5 If the proposer presents evidence in rebuttal to the Department, the Department 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 proposer will reside with the Board of Supervisors.
- 5.6.6 These terms will also apply to proposed subcontractors of proposers on County contracts.

5.7 Proposer Debarment

- 5.7.1 The proposer is hereby notified that, in accordance with [Chapter 2.202 of the County Code](#), the County may debar the proposer 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 proposer's existing contracts with County, if the Board of Supervisors finds, in its discretion, that the proposer 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 proposer'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 proposers 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 proposer with the implication, suggestion or statement that the proposer's provision of the consideration may secure more favorable treatment for the proposer in the award of the contract or that the proposer's failure to provide such consideration may negatively affect the County's consideration of the proposer's submission. A proposer 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 the contract.

5.8.2 Proposer Notification to County

A proposer 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 proposer'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 Proposers 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 contract must certify compliance with the ordinance. As part of this solicitation process, it will be the responsibility of each proposer to review the ordinance independently as the text of said ordinance is not contained within this RFP. 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 proposer 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, proposers 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 they meet the minimum qualifications for that opening. Proposers must attest to a willingness to provide employed GAIN/GROW participants access to the proposers' employee mentoring program, if available, to assist these individuals in obtaining permanent employment and/or promotional opportunities.
- 5.10.2 Proposers who are unable to meet this requirement will not be considered for contract award. Proposers must submit a completed Exhibit 2 (Certification of Compliance) of Appendix B (Required Forms), along with their proposal.

5.11 Jury Service Program

- 5.11.1 The prospective 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 contractors should carefully review Paragraph 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 RFP. The Jury Service Program applies to both contractors and their subcontractors.

Proposals 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 Contractor must certify compliance with County's Contractor Employee Jury Service Ordinance in Exhibit 2 (Certification of Compliance). If a contractor 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 contractor must so indicate in Exhibit 2 (Proposer's Certification 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 contractor's application, the County will determine, in its sole discretion, whether the contractor 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 Proposing Company

5.12.1 The proposer must notify the County of any pending acquisitions/mergers of its company unless otherwise legally prohibited from doing so. If the proposer 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 proposer in Exhibit 1, (Proposer's Organization Questionnaire/Affidavit) of Appendix B (Required Forms). Failure of the proposer to provide this information may eliminate its proposal from any further consideration. Proposer will have a continuing obligation to notify the County and update any changes to its response in Exhibit 1 (Proposer's Organization Questionnaire/Affidavit) during the solicitation.

5.13 Proposer'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 contractors should carefully read 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 two million dollars (\$2,000,000) of revenues (excluding funds that must be accounted for to a governmental entity) also have specific audit requirements.

5.13.2 All prospective contractors must determine if they receive or raise charitable contributions which subject them to the Charitable Purposes Act and complete the certification form attached as Exhibit 2 (Certification 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 agreement 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 (Certification of Compliance) is a required part of any agreement with the County.

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

5.14 Defaulted Property Tax Reduction Program

- 5.14.1 The prospective 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 contractors should reference the pertinent provisions in Paragraph 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 Property Tax Deduction 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 contractors and their subcontractors.
- 5.14.2 Proposers 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 (Certification 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 Proposals 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 Proposer'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 contractors engaged in human trafficking from

receiving contract awards or performing services under a County contract.

- 5.15.2 Contractors are required to complete Exhibit 2 (Certification 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 Paragraph 8.54 (Compliance with County's Zero Tolerance Policy on Human Trafficking) of Appendix A (Sample Contract). Further, contractors 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 The County, at its sole discretion, has determined that the most efficient and secure default form of payment for goods and/or services provided under an agreement/contract with the County must 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, the 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 agreement/contract, a Contractor may submit a written request for an exemption to this requirement. The A-C, in consultation with the contracting department(s), will decide whether to approve exemption requests.

5.18 Proposer'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 Contractors are required to complete Exhibit 2 (Certification of Compliance) in Appendix B (Required Forms), certifying that they, and

their subcontractors, are in full compliance with [Section 12952](#), as indicated in the Sample Contract. Further, contractors are required to comply with the requirements under [Section 12952](#) for the term of any contract awarded pursuant to this solicitation.

5.19 Prohibition from Participation in Future Solicitation(s)

- 5.19.1 A Proposer, or a Contractor or its subsidiary or Subcontractor ("Proposer/Contractor"), is prohibited from submitting a bid or proposal in a County solicitation if the Proposer/Contractor has provided advice or consultation for the solicitation. A Proposer/Contractor is also prohibited from submitting a bid or proposal in a County solicitation if the Proposer/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 Contractor/Proposer from participation in the County solicitation or the termination or cancellation of any resultant County contract. ([Los Angeles County Code, Chapter 2.202](#)).

5.20 COVID-19 Vaccinations of County Contractor Personnel

- 5.20.1 Proposers 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. Proposers are advised to review the requirements of Chapter 2.212 (COVID-19 Vaccinations of County Contractor Personnel) and the sample contract requirements prior to submitting a proposal to this solicitation. A completed Exhibit F (COVID-19 Vaccination Certification of Compliance) is a required part of any agreement with the County.

5.21 Community Business Enterprise Participation

- 5.21.1 The 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. The County has established an annual goal that 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 Proposer's CBE participation must be reflected in Exhibit 6 (Community Based Enterprise (CBE) Information) form in Appendix B (Required Forms).
- 5.21.2 All Proposers 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 contract. The Proposer must make documents related to these good faith efforts available to the County upon request.

- 5.21.3 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 Development: 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.
- 5.21.4 The 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 Proposer's ability to provide the best service and value to the County.

6 COUNTY'S PREFERENCE PROGRAMS

6.1 Overview of County's Preference Programs

- 6.1.1 The 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 paragraph 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 The County will apply the LSBE preference during the solicitation process to businesses that meet the definition of an LSBE for solicitations not subject to the federal restriction on geographical preferences, consistent with [Chapter 2.204 of the Los Angeles County Code](#).

6.2.2 The business must be certified by DCBA prior to requesting the LSBE preference in a solicitation. To apply for certification as an LSBE, businesses should contact DCBA at <http://dcbalacounty.gov>.

6.2.3 Businesses 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 proposal.

6.3 Local Small Business Enterprise (LSBE) Prompt Payment Program

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 The County will apply the SE preference during the solicitation process to businesses that meet the definition of an SE for solicitations not subject to the federal restriction on geographical preferences, consistent with [Chapter 2.205 of the Los Angeles County Code](#).

6.4.2 The business must be certified by DCBA, prior to requesting the SE preference in a solicitation. To apply for certification as an SE, businesses should contact DCBA at <http://dcbalacounty.gov>.

6.4.3 Businesses requesting the SE preference 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 proposal.

6.5 Disabled Veteran Business Enterprise (DVBE) Preference Program

6.5.1 The County will apply the DVBE preference during the solicitation process to businesses that meet the definition of a DVBE, consistent with [Chapter 2.211 of the Los Angeles County Code](#).

6.5.2 The business must be certified by DCBA, prior to requesting the DVBE preference in a solicitation. To apply for certification as a DVBE, businesses should contact DCBA at <http://dcbalacounty.gov>.

6.5.3 Businesses requesting the DVBE preference must complete and submit Exhibit 3 (Request for Preference Consideration) in Appendix B (Required Forms), and submit their DVBE certification approval letter from the DCBA with their proposal.

7 BUSINESS PROPOSAL REQUIREMENTS AND EVALUATION

7.1 Section 7 (Business Proposal Requirements and Evaluation) contains key project dates and activities, provides proposers with proposal submission requirements and submittal instructions, and identifies evaluation criteria.

7.1.1 Truth and Accuracy of Representations

7.1.1.1 False, misleading, incomplete, or deceptively unresponsive statements in connection with a proposal will be sufficient cause for rejection of the proposal. The evaluation and determination in this area will be at the Director's sole judgment and his/her judgment will be final. All proposals 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.

7.2 RFP Timetable

EVENT	DATE/TIME
Release of RFP	10/07/22 on or about 12:00 PM (Pacific Time)
Deadline to submit request for Solicitation Requirements Review (Refer to Paragraph 9 - Protest Process Overview)	10/20/22
Deadline to Register for Proposer's Conference	10/18/22
Proposer's Teleconference (Refer to Paragraph 7.5)	10/19/22
Written Questions Due	By 02:00 /PM (Pacific Time) on 10/20/22
Questions and Answers Released (Subject to change at County's sole discretion)	10/25/22
Proposals Due	By 02:00 /PM (Pacific Time) on 11/07/22
Completion of Evaluation/Proposal Review	November 22, 2022
Request for Disqualification Review	November 24, 2022
Announcement of Award	November 28, 2022

7.3 Proposers' Questions

- 7.3.1 Proposers may submit written questions regarding this RFP by e-mail to: center2223rfp@ad.lacounty.gov. All questions must be received by the date and time specified in Paragraph 7.2 (RFP Timetable). All questions, without identifying the submitting company, will be compiled with the appropriate answers and issued as an addendum to the RFP.
- 7.3.2 When submitting questions, please specify the RFP, paragraph number, and page number and quote the language that prompted the question. This will ensure that the question can be quickly found in the RFP. County reserves the right to group similar questions when providing answers.

7.4 Proposers' Teleconference

- 7.4.1 A Proposers' Teleconference will be held to discuss the RFP requirements. County staff will respond to questions from potential proposers. If mandatory, all potential proposers must attend this conference, or their proposals will be rejected as non-responsive (disqualified) without review and eliminated from further consideration. The conference is scheduled as follows:

October 19, 2022
10:00 a.m. to 12:00 noon

7.4.2 Telephone Conference Information:

Phone Number: (323) 776-6996

Conference ID: 149-273-233# (when prompted, provide your full name and the name of your organization)

- 7.4.3 The Conference will begin at 10:00 a.m. (PT) and will conclude at either 12:00 p.m. (PT) or once all questions have been addressed, whichever occurs first. Prospective Proposers 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.
- 7.4.4 Program Prospective Proposers who intend to join this Conference as indicated in Subparagraph 7.4 are encouraged to provide County the following information: organization's name; name of participant(s); title of participant(s). This information may be sent to County by the Conference date and time provided in Subparagraph 7.4 using the following e-mail address: center2223rfp@ad.lacounty.gov. Include the following statement in the subject line of the e-mail: Attendance for APS—CENTER 2223 RFP Proposers' Conference.
- 7.4.5 The Program RFP will only be available online and may be accessed on County's website as follows: <https://www.lacountyad.org/business>.

Prospective Proposers are encouraged to have a copy of the RFP during the Conference

7.5 Preparation of the Proposal

7.5.1 Two (2) separate proposals must be submitted - a Business Proposal and a Cost Proposal. All proposals must be submitted in the prescribed format. Any proposal that deviates from this format may be rejected as non-responsive without review at the County's sole discretion.

7.6 Business Proposal Requirements and Evaluation

7.6.1 Any reviews conducted during the evaluation of the proposal may result in a point reduction. The content and sequence of the proposal must be as follows:

7.6.2 Business Proposal Format:

7.6.1.1 Table of Contents

7.6.1.1.1 List all material included in the proposal. Include a clear definition of the material, identified by sequential page numbers and by section and paragraph reference numbers.

7.6.1.2 Executive Summary (Section A)

7.6.1.2.1 Condense and highlight the contents of the proposer's Business Proposal to provide AD with a broad understanding of the proposer's approach, qualifications, experience, and staffing.

7.6.1.3 Proposer's Qualifications (Section B)

7.6.1.3.1 Proposer will be evaluated on their experience and capacity as a corporation or other entity to perform the required services based on information provided in this section.

7.6.1.3.1.1 Proposer's Background and Experience (Section B.1)

7.6.1.3.1.1.1 Provide a summary of relevant background information to demonstrate that the proposer meets or exceeds the minimum requirement(s) stated in Section 3 (Proposer's Minimum

Qualifications) of this RFP and has the capability to perform the required services as a corporation or other entity.

7.6.1.3.1.2 Proposer’s List of References (Section B.2)

7.6.1.3.1.2.1 Proposer will be evaluated on the verification of references provided in Appendix B (Required Forms), Exhibit 8 (Proposer’s List of References). In addition to the references provided, a review will include the Contractor Alert Reporting Database, if applicable, reflecting past performance history on County or other contracts. This review may result in point deductions up to one hundred percent (100%) of the total points awarded in this evaluation category.

7.6.1.3.1.2.2 Proposer must provide three (3) references where the same or similar scope of services was provided and must include all public entities contracts for the last ten (10) years. Proposer’s completed form Exhibit 8 (Proposer’s List of References), in

Appendix B (Required Forms) must be provided in Section F (Business Proposal Required Forms and Corporate Documents) of Proposer's business proposal. Proposer may use additional sheets, if necessary.

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

7.6.1.3.1.2.4 County may disqualify a proposer as non-responsive and/or non-responsible if:

- references fail to substantiate proposer's description of the services provided; or
- references fail to support that proposer has a continuing pattern of providing capable, productive and skilled personnel, or
- the Department is unable to reach the point of contact with reasonable effort. It is the proposer's responsibility to inform the point of contact of normal working hours.

7.6.1.4 Proposer's Debarment History and List of Terminated Contracts

7.6.1.4.1 The County will conduct a review of proposer's terminated contracts and debarment history. Proposer must include contracts terminated within the past three (3) years with a reason for termination in Appendix B (Required Forms), Exhibit 4 (Proposer's Debarment History and List of Terminated Contracts). Proposer's completed form Exhibit 4 (Proposer's Debarment History and List of Terminated Contracts) must be provided in Section G (Business Proposal Required Forms and Corporate Documents) of Proposer's business proposal.

7.6.1.5 Proposer's Financial Capability (Section B.3)

7.6.1.5.1 Proposer shall provide three (3) full Fiscal Years of its organization-wide audited financial statements and/or single audit reports, which shall reflect Proposer's financial activities for each of those three (3) Fiscal Years as follows:

7.6.1.5.1.1 Option 1: Provide audited financial statements/single audit reports for Fiscal Year 2017-18, Fiscal Year 2018-19, and Fiscal Year 2019-20

7.6.1.5.1.2 Option 2: Provide audited financial statements/single audit reports for Fiscal Year 2018-19, Fiscal Year 2019-20 and Fiscal Year 2020-21.

7.6.1.5.2 Proposer shall not submit income tax Returns to meet this requirement. Proposer shall be financially capable of performing/providing Program Services under the requirements of Appendix A (Sample Subaward). County will conduct a financial capability evaluation using Proposer's organization-wide audited financial statements and/or single audit reports. These financial documents shall be prepared by an independent auditor and must provide an accurate, verifiable representation of the entire financial position of Proposer's organization. The organization-wide audited financial statements and/or single audit reports shall minimally include the following:

7.6.1.5.2.1 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.)

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

7.6.1.5.2.3 Statement of Cash Flow

7.6.1.5.2.4 Independent Auditor's Opinion

7.6.1.5.2.5 Any notes to the Statements

7.9.6.4.2.6 Statement of Functional Expenses

7.6.1.5.3 Proposer shall provide copies of financial audit reports from other County departments for Fiscal Year 2018-19, Fiscal Year 2019-20, and Fiscal Year 2020-21, including all corrective action plans and corresponding resolutions, if applicable. If such financial audit reports have not been issued from any County department, Proposer shall provide a statement indicating such fact.

7.6.1.5.4 If Proposer is a subsidiary of another company, in addition to providing Proposer's own organization-wide audited financial statements and/or single audit reports as indicated in Subparagraph 7.6.1.5.1, Proposer shall also provide three (3) full Fiscal Years of its ultimate parent company's organization-wide audited financial statements and/or single audit reports. The parent company's financial documents shall meet the same requirements noted in Subparagraph 7.9.1.5.2 and shall reflect parent

company's financial activities for each of those three (3) Fiscal Years as follows:

7.6.1.5.4.1 Option 1: Provide audited financial statements/single audit reports for Fiscal Year 2017-18, Fiscal Year 2018-19, and Fiscal Year 2019-20.

7.6.1.5.4.2 Option 2: Provide audited financial statements/single audit reports for Fiscal Year 2018-19, Fiscal Year 2019-20, and Fiscal Year 2020-21.

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

7.6.1.5.6 Proposer shall provide the following documents and responses in Section B (Proposer's Qualifications), Subsection B.3 (Financial Capability) of the Business Component: its organization-wide audited financial statements and/or single audit reports; the financial audit reports from other County departments (if applicable) or a statement as noted in Subparagraph 7.6.1.5.3; and, its organization-wide audited financial statements and/or single audit reports for its parent company (if applicable) or a statement as noted in Subparagraph 7.6.1.5.4.

7.6.1.6 Proposer's Pending Litigation and Judgments (Section B.4)

- 7.6.1.6.1 The County will conduct a review of proposer's pending litigation and judgements. Proposer must identify by name, case and court jurisdiction any pending litigation in which proposer is involved, or judgments against proposer in the past five (5) years. Additionally, proposer must provide a statement describing the size and scope of any pending or threatening litigation against the proposer or principals of the proposer.
- 7.6.1.6.2 Notations such as "not applicable", "n/a", providing a phone number to call, providing an e-mail address for follow-up, etc. are not a valid response and will be deemed as "non-responsive". County may reject/disqualify the Proposal when such a determination is made.
- 7.6.1.6.3 Proposer shall provide its response in Section B (Proposer's Qualifications), Subsection B.4 (Proposer's Pending Litigation and Judgments) of the Business Component

7.6.2 Proposer's Approach to Providing Required Services Section C)

- 7.6.2.1 Proposer will be evaluated on its description of the methodology to be used to meet the County's requirements based on information provided in this section.
- 7.6.2.2 Proposer must present a description of the methodology the proposer will use to meet contract work requirements. Describe in detail how the services will be performed to meet the intent of the SOW.
 - 7.6.2.2.1 Proposer shall describe in sufficient detail how it intends to meet County's objectives to provide Program services and plan to attain successful outcomes in the increased prosecution of cases. Proposer shall provide a narrative describing its action plan for the Program, as referenced in in Appendix A, (Sample Subaward), Exhibit A, (Statement of Work), Subsection 10.1.6.1.
 - 7.6.2.2.2 Responses such as "Proposer will follow the protocols and procedures described in Appendix A (Sample Subaward), Exhibit A

(Statement of Work)", "Proposer will provide all Services in accordance with the requirements noted in Appendix A (Sample Subaward), Exhibit A (Statement of Work)", etc. are not a valid response and will be deemed as "non-responsive". County may reject/disqualify the Proposal when such a determination is made.

- 7.6.2.2.3 Proposer shall describe in sufficient detail its plan to attain successful outcomes in Client protection and safety where the Client lacks capacity. Proposer shall provide a narrative describing its plan to conduct ongoing and as needed capacity declarations, as referenced in Appendix A (Sample Subaward), Exhibit A (Statement of Work), Subsection 10.1.6.4.
- 7.6.2.2.4 Responses such as "Proposer will follow the protocols and procedures described in Appendix A (Sample Subaward), Exhibit A (Statement of Work)", "Proposer will provide all Services in accordance with the requirements referenced in Appendix A (Sample Subaward), Exhibit A (Statement of Work)", etc. are not a valid response and will be deemed as "non-responsive". County may reject/disqualify the Proposal when such a determination is made.
- 7.6.2.2.5 Proposer shall describe in sufficient detail its plan to reduce recidivism once cases have been closed. Proposer shall provide a narrative description on its plan to reduce recidivism through the successful prosecution of cases.
- 7.6.2.2.6 Responses such as "Proposer will follow the protocols and procedures described in Appendix A (Sample Subaward), Exhibit A (Statement of Work)", "Proposer will provide all Services in accordance with the requirements noted in Appendix A (Sample Subaward), Exhibit A (Statement of Work)", etc. are not a valid response and will be deemed as "non-responsive". County may reject/disqualify the Proposal when such a determination is made
- 7.6.2.2.7 Proposer shall describe in sufficient detail the services to improve the Programs target population's quality of life. Proposer shall

provide a narrative description on its method for outreach to the Programs targeted population including older adults (aged 60 and over) and dependent adults aged (18-59), as referenced in Appendix A (Sample Subaward), Exhibit A (Statement of Work), Subsection 1.3.

7.6.2.2.8 Responses such as “Proposer will follow the protocols and procedures described in Appendix A (Sample Subaward), Exhibit A (Statement of Work)”, “Proposer will provide all Services in accordance with the requirements noted in Appendix A (Sample Subaward), Exhibit A (Statement of Work)”, etc. are not a valid response and will be deemed as “non-responsive”. County may reject/disqualify the Proposal when such a determination is made.

7.6.2.2.9 Proposer shall describe in sufficient detail its strategies to develop and improve team-based problem-solving, given that diverse disciplines must come together to work on cases. Proposer shall provide a narrative description on its method to develop a team based approach and include demonstrated experience in problem solving complex cases.

7.6.2.2.10 Responses such as “Proposer will follow the protocols and procedures described in Appendix A (Sample Subaward), Exhibit A (Statement of Work)”, “Proposer will provide all Services in accordance with the requirements noted in Appendix A (Sample Subaward), Exhibit A (Statement of Work)”, etc. are not a valid response and will be deemed as “non-responsive”. County may reject/disqualify the Proposal when such a determination is made

7.6.2.2.11 Proposer shall describe in sufficient detail the manner in which it will hold weekly meetings, e.g. number of cases it will present, consult, to make recommendations and what partners Proposer will include in these meetings and their areas of expertise, as referenced in Appendix A (Sample Subaward), Exhibit A (Statement of Work), Subsection 10.1.6.6.

- 7.6.2.2.12 Responses such as “Proposer will follow the protocols and procedures described in Appendix A (Sample Subaward), Exhibit A (Statement of Work)”, “Proposer will provide all Services in accordance with the requirements noted in Appendix A (Sample Subaward), Exhibit A (Statement of Work)”, etc. are not a valid response and will be deemed as “non-responsive”. County may reject/disqualify the Proposal when such a determination is made.
- 7.6.2.2.13 Proposer shall describe in sufficient detail its continuing education and training curriculum for the APS staff and stakeholders, as referenced in Appendix A (Sample Subaward), Exhibit A (Statement of Work), Subsection 10.1.8.
- 7.6.2.2.14 Responses such as “Proposer will follow the protocols and procedures described in Appendix A (Sample Subaward), Exhibit A (Statement of Work)”, “Proposer will provide all Services in accordance with the requirements noted in Appendix A (Sample Subaward), Exhibit A (Statement of Work)”, etc. are not a valid response and will be deemed as “non-responsive”. County may reject/disqualify the Proposal when such a determination is made.

7.6.3 Proposer’s Quality Control Plan (Section D)

- 7.6.3.1 The proposer will be evaluated on its ability to establish and maintain a complete Quality Control Plan to ensure the requirements of this contract are provided as specified. Evaluation of the Quality Control Plan must cover the proposed monitoring system of all services listed on the Performance Requirements Summary (PRS) based on information provided in this section.
- 7.6.3.2 Proposer must present a comprehensive Quality Control Plan to be utilized by the proposer as a self-monitoring tool to ensure the required services are provided as specified in Exhibit A (SOW and Attachments) of Appendix A (Sample Contract).
- 7.6.3.3 The following factors may be included in the plan:
 - 7.6.3.3.1 Activities to be monitored to ensure compliance with all contract requirements.

- 7.6.3.3.2 Monitoring methods to be used.
- 7.6.3.3.3 Frequency of monitoring.
- 7.6.3.3.4 Samples of forms to be used in monitoring.
- 7.6.3.3.5 Title/level and qualifications of personnel performing monitoring functions; and
- 7.6.3.3.6 Documentation methods of all monitoring results, including any corrective action taken.

7.6.4 Exceptions to Terms and Conditions of Sample Contract and/or Requirements of Statement of Work and Attachments (Section E)

- 7.6.4.1 It is the duty of every proposer to thoroughly review the Sample Contract and Statement of Work to ensure compliance with all terms, conditions, and requirements.
- 7.6.4.2 Proposer will be evaluated on their willingness to accept the Terms and Conditions outlined in Appendix A (Sample Contract) and the Requirements of the Statement of Work outlined in Exhibit A (SOW and Attachments) of Appendix A (Sample Contract).
- 7.6.4.3 It is the County’s expectation that in submitting a proposal the proposers will accept, as stated, the County’s terms and conditions in the Sample Contract and the County’s requirements in the Statement of Work. However, proposers are provided the opportunity to take exceptions to the County’s terms, conditions, and requirements. The County may deduct rating points or disqualify the proposal in its entirety if the exceptions are material enough to deem the proposal non-responsive.
- 7.6.4.4 Proposers are further notified that the County may, in its sole determination, disqualify any proposer with whom the County cannot satisfactorily negotiate a contract.
- 7.6.4.5 Section F of proposer’s response must include:
 - 7.6.4.5.1 A statement offering the proposer’s acceptance of or exceptions to all terms and conditions listed in Appendix A (Sample Contract).
 - 7.6.4.5.2 A statement offering the proposer’s acceptance of or exceptions to all requirements listed in Exhibit A (SOW and Attachments) of Appendix A (Sample Contract); and for each exception, the proposer must provide(1) an explanation of

the reason(s) for the exception;(2) the proposed alternative language; and(3) a description of the impact, if any, to the proposer’s price.

7.6.4.6 Indicate all exceptions to the Sample Contract and/or the Statement of Work by providing a ‘red-lined’ Word version of the language in question. The County relies on this procedure and any proposer who fails to make timely exceptions as required herein, may be barred, at the County’s sole discretion, from later making such exceptions.

7.6.4.7 The County reserves the right to make changes to the Sample Contract and its appendices and exhibits at its sole discretion.

7.6.5 Business Proposal Required Forms and Corporate Documents (Section F)

7.6.5.5 Proposal must include all completed, signed, and dated forms identified in Appendix B (Required Forms).

- Exhibit 1 Proposer’s Organization Questionnaire/Affidavit
- Exhibit 2 Certification of Compliance
- Exhibit 3 Request for Preference Consideration
- Exhibit 4 Proposer’s Debarment History and List of Terminated Contracts
- Exhibit 5 Declaration
- Exhibit 6 Community Business Enterprise (CBE) Information
- Exhibit 7 Minimum Requirements
- Exhibit 8 Proposer’s List of References
- Exhibit 9 Proposed Budget

7.6.5.6 Corporate Documents

7.6.5.6.1 Corporations or Limited Liability Company (LLC):

The proposer must submit the following documentation with the proposal:

- 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.

7.6.5.6.2 Limited Partnership:

The proposer 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 Cost Proposal Requirements and Evaluation

The content and sequence of the proposal must be as follows:

7.7.1 Cover Page

7.7.1.1 Cover Page must identify, at a minimum, the RFP and the proposer's name.

7.7.2 Proposed Budget (Section A)

7.7.2.1 Exhibit 9 (Proposed Budget) of Appendix B (Required Forms)

7.7.2.2 The maximum number of possible points will be awarded to the lowest cost proposal. All other proposals will be compared to the lowest cost and points awarded accordingly.

7.7.2.3 However, should one or more of the proposers request and be granted the preference, the cost component points will be determined as follows:

7.7.2.4 Fifteen percent (15%) of the lowest cost proposed will be calculated, not to exceed \$150,000, and that amount will be deducted from the cost submitted by all proposers who requested and were granted the preference.

7.7.2.5 In no case will any preference be combined to exceed fifteen percent (15%) of the lowest responsible bid meeting specifications.

7.7.3 Budget Narrative (Section B)

7.7.3.1 Proposer shall provide a written narrative explaining the reasonableness and necessity of each item of cost that is included in the following completed Forms:

7.7.3.1.1 Appendix B (Required Forms), Exhibit 9 (Proposed Budget).

7.6.1.2 Proposer shall illustrate how all costs were determined and how budgeted items are reasonable, and program related.

7.6.1.3 Proposer shall identify all paid personnel including all mandatory staff listed in Appendix A, Exhibit A (Statement of Work), Paragraph 6.1.2 (Subrecipient's Personnel).

7.7.3.4 Proposer shall provide its response in Section B of the Cost Component.

7.8 Firm Offer-Withdrawal of Proposal

7.8.1 Until the proposal submission deadline, errors in proposals may be corrected by a request in writing to withdraw the proposal and by submission of another set of proposals with the mistakes corrected. Corrections will not be accepted once the deadline for submission of proposals has passed.

7.9 Proposal Submission

7.9.1 The Proposal shall only be submitted in an electronic format in the form of a clearly legible PDF/scanned document(s), which shall be an exact representation of the Proposal (i.e., no pages shall be missing or misplaced, etc.). Proposer shall submit its Proposal using any of the following methods: e-mail or USB. The Proposal shall be submitted to County by the final Proposal due date and time.

7.9.2 E-mail Submission

7.9.2.1 Proposer shall submit an electronic version of the Proposal as a PDF document(s) to the following e-mail address: center2223rfp@ad.lacounty.gov. Include the following text in the subject line: APS-CENTER-2223 RFP Proposal for *Proposer's name*.

7.9.2.2 It may be necessary to submit the Proposal as multiple PDF documents in multiple e-mails in the event that the full Proposal cannot be submitted as one file due to size restrictions imposed by internet service providers. Proposer shall include clear descriptions of the content(s) of each.

7.9.3 USB Submission

7.9.3.1 Proposer shall submit an electronic version of the Proposal saved as a PDF document(s) on thumb drives/flash drives. When submitting the Proposal using USBs, Proposer shall submit at least two (2) separate USB thumb drives/flash drives each containing the same copy of its Proposal.

7.9.3.2 Effective March 16, 2020, all County of Los Angeles offices are closed to the public until further notice. Delivery of the Proposal on USB shall only be done using methods such as the United States Postal service, FedEx, UPS, etc. Submit the Proposal to the following address:

County of Los Angeles Aging and Disabilities Department
Contracts Management Division
Attention: APS-CENTER-2223 RFP

510 S. Vermont Avenue, 11th floor
Los Angeles, CA 90020

7.9.3.3 At any time prior to the final Proposal due date and time, the Proposal may be submitted using this method during County's normal business hours (Monday through Friday, during the hours of 8:00 a.m. to 5:00 p.m., not including County recognized holidays). If a late submission is delivered by postal service, it will be returned unopened to Proposer or Proposer's agent. If costs will be incurred by County for returning a late submission, then County will contact Proposer and will dispose of the Proposal (unless instructed otherwise by Proposer who will make alternate arrangements to obtain its Proposal).

7.9.4 Electronic Files Shall Be Free from Defect

7.9.4.1 Proposer accepts sole responsibility for ensuring that the Proposal submitted as an electronic PDF/scanned document(s) or USBs are free from defects and can be accessed by County (e.g., the USBs shall not be corrupted, etc.). When County cannot access the Proposal, it may be rejected and deemed non-responsive.

7.9.5 It is the sole responsibility of Proposer to ensure that its Proposal is received by County no later than the final Proposal due date and time. Proposer shall bear all risks associated with delays in delivery by any person or entity, including the United States postal service, FedEx, UPS, etc. Any Proposal received after the final Proposal due date and time will not be accepted and will not be evaluated.

8 SELECTION PROCESS OVERVIEW

8.1 Selection Process

8.1.1 The County reserves the sole right to judge the contents of the proposals submitted pursuant to this RFP and to review, evaluate and select the successful proposal(s). The selection process will begin with receipt of the proposal on the date outlined in Paragraph 7.2 (RFP Timetable).

8.1.2 Evaluation of the proposals will be made by an Evaluation Committee selected by the Department. The Committee will evaluate the proposals and will use the evaluation approach described in this RFP to select a prospective contractor.

8.2 Adherence to Minimum Requirements (Pass-Fail)

- 8.2.1 County will review Exhibit 1 (Proposer's Organization Questionnaire/Affidavit), Exhibit 7 (Minimum Requirements), and Exhibit 8 (Proposer's List of References), in Appendix B (Required Forms) to determine if the proposer meets the minimum requirements as outlined in Section 3 (Proposer's Minimum Qualifications) of this RFP.
- 8.2.2 Failure of the proposer to comply with the minimum requirements may eliminate its proposal from any further consideration. The County may elect to waive any informality in a proposal if the sum and substance of the proposal is present.
- 8.2.3 If County determines that Proposer has met and passed the Minimum Requirements (i.e., Pass/Fail Review) then the Proposal will be evaluated for scoring by the Evaluation Team.

8.3 Composition of Evaluation Team

- 8.3.1 Evaluation of the Proposals, which pass the Minimum Requirements review, will be completed by an Evaluation Team selected by AD. This Evaluation Team may include individuals from any of the following fields, which include but are not limited to: contract development/administration, program/planning operations, finance/accounting, and/or monitoring/compliance operations

8.3.2 Evaluation of the Proposal

- 8.3.2.1 The Evaluation Team will evaluate the Proposals using the evaluation approach described in this solicitation. All Proposals will be evaluated based on the criteria listed in this Paragraph 8.0. County may, at its sole discretion, invite Proposers being evaluated to make a verbal presentation.

8.3.2.2 Clarification of Proposal Elements

- 8.3.2.2.1 County may, at its sole option, contact Proposer(s) for clarification of submitted information.

8.3.2.3 Proposal Score

- 8.3.2.3.1 Qualifying Proposals that pass the Minimum Requirements review as described in Subparagraph 8.2 (Adherence to Minimum Requirements (Pass/Fail)) will be evaluated and scored using a numerical point value. The Evaluation Team will use an evaluation tool containing rating criteria to determine the score of the Proposal. The maximum score that a Proposal can receive is 10,000 points. These points are divided between the Business

Component and the Cost Component. The Business Component is worth a maximum of 6,000 points and the Cost Component is worth a maximum of 4,000 points.

8.3.2.3.2 The final score for each Proposal will be used to rank the Proposals from highest to lowest. In the event that multiple Proposals receive the same score and rank, County reserves the right to select Proposals that are determined by County to best meet the needs of County.

8.3.2.4 Missing Forms

8.3.2.4.1 In the event that Proposer is selected to receive a Subaward and it did not submit a Form(s) as part of its Proposal, County will not recommend Proposer to the Board of Supervisors for the Subaward unless/until Proposer has submitted the proper Form(s) as directed by County (i.e., Successful Proposer shall submit any missing Form to County prior to recommendation for the Subaward).

8.3.3 Prospective Subrecipient(s)

8.3.3.1 County retains the right to select a Proposal other than the Proposal receiving the highest number of points if County determines, in its sole discretion, that another Proposal is the most overall qualified, cost-effective, responsive, responsible, and best meets the needs of County.

8.3.3.2 Through this RFP process, County intends to select Successful Proposals which demonstrate that Proposers meet the qualifications, standards, and capacity requirements outlined in this solicitation document and can provide Services to Clients pursuant to the requirements outlined in Appendix A (Sample Subaward), Exhibit A (Statement of Work). Altogether, County anticipates selecting approximately one (1) Successful Proposal for the agreed-upon Services which shall be provided throughout the geographical boundaries of Los Angeles County.

8.3.3.3 County retains the right to modify the number of Proposals to be selected when such selection best meets County's planning and service area needs.

8.3.3.4 After Successful Proposer has been selected, County and Successful Proposer will negotiate a Subaward for submission to the Board of Supervisors for its consideration and possible approval. County may negotiate modifications

of the Successful Proposal to ensure that all necessary Program requirements are met prior to award of the Subaward. Such negotiations may include but are not limited to the following items: units of Services, Service Categories, etc. If a satisfactory Subaward cannot be negotiated, County may, at its sole discretion, begin Subaward negotiations with the next qualified Proposer who submitted a Proposal, as determined by County. The recommendation to award a Subaward will not bind the Board of Supervisors to award a Subaward to the Prospective Subrecipient.

8.4 Intentionally Omitted

8.5 Intentionally Omitted

8.6 Business Component Evaluation and Criteria (6,000 Maximum Points)

8.6.1 Proposer's Qualifications (2,400 Maximum Points)

8.6.1.1 Proposer's Background and Experience (800 Maximum Points)

8.6.1.1.1 Proposer will be evaluated on its experience and capacity as a corporation or other entity to perform the required Services based on the information provided in Subparagraph 7.6.1.3.1.1 (Subsection B.1 (Proposer's Background and Experience)).

8.6.1.2 Proposer's Background and Experience – References (900 Maximum Points)

8.6.1.2.1 Proposer will be evaluated on the verification of references based on the information provided in Subparagraph 7.6.1.3.1.2 (Subsection B.2 (Proposer's References)). Each reference will be evaluated and scored individually and the maximum possible points available for each reference is 300 points. Therefore, the total maximum points for this Subsection B.2 is worth 900 points. In the event that a reference's point of contact cannot be reached within three (3) attempts by County or Contact does not respond to County's request within the timeframe designated by County, Proposer shall receive zero (0) points for the scoring of that reference.

8.6.1.2.2 In addition to the references provided, County will also review County's Contract Database and

Contractor Alert Reporting Database, if applicable; these databases provide vendor's past performance history on County and other contracts. This portion of the evaluation may result in point deductions pursuant to the County of Los Angeles Contractor Alert Reporting Database Manual. Altogether, the reviews of County's database(s) may result in point deductions up to one hundred percent (100%) of the total points awarded in this evaluation category (i.e., **this review may result in a maximum of 900 points that may be deducted under this evaluation criteria.**). If the maximum number of **900** points are deducted as a result of the reviews of County's database(s) then the Proposal may be disqualified in its entirety, deemed non-responsive, and it may not be evaluated further.

8.6.1.2.3 The Proposal will also be evaluated based on a review of Proposer's list of expired and terminated contracts. Such review will be conducted to determine the significance of the termination of any contracts. **This review may result in a maximum of 100 points that may be deducted under this evaluation criteria.**

8.6.1.3 **Financial Capability (700 Maximum Points)**

8.6.1.3.1 The Proposal will be evaluated to determine Proposer's financial capability as provided in Subparagraph 7.6.1.5 (Subsection B.3 (Financial Capability)). County shall review Proposer's financial capability using the financial criteria set forth by the County of Los Angeles Department of the Auditor-Controller and the information/documentation provided in the Proposal.

8.6.1.4 **Proposer's Pending Litigation and Judgments (100 Maximum Possible Point Deductions)**

8.6.1.4.1 The Proposal will be evaluated to determine the significance of any litigation or judgments pending against Proposer and/or its principals as provided in Subparagraph 7.6.1.6 (Subsection B.4 (Proposer's Pending Litigation and Judgments)). **This review may result in a**

maximum of 100 points that may be deducted under this evaluation criteria.

8.6.2 Proposer's Approach to Providing Required Services (3,500 Maximum Points)

8.6.2.1 For each of the evaluation areas identified below, the Proposal will be evaluated and scored based on the methodology Proposer shall use to meet County's requirements as provided in Subparagraph 7.6.2 (Section C (Proposer's Approach to Provide Required Services)). The maximum points for each evaluation area include:

8.6.2.1.1 Proposer's Ability to Meet County's Objectives for Program Services (700 Maximum Points).

8.6.2.1.2 Proposer's Plan to attain successful outcomes in Client protection and safety where the Client lacks capacity (700 Maximum Points).

8.6.2.1.3 Proposer's Plan to reduce recidivism once cases have been closed – 700 Maximum Points).

8.6.2.1.4 Strategies to develop and improve team-based problem solving, given disciplines of all partners and stakeholders – (500 Maximum Points).

8.6.2.1.5 Strategies to hold weekly meetings, eg. Number of cases it will present, consult to make recommendations – (400 Maximum Points).

8.6.2.1.6 Plan on continuing education and training curriculum for the APS staff and stakeholders – 500 Maximum Points).

8.6.3 Proposer's Quality Control Plan (100 Maximum Points)

8.6.3.1 The Proposal will be evaluated and scored based on Proposer's ability to establish and maintain a complete Quality Control Plan to ensure the requirements of Subaward are provided as specified. Evaluation of the Quality Control Plan shall cover the proposed monitoring system of all services listed Appendix A (Sample Subaward), Exhibit A (Statement of Work), Attachment 2 (Performance Requirements Summary Chart) as provided in Subparagraph 7.6.3 (Section D (Proposer's Quality Control Plan)).

8.7 Cost Component Evaluation and Criteria (4,000 Maximum Points)

8.7.1 Proposed Program Services (2,150 Maximum Points)

8.7.1.1 Cost Effectiveness of Unit Rates (2,150 Maximum Points)

8.7.1.1.1 The Proposal will be evaluated on the reasonableness of budgeted costs and how budgeted costs will contribute to the overall Services plan of the Proposer. The lowest cost unit rate will be determined, and all other Proposals will be compared to the Proposal with the lowest cost unit rate. Points will be awarded to the other Proposals in proportion to the Proposal with the lowest cost unit rate. Should one or more Proposers request and be granted the Local Small Business Enterprise Preference, Social Enterprise Preference, or Disabled Veteran Business Enterprise Preference, the lowest cost unit rate will be determined as follows:

8.7.1.1.1.1 Fifteen percent (15%) of the lowest cost unit rate will be calculated in order to determine the Preference Amount. The Preference Amount will be deducted from the unit rate cost for Proposer(s) who requested and were granted a Preference. This would effectively decrease the unit rate cost for Proposer who qualifies to receive the Preference (only for purposes of determining the lowest cost unit rate).

8.7.1.1.2 In no case shall any Preference be combined to exceed fifteen percent (15%) of the unduplicated Client cost for Proposer who meets the specifications for the Preference (i.e., when Proposer 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 Proposal).

8.7.2 Proposed Budget (1,150 Maximum Points)

8.7.2.1 The Proposal will be evaluated and scored based on the completed Appendix B (Required Forms), Exhibit 9 (Proposed Budget) as provided in Subparagraph 7.7.2 (Section A (Proposed Budget)).

8.7.3 Budget Narrative (700 Maximum Points)

8.7.3.1 The budget narrative will be evaluated and scored based on its adherence to the requirements as provided in Subparagraph 7.7.3 (Section B (Budget Narrative)).

9 PROTEST PROCESS OVERVIEW

9.1 Solicitation Requirements Review

9.1.1 Any person or entity may seek a Solicitation Requirements Review by submitting Appendix C (Transmittal Form to Request a Solicitation Requirements Review) to the Department conducting the solicitation. 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:

9.1.1.1 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);

9.1.1.2 The request includes documentation (e.g., letterhead, business card, etc.), which identifies the underlying authority of the person or entity to submit a proposal.

9.1.1.3 The request itemizes in appropriate detail, each matter contested and factual reasons for the requested review; and

9.1.1.4 The request asserts either that:

9.1.1.4.1 application of the minimum requirements, evaluation criteria and/or business requirements unfairly disadvantages the person or entity; or,

9.1.1.4.2 due to unclear instructions, the process may result in the County not receiving the best possible responses from prospective proposers.

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

9.2 Disqualification Review

- 9.2.1 A proposal may be disqualified from consideration because a department determined it was non-responsive at any time during the review/evaluation process. If a department determines that a proposal is disqualified due to non-responsiveness, the Department will notify the proposer in writing.
- 9.2.2 Upon receipt of the written determination of non-responsiveness, the proposer 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 the Department'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 the Department'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 proposer, in writing, prior to the conclusion of the evaluation process.
- 9.2.5 Proposer can also be disqualified for Paragraph 5.6 (Determination of Proposer Responsibility).

9.3 Department's Proposed Contractor Selection Review

9.3.1 Departmental Debriefing Process

- 9.3.1.1 Upon completion of the evaluation, the Department will notify the remaining proposers in writing that the Department is entering negotiations with another proposer. Upon receipt of the letter, any non-selected proposer may submit a written request for a Debriefing within the timeframe specified in the letter. A request for a Debriefing may, in the Department's sole discretion, be denied if the request is not received within the specified timeframe.
- 9.3.1.2 The purpose of the Debriefing is to compare the requesting proposer's response to the solicitation document with the evaluation document. The requesting proposer will be debriefed only on its response. Because contract negotiations are not yet complete, responses from other proposers will not

be discussed, although the Department may inform the requesting proposer of its relative ranking.

- 9.3.1.3 During or following the Debriefing, the Department will instruct the requesting proposer of the manner and timeframe in which the requesting proposer must notify the Department of its intent to request a Proposed Contractor Selection Review (see Paragraph 9.3.2 Proposed Contractor Selection Review), if the requesting proposer is not satisfied with the results of the Debriefing.

9.3.2 Proposed Contractor Selection Review

- 9.3.2.1 Any proposer that has timely submitted a notice of its intent to request a Proposed Contractor Selection Review as described in Paragraph 9.3.2 (Proposed Contractor Selection Review) may submit a written request for a Proposed Contractor Selection Review, in the manner and timeframe as will be specified by the Department.

- 9.3.2.2 A request for a Proposed Contractor Selection Review may, in the Department's sole discretion, be denied if the request does not satisfy all of the following criteria:

9.3.2.2.1 The request for a Proposed Contractor Selection Review is submitted timely (i.e., by the date and time specified by the Department);

9.3.2.2.2 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:

9.3.2.2.2.1 The Department materially failed to follow procedures specified in its solicitation document. This includes:

- Failure to correctly apply the standards for reviewing the proposal format requirements.
- Failure to correctly apply the standards, and/or follow the prescribed methods, for evaluating the proposals as specified in the solicitation document.

- Use of evaluation criteria that were different from the evaluation criteria disclosed in the solicitation document.

9.3.2.2.2.2 The Department made identifiable mathematical or other errors in evaluating proposals, resulting in the proposer receiving an incorrect score and not being selected as the recommended contractor.

9.3.2.2.2.3 A member of the Evaluation Committee demonstrated bias in the conduct of the evaluation.

9.3.2.2.2.4 Another basis for review as provided by state or federal law; and

9.3.2.2.3 The request for a Proposed Contractor Selection Review sets forth sufficient detail to demonstrate that, but for the Department's alleged failure, the proposer would have been the lowest cost, responsive and responsible bid or the highest-scored proposal, as the case may be.

9.3.2.2.4 Upon completing the Proposed Contractor Selection Review, the Department representative will issue a written decision to the proposer within a reasonable time following receipt of the request for a Proposed Contractor Selection Review, and always before the date the contract award recommendation is to be heard by the Board. The written decision will additionally instruct the proposer of the manner and timeframe for requesting a County Independent Review. (See Paragraph 9.4 (County Independent Review) below.

9.4 County Independent Review

9.4.1 Any proposer 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 the

Department in the Department's written decision regarding the Proposed Contractor Selection Review.

- 9.4.2 A request for County Independent Review may, in the County's sole discretion, be denied if the request does not satisfy all of the following criteria:
 - 9.4.1.1 The request for a County Independent Review is submitted timely (i.e., by the date and time specified by the Department); and
 - 9.4.1.2 The person or entity requesting review by a County Independent Review has limited the request to items raised in the Proposed Contractor Selection Review as listed in Paragraph 9.3.2 (Proposed Contractor Selection Review) above.
- 9.4.3 Upon completion of the County Independent Review, Internal Services Department will forward the report to the Department, which will provide a copy to the proposer.