

**COUNTY OF LOS ANGELES
WORKFORCE DEVELOPMENT, AGING AND
COMMUNITY SERVICES**



**REQUEST FOR STATEMENT OF QUALIFICATIONS
(RFSQ)**

**FOR THE PROVISION OF
SOCIAL ENTERPRISE EMPLOYMENT AND TRAINING
PROGRAM SERVICES**

Prepared By
County of Los Angeles
Workforce Development, Aging and Community Services
Contracts Management Division
3175 W. Sixth Street, 4th Floor
Los Angeles, CA 90020

RFSQ #CMD-01-16
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Available on the Internet at: <http://wdacs.lacounty.gov>

*"To Deliver Quality Services to Youth, Adults and Seniors That Promote Independence, Dignity,
Choice and Social Well-Being"*

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1.0 GENERAL INFORMATION

1.1 Scope of Work

- 1.1.1 The County of Los Angeles Workforce Development, Aging and Community Services (WDACS or County) is seeking qualified Social Enterprise (SE) organization(s) to enter into Master Agreements with the County to provide transitional or permanent employment and training services to a Transitional Workforce residing in Los Angeles County, which includes, but is not limited to, those under-employed or hard-to-employ persons that may be homeless, formerly incarcerated, or those who have faced significant barriers to employment. Social Enterprise organizations responding to this Request For Statement of Qualifications (RFSQ) shall be involved in employing, training and developing skills for the County's target populations. WDACS is seeking to enter into agreements with certified SEs that have demonstrated experience employing individuals with barriers and have strong existing relationships with workforce and social service agencies to enhance their work.
- 1.1.2 These services shall benefit Targeted Workers, as defined by Los Angeles County Board of Supervisors (Board) Board Motion adopted September 6, 2016: A Targeted Worker is a resident of the County of Los Angeles with career-limiting circumstances, specifically, one or more of the following: (1) has a documented Annual income at or below 100 percent of the Federal Poverty Level; (2) no high school diploma or GED; (3) a history of involvement with the criminal justice system; (4) protracted unemployment; (5) is a current recipient of government cash or food assistance benefits; (6) is homeless or has been homeless within the last year; (7) is a custodial single parent; (8) is a former foster youth; or (9) is a veteran, or the eligible spouse of a veteran of the United States armed forces, under Section 2(a) of the Jobs for Veterans Act (38 U.S.C. 4215[a]).
- 1.1.3 For purposes of this RFSQ, Social Enterprises shall include non-profit and for-profit businesses whose primary purpose is the "common good" (as defined in County Code 2.205), and which, "use the methods and disciplines of business and the power of the marketplace to advance their social environmental and human justice agendas, wherein the organization that applies commercial strategies to maximize improvements in human and environmental well-being, that may include maximizing social impact rather than profits for external shareholders."

- 1.1.4 The Master Agreement list created as a result of this RFSQ is intended for use by all Los Angeles County Departments as they may issue Work Orders when services are needed.
- 1.15 The execution of a Master Agreement does not guarantee a Contractor any amount of funding from County or an award of a Work Order.

1.2 Overview of Solicitation Document

This RFSQ is composed of the following parts:

- **GENERAL INFORMATION:** Specifies Proposer's minimum qualifications, provides information regarding some of the requirements of the Master Agreement and explains the solicitation process.
- **INSTRUCTIONS TO PROPOSERS:** Contains instructions to Proposers in how to prepare and submit their Statement of Qualifications (SOQ).
- **STATEMENT OF QUALIFICATIONS (SOQ) REVIEW/SELECTION/QUALIFICATION PROCESS:** Explains how the SOQ will be reviewed, selected and qualified.
- **APPENDICES:**
 - **A - REQUIRED FORMS:** Forms contained in this section must be completed and included in the SOQ.
 - **B - TRANSMITTAL FORM TO REQUEST A SOLICITATION REQUIREMENTS REVIEW:** Transmittal sent to department requesting a Solicitation Requirements Review.
 - **C - COUNTY OF LOS ANGELES POLICY OF DOING BUSINESS WITH SMALL BUSINESS:** County policy.
 - **D - JURY SERVICE ORDINANCE:** County policy.
 - **E - LISTING OF CONTRACTORS DEBARRED IN LOS ANGELES COUNTY:** Contractors who are not allowed to contract with the County for a specific length of time.
 - **F - IRS NOTICE 1015:** Provides information on Federal Earned Income Credit.
 - **G - SAFELY SURRENDERED BABY LAW:** County program.

- **H - MODEL MASTER AGREEMENT:** This will be the Master Agreement used for this solicitation. The terms and conditions shown in the Master Agreement are not negotiable.
- **I - 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.
- **J - DEFAULTED PROPERTY TAX REDUCTION PROGRAM:** County program
- **K - SOCIAL ENTERPRISE EMPLOYMENT AND TRAINING PROGRAM SERVICES STATEMENT OF WORK**
- **L - COUNTY RECOGNIZED HOLIDAYS**

1.3 Terms and Definitions

Throughout this RFSQ, references are made to certain persons, groups, or departments/agencies. For convenience, a description of specific definitions can be found in Appendix H, Sample Master Agreement, Paragraph 2, Definitions.

1.4 Proposer's Mandatory Minimum Qualifications

Interested and qualified Proposers that meet the Mandatory Minimum Qualifications (MMQs) stated below are invited to submit an SOQ:

1.4.1 Social Enterprise MMQ

At a minimum, Proposer **MUST** meet subsections 1.4.1.1 and 1.4.1.2, and thereafter may additionally qualify under subsections 1.4.2, 1.4.3, 1.4.4 and/or 1.4.5, depending on the specific Work Orders that may eventually be released by the County.

1.4.1.1 Proposer must meet the definition of a Social Enterprise (SE), consistent with Chapter 2.205 of the Los Angeles County Code and be certified by the Department of Consumer and Business Affairs (DCBA) as a SE.
Further information on SEs is available on the DCBA's website at <http://dcba.lacounty.gov>.

1.4.1.2 Proposer must be established as a Social Enterprise for at least one (1) year and have one (1) year experience providing transitional or permanent employment and training services for targeted workers who face barriers to employment and/or qualified individuals to seek jobs in high-growth and other sectors including, but not limited to, Healthcare, Construction,

Hospitality and Tourism, Energy and other Green Jobs, Bio-Med and Bio-Technology, Transportation and Logistics, Cafeteria or any Food Services which are equivalent or substantially similar to the services stated in Appendix J, Social Enterprise Employment and Training Program Statement of Work,

OR

1.4.2 Workforce Innovation and Opportunity Act (WIOA) MMQ

- 1.4.2.1 Proposer applying to provide transitional or permanent employment and training services to WIOA Adult, Dislocated Worker and/or Youth participants must have a minimum of two (2) years' experience within the past five (5) years administering workforce employment and training program services, which are equivalent or substantially similar to the services stated in Appendix K, Social Enterprise Employment and Training Program Statement of Work, and
- 1.4.2.2 Proposer shall have a senior leadership or management team with WIOA/WIA experience;
- 1.4.2.3 Proposer shall have the ability to collect and report participant data which measures success within its social enterprise;
- 1.4.2.4 Proposer shall submit the following financial package: Copies of Proposer's audited financial statements, or Single Audits (if applicable), prepared by a Certified Public Accountant for the most recent three (3) full fiscal years;

OR

1.4.3 Transitional Employment/Permanent Employment MMQ

- 1.4.3.1 Proposer applying to provide transitional or permanent employment and training services to re-entry or formerly incarcerated individuals must have a minimum of one (1) year experience within the past five (5) years providing employment services equivalent or substantially similar to the services stated in Appendix K, Social Enterprise Employment and Training Program Statement of Work, Sub-paragraph 1.0 (Scope of Work), and
- 1.4.3.2 Proposer shall have a senior leadership or management team with experience in working with incarcerated individuals

returning to work;

- 1.4.3.3 Proposer shall have the ability to collect and report participant data which measures success within its social enterprise;
- 1.4.3.4 Proposer shall submit the following financial package: Copies of Proposer's audited financial statements, or Single Audits (if applicable), prepared by a Certified Public Accountant for the most recent three (3) full fiscal years;

OR

1.4.4 Veterans MMQ

- 1.4.4.1 Proposer applying to provide transitional or permanent employment and training services to Veterans must have a minimum of two (2) years' experience within the past five (5) years providing veteran grant-specific employment and training services to veterans and their eligible spouses, equivalent or substantially similar to the services stated in Appendix K, Social Enterprise Employment and Training Program Statement of Work, Sub-paragraph 1.0 (Scope of Work), and
- 1.4.4.2 Proposer shall have a senior leadership or management team with experience in working with Veterans;
- 1.4.4.3 Proposer shall have the ability to collect and report participant data which measures success within its social enterprise;
- 1.4.4.4 Proposer shall submit the following financial package: Copies of Proposer's audited financial statements, or Single Audits (if applicable), prepared by a Certified Public Accountant for the most recent three (3) full fiscal years;

OR

1.4.5 Calworks/TANF/Cal LEARN General Relief Opportunities for Work MMQ

- 1.4.5.1 Proposer applying to provide transitional or permanent employment and training services to Participants who receive, or are a member of a family that receives CalWORKs/TANF/Cal LEARN, General Relief Opportunities for Work (GROW) benefits, or who are applying to provide

transitional or permanent employment and training services to Participants who are recipients of General Relief or other public assistance, must have a minimum of two (2) years' experience within the past five (5) years administering youth employment and training program services, equivalent or substantially similar to the services to disconnected Participants including but not limited to, current, former and emancipated Foster youth, Probation youth, Homeless youth, Lesbian, Gay, Bisexual, Transgender, and Questioning (LGBTQ) youth, and other underserved youth as directed by County, stated in Appendix K, Social Enterprise Employment and Training Program Statement of Work, Sub-paragraph 1.0 (Scope of Work), and

- 1.4.5.2 Proposer shall have a senior leadership or management team with experience in working with the populations described above;
- 1.4.5.3 Proposer shall have the ability to collect and report participant data which measures success within its social enterprise;
- 1.4.5.4 Proposer shall submit the following financial package: Copies of Proposer's audited financial statements, or Single Audits (if applicable), prepared by a Certified Public Accountant for the most recent three (3) full fiscal years.

1.5 Intentionally Omitted

1.6 Master Agreement Process

The objective of this RFSQ process is to secure one or more qualified Proposers to provide services. Specific tasks, funding, deliverables, etc. will be determined at the time the County requests Work Order bids.

- 1.6.1 Master Agreements will be executed with all Proposers determined to be qualified based on review of MMQs, references and any other document submitted.
- 1.6.2 Upon execution of these Master Agreements, the qualified Proposers will become County Contractors, and thereafter they will from time to time be solicited under competitive conditions to provide as needed Social Enterprise Employment services under Work Orders to be issued by County. The execution of a Master Agreement does not guarantee a Contractor any amount of funding from the County or an award of a Work Order.

- 1.6.3 Work Orders shall include a Statement of Work which shall describe in detail the particular project and the work required for the performance thereof. Payment for all work shall be on a cost reimbursement basis, subject to the Total Maximum Amount specified on each individual Work Order.
- 1.6.4 Award of Work Orders will be based on competitive evaluation of the specific requirements of that Work Order. Work Orders may also include instructions and additional information if Living Wage, Prop A or Prevailing Wage requirements are involved.

1.7 Master Agreement Term

- 1.7.1 The term of the Master Agreement shall be for a period of two (2) years, with the option to extend for up to three (3) additional one (1) year periods, for a term not to exceed five (5) years. Renewal options will be at County's discretion. Funding during the Master Agreement term shall also be contingent upon Contractor's performance as specified in the resulting Master Agreement and periodically at County's discretion and ongoing County needs.
- 1.7.2 County will accept SOQs to qualify Proposers periodically throughout the duration of the Master Agreement, including the three (3) additional one (1) year renewal periods. Any Master Agreement that may be entered into will become effective upon the date of execution by the Director of WDACS, or designee and will expire, unless terminated sooner, or extended pursuant to the terms of the resulting Master Agreement.

1.8 County Rights & Responsibilities

County has the right to amend the RFSQ by written addendum. County is responsible only for that which is expressly stated in the solicitation document and any authorized written addenda thereto. Such addendum shall be made available to each person or organization which County records indicate has received this RFSQ. Should such addendum require additional information not previously requested, failure to address the requirements of such addendum may result in the SOQ not being considered, as determined in the sole discretion of County. County is not responsible for, and shall not be bound by, any representations otherwise made by any individual acting or purporting to act on its behalf.

1.9 Contact with County Personnel

Any contact regarding this RFSQ or any matter relating thereto must be in writing and may be mailed, e-mailed or faxed as follows:

Carol Domingo, Program Manager
3175 W Sixth Street, Room 403
Los Angeles, CA 90020

E-mail: cdomingo@css.lacounty.gov

If it is discovered that a 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 SOQ from further consideration.

1.10 Mandatory Requirement to Register on County's WebVen

Prior to executing a Master Agreement, all potential Contractors must register in the County's WebVen. The WebVen contains Proposer's business profile and identifies the goods/services the business provides. Registration can be accomplished by accessing the County's home page at <http://camisvr.co.la.ca.us/webven/>

1.11 County Option to Reject SOQs

County may, at its sole discretion, reject any or all SOQs submitted in response to this solicitation. County shall not be liable for any cost incurred by a Proposer in connection with preparation and submittal of any SOQ. County reserves the right to waive inconsequential disparities in a submitted SOQ.

1.12 Protest Process

1.12.1 Under Los Angeles County Board of Supervisors ("Board" or "Board of Supervisors") 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 Section 1.12.3 below. Additionally, any actual Proposer may request a review of a disqualification under such a solicitation, as described in the Sections below.

1.12.2 Throughout the review process, County has no obligation to delay or otherwise postpone an award of contract based on a Proposer protest. In all cases, 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.

1.12.3 Grounds for Review

Unless state or federal statutes or regulations otherwise provide, the grounds for review of any Departmental determination or action should be limited to the following:

- Review of Solicitation Requirements Review (Reference sub-paragraph 2.4 in the solicitation requirement review)
- Review of a Disqualified SOQ (Reference sub-paragraph 3.2 in the Review/Selection/Qualification Section)

1.13 Notice to Proposer's Regarding Public Records Act

- 1.13.1 Responses to this RFSQ shall become the exclusive property of County. At such time as when WDACS recommends the qualified Proposer(s) to the Board of Supervisors (Board) and such recommendation appears on the Board agenda, all SOQ's submitted in response to this RFSQ, become a matter of public record, with the exception of those parts of each SOQ which are justifiably defined and identified by Proposer as business or trade secrets, and plainly marked as "Trade Secret," "Confidential," or "Proprietary."
- 1.13.2 County shall 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 SOQ as confidential shall not be deemed sufficient notice of exception. Proposer must specifically label only those provisions of their respective SOQ which are "Trade Secrets," "Confidential," or "Proprietary" in nature.

1.14 Indemnification and Insurance

Proposer shall be required to comply with the Indemnification provisions contained in Appendix H, Master Agreement, sub-paragraph 8.22. Proposer shall procure, maintain, and provide to the County proof of insurance coverage for all the programs of insurance along with associated amounts specified in Appendix H, Master Agreement, sub-paragraphs 8.23 and 8.24.

1.15 SPARTA Program

A County program, known as 'SPARTA' (Service Providers, Artisan and Tradesman Activities) may be able to assist potential Contractors in obtaining affordable liability insurance. The SPARTA Program is administered by the County's insurance broker, Merriwether & Williams. For additional information, Proposers may call Merriwether & Williams toll free at (800) 420-0555 or can access their website directly at www.2sparta.com.

1.16 Injury & Illness Prevention Program (IIPP)

Proposer shall be required to comply with the State of California's Cal OSHA's regulations. Section 3203 of Title 8 in the California Code of Regulations requires all California employers to have a written, effective Injury and Illness Prevention Program (IIPP) that addresses hazards pertaining to the particular workplace covered by the program.

1.17 Background and Security Investigations

Background and security investigations of Proposer's staff may be required at the discretion of the County as a condition of beginning and continuing work under any resulting agreement. In the event background checks are requested to begin work under any resulting agreement, the cost shall be the responsibility

of Proposer. Costs associated with background checks are a reimbursable cost once a Master Agreement and Work Order has been executed.

1.18 Confidentiality and Independent Contractor Status

As appropriate, successful Proposer shall be required to comply with the Confidentiality provision contained in sub-paragraph 7.6 in Appendix H, Master Agreement and the Independent Contractor Status provision contained in sub-paragraph 8.21 in Appendix H, Master Agreement.

1.19 Conflict of Interest

No County employee whose position in the County enables him/her to influence the selection of a Contractor for this RFSQ, or any competing RFSQ, nor any spouse or economic dependent of such employees, shall be employed in any capacity by a Proposer or have any other direct or indirect financial interest in the selection of a Contractor. Proposer shall certify that he/she is aware of and has read Section 2.180.010 of the Los Angeles County Code as stated in Appendix A, Required Forms, Exhibit 2, "Certification of No Conflict of Interest."

1.20 Determination of Proposer Responsibility

1.20.1 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 Master Agreement. It is the County's policy to conduct business only with responsible Proposers.

1.20.2 Proposers are hereby notified that, in accordance with Chapter 2.202 of the County Code, County may determine whether Proposer is responsible based on a review of 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 Proposer against public entities. Labor law violations which are the fault of the subcontractors and of which Proposer had no knowledge shall not be the basis of a determination that Proposer is not responsible.

1.20.3 County may declare a Proposer to be nonresponsible for purposes of this Master Agreement if the Board of Supervisors, in its discretion, finds that Proposer has done any of the following: (1) violated a term of a contract with the County or a nonprofit corporation created by County; (2) committed an act or omission which negatively reflects on Proposer's quality, fitness or capacity to perform a contract with County, any other public entity, or a nonprofit corporation created by the County of Los Angeles, 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 County or any other public entity.

- 1.20.4 If there is evidence that Proposer may not be responsible, WDACS shall notify Proposer in writing of the evidence relating to Proposer's responsibility, and its intention to recommend to the Board of Supervisors that Proposer be found not responsible. WDACS shall provide Proposer and/or Proposer's representative with an opportunity to present evidence as to why Proposer should be found to be responsible and to rebut evidence which is the basis for WDACS' recommendation.
- 1.20.5 If Proposer presents evidence in rebuttal to WDACS, WDACS shall 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 Proposer shall reside with the Board of Supervisors.
- 1.20.6 These terms shall also apply to proposed subcontractors of Proposers on County contracts.

1.21 Proposer Debarment

- 1.21.1 Proposer is hereby notified that, in accordance with Chapter 2.202 of the County Code, the County may debar 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 Proposer's existing contracts with County, if the Board of Supervisors finds, in its discretion, that 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 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.
- 1.21.2 If there is evidence that the apparent highest ranked Proposer may be subject to debarment, WDACS shall notify Proposer in writing of the evidence which is the basis for the proposed debarment, and shall advise Proposer of the scheduled date for a debarment hearing before the Contractor Hearing Board.
- 1.21.3 The Contractor Hearing Board shall conduct a hearing where evidence on the proposed debarment is presented. Proposer and/or Proposer's representative shall be given an opportunity to submit evidence at that hearing. After the hearing, the Contractor Hearing Board shall prepare a tentative proposed decision, which shall contain a recommendation regarding whether Proposer should be debarred, and, if so, the

appropriate length of time of the debarment. Proposer and WDACS shall be provided an opportunity to object to the tentative proposed decision prior to its presentation to the Board of Supervisors.

- 1.21.4 After consideration of any objections, or if no objections are received, a record of the hearing, the proposed decision and any other recommendation of the Contractor Hearing Board shall be presented to the Board of Supervisors. The Board of Supervisors shall have the right to modify, deny or adopt the proposed decision and recommendation of the Contractor Hearing Board.
- 1.21.5 If a Proposer has been debarred for a period longer than five (5) years, that Proposer may, after the debarment has been in effect for at least five (5) years, submit a written request for review of the debarment determination to reduce the period of debarment or terminate the debarment. The County may, in its discretion, reduce the period of debarment or terminate the debarment if it finds that Proposer has adequately demonstrated one or more of the following: (1) elimination of the grounds for which the debarment was imposed; (2) a bona fide change in ownership or management; (3) material evidence discovered after debarment was imposed; or (4) any other reason that is in the best interests of the County.
- 1.21.6 The Contractor Hearing Board will consider requests for review of a debarment determination only where (1) Proposer has been debarred for a period longer than five (5) years; (2) the debarment has been in effect for at least five (5) years; and (3) the request is in writing, states one or more of the grounds for reduction of the debarment period or termination of the debarment, and includes supporting documentation. Upon receiving an appropriate request, the Contractor Hearing Board will provide notice of the hearing on the request. At the hearing, the Contractor Hearing Board shall conduct a hearing where evidence on the proposed reduction of debarment period or termination of debarment is presented. This hearing shall be conducted and the request for review decided by the Contractor Hearing Board pursuant to the same procedures as for a debarment hearing.
- 1.21.7 The Contractor Hearing Board's proposed decision shall contain a recommendation on the request to reduce the period of debarment or terminate the debarment. The Contractor Hearing Board shall present its proposed decision and recommendation to the Board of Supervisors. The Board of Supervisors shall have the right to modify, deny, or adopt the proposed decision and recommendation of the Contractor Hearing Board.
- 1.21.8 These terms shall also apply to proposed subcontractors of Proposers on County contracts.

1.21.9 Appendix E provides a link to the County's website where there is a listing of Contractors that are currently on the Debarment List for Los Angeles County.

1.22 Proposer's Adherence to County Child Support Compliance Program

Contractors shall 1) fully comply with all applicable State and Federal reporting requirements relating to employment reporting for its employees; and 2) comply with all lawfully served Wage and Earnings Assignment Orders and Notice of Assignment and continue to maintain compliance during the term of any contract that may be awarded pursuant to this solicitation. Failure to comply may be cause for termination of a Master Agreement or initiation of debarment proceedings against the non-compliant Contractor (County Code Chapter 2.202).

1.23 Gratuities

1.23.1 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 Proposer's provision of the consideration may secure more favorable treatment for Proposer in the award of a Master Agreement or that Proposer's failure to provide such consideration may negatively affect the County's consideration of Proposer's submission. A Proposer shall not offer or give either directly or through an intermediary, consideration, in any form, to a County officer, employee or agent for the purpose of securing favorable treatment with respect to the award of a Master Agreement.

1.23.2 Proposer Notification to County

A Proposer shall immediately report any attempt by a County officer, employee or agent to solicit such improper consideration. The report shall 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 Proposer's submission being eliminated from consideration.

1.23.3 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.

1.24 Notice to Proposers Regarding the County Lobbyist Ordinance

The County 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 RFSQ. 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 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 by completing and submitting the Familiarity with the County Lobbyist Ordinance Certification, as set forth in Appendix A, Required Forms, Exhibit 6, as part of their SOQ.

1.25 Federal Earned Income Credit

Successful Contractor(s) shall notify its employees, and shall require each subcontractor to notify its employees, that they may be eligible for the Federal Earned Income Credit under the federal income tax laws. Such notice shall be provided in accordance with the requirements set forth in the Internal Revenue Service Notice No. 1015, Appendix F.

1.26 Consideration of GAIN/GROW Participants for Employment

As a threshold requirement for consideration of a Master Agreement, Proposers shall demonstrate a proven record of hiring participants in the County of Los Angeles's Department of Public Social Services Greater Avenues for Independence (GAIN) or General Relief Opportunity for Work (GROW) Programs or shall attest to a willingness to consider GAIN/GROW participants for any future employment openings if they meet the minimum qualifications for that opening. Additionally, Proposers shall attest to a willingness to provide employed GAIN/GROW participants access to Proposer's employee mentoring program, if available, to assist these individuals in obtaining permanent employment and/or promotional opportunities. Proposers who are unable to meet this requirement shall not be considered for a Master Agreement.

Proposers shall complete and return the form, "Attestation of Willingness to Consider GAIN/GROW Participants," as set forth in Appendix A, Required Forms, Exhibit 9, as part of their SOQ.

1.27 County's Quality Assurance Plan

After award of a Master Agreement and subsequent Work Order(s), County or its agent will evaluate Successful Contractor's performance under the Master Agreement and Work Order on an annual basis. Such evaluation will include assessing Contractor's compliance with all terms in the Master Agreement and performance standards identified in the Work Order. Contractor's deficiencies which County determines are severe or continuing and that may jeopardize performance of this Master Agreement and subsequent Work Orders will be reported to the County's Board of Supervisors. The report will include improvement/corrective action measures taken by County and Contractor. If

improvement does not occur consistent with the corrective action measures, County may terminate the Master Agreement and/or Work Order in whole or in part, or impose other penalties as specified in the Master Agreement.

1.28 Recycled Bond Paper

Proposer shall be required to comply with the County's policy on recycled bond paper as specified in Appendix H, Master Agreement, sub-paragraph 8.38.

1.29 Safely Surrendered Baby Law

Successful Contractor(s) shall notify and provide to its employees, and shall require each subcontractor to notify and provide to its employees, a fact sheet regarding the Safely Surrendered Baby Law, its implementation in Los Angeles County, and where and how to safely surrender a baby. The fact sheet is set forth in *Appendix G* of this solicitation document and is also available on the Internet at www.babysafela.org for printing purposes.

1.30 County Policy on Doing Business with Small Business

1.30.1 The County of Los Angeles has multiple programs that address small businesses. The Board of Supervisors encourages small business participation in the County's contracting process by constantly streamlining and simplifying our selection process and expanding opportunities for small businesses to compete for our business.

1.30.2 The Local Small Business Enterprise Preference Program, requires the Company to complete a certification process. This program and how to obtain certification are further explained in sub-paragraph 1.32 of this Section.

1.30.3 The Jury Service Program provides exceptions to the Program if a company qualifies as a Small Business. It is important to note that each Program has a different definition for Small Business. You may qualify as a Small Business in one Program but not the other. Further explanation of the Jury Service Program is provided in sub-paragraph 1.31 of this Section.

1.30.4 The County of Los Angeles also has a Policy on Doing Business with Small Business that is stated in Appendix C.

1.31 Jury Service Program

The prospective Master Agreement 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 read the Jury Service Ordinance, Appendix D, and the pertinent jury service provisions of the Appendix H, Sample Master Agreement, sub-paragraph 8.7, both of which are incorporated by reference into and made a part of this RFSQ. The Jury Service Program applies to both Contractors and their Subcontractors.

SOQs that fail to comply with the requirements of the Jury Service Program will be considered non-responsive and excluded from further consideration.

- 1.31.1 The Jury Service Program requires Contractors and their Subcontractors to have and adhere to a written policy that provides that its employees shall receive from the Contractor, on an annual basis, no less than five days of regular pay for actual jury service. The policy may provide that employees deposit any fees received for such jury service with the Contractor or that the Contractor deduct from the employee's regular pay the fees received for jury service. For purposes of the Jury Service Program, "employee" means any California resident who is a full-time employee of a Contractor and "full-time" means 40 hours or more worked per week, or a lesser number of hours if: 1) the lesser number is a recognized industry standard as determined by the County, or 2) the Contractor has a long-standing practice that defines the lesser number of hours as full-time. Therefore, the Jury Service Program applies to all of a Contractor's full-time California employees, even those not working specifically on the County project. Full-time employees providing short-term, temporary services of 90 days or less within a 12-month period are not considered full-time for purposes of the Jury Service Program.
- 1.31.2 There are two ways in which a Contractor might not be subject to the Jury Service Program. The first is if the Contractor does not fall within the Jury Service Program's definition of "Contractor". The Jury Service Program defines "Contractor" to mean a person, partnership, corporation or other entity which has a contract with the County or a Subcontract with a County Contractor and has received or will receive an aggregate sum of \$50,000 or more in any 12-month period under one or more County contracts or subcontracts. The second is if the Contractor meets one of the two exceptions to the Jury Service Program. The first exception concerns small businesses and applies to Contractors that have 1) ten or fewer employees; and, 2) annual gross revenues in the preceding twelve months which, if added to the annual amount of this contract is less than \$500,000, and, 3) is not an "affiliate or subsidiary of a business dominant in its field of operation". The second exception applies to Contractors that possess a collective bargaining agreement that expressly supersedes the provisions of the Jury Service Program. The Contractor is subject to any provision of the Jury Service Program not expressly superseded by the collective bargaining agreement.
- 1.31.3 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 the "Contractor Employee Jury Service Program Certification Form and Application for Exception," as set forth in Appendix A, Required Forms, Exhibit 10, 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.

1.32 COUNTY'S PREFERENCE PROGRAMS

1.32.1 Overview of County's Preference Programs

- 1.32.1.1 The County of Los Angeles has three preference programs. The Local Small Business Enterprise (LSBE), Disabled Veterans 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.
- 1.32.1.2 The Preference Programs (LSBE, DVBE, and SE) requires that a business must complete certification prior to requesting a preference in a solicitation. This program and how to obtain certification are further explained in paragraphs 1.33, 1.34, and 1.35 of this solicitation.
- 1.32.1.3 In no case shall 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.
- 1.32.1.4 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.
- 1.32.1.5 The County also has a Policy on Doing Business with Small Business that is stated in Appendix C.
- 1.32.1.6 ***For purposes of this solicitation, certification as a Social Enterprise is a mandatory minimum requirement.***

1.33 Local Small Business Enterprise Preference Program

- 1.33.1 In reviewing Work Order Bids, County will give Local SBE preference to businesses that meet the definition of a Local Small Business Enterprise (Local SBE), consistent with Chapter 2.204.030C.1 of the Los Angeles County Code. A Local SBE is defined as: 1) A business certified by the

State of California as a small business and; 2) has had its principal office located in Los Angeles County for a period of at least one year. The business must be certified by the Office of Affirmative Action Compliance as meeting the requirements set forth in 1 and 2 above prior to requesting the Local SBE Preference in a solicitation.

1.33.2 To apply for certification as a Local SBE, companies may register at the Office of Affirmative Action Compliance's website at: <http://oaac.co.la.ca.us/contract/sbemain.html>.

1.33.3 Certified Local SBEs must request the SBE Preference in each of their Work Order Bid responses and may not request the preference unless the certification process has been completed and certification affirmed. 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 Local SBE.

1.33.4 Information about the State's small business enterprise certification regulations is in the California Code of Regulations, Title 2, Subchapter 8, Section 1896 et seq., and is also available on the California Department of General Services Office of Small Business Certification and Resources Web site at <http://www.pd.dgs.ca.gov/smbus/default>.

1.34 Local Small Business Enterprise (SBE) Prompt Payment Program

It is the intent of County that Certified Local SBEs receive prompt payment for services they provide to County departments. Prompt payment is defined as 15 calendar days after receipt of an undisputed invoice.

1.35 Social Enterprise (SE)

1.35.1 County will only contract with businesses that meet the definition of a SE, consistent with Chapter 2.205 of the Los Angeles County Code. A SE is defined as:

- 1) A business that qualifies as a SE and has been in operation for at least one year (1) providing transitional or permanent employment to a Transitional Workforce or providing social, environmental and/or human justice services; and
- 2) A business certified by the Department of Consumer and Business Affairs (DCBA) as a SE.

1.35.2 The DCBA shall certify that a SE meets the required criteria set above.

1.35.3 Certified SEs may only qualify if the certification has been completed and certification is affirmed. Businesses must complete

and submit "Request for Preference Program Consideration" in Appendix D, Required Forms, Exhibit 4, and submit a letter of certification from the DCBA with their proposal.

- 1.35.4 Further information on SEs, and the requirements for certification is available on the DCBA's website at: <http://dcba.lacounty.gov>.

1.36 Disabled Veteran Business Enterprise (DVBE) Preference Program

- 1.36.1 County will give 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. A DVBE vendor is defined as:

- 1) A business which is certified by the State of California as a DVBE; or
- 2) A business which is verified as a service-disabled veteran-owned small business (SDVOSB) by the Veterans Administration; or
- 3) A business certified as DVBE with other certifying agencies pursuant to the Department of Consumer and Business Affairs' (DCBA) inclusion policy that meets the criteria set forth by the agencies in 1 and 2 above.

- 1.36.2 The DCBA shall certify that a DVBE is currently certified by the State of California, by the U.S. Department of Veteran Affairs, or is determined by the DCBA's inclusion policy that meets the criteria set forth by the agencies in Section 1.36.1.

- 1.36.3 Certified DVBEs may only request the preference if the certification process has been completed and certification is affirmed. Businesses must complete and submit Exhibit 4, "Request for Preference Program Consideration" in Appendix D, Required Forms, and submit a letter of certification from the DCBA with their proposal.

- 1.36.4 Information about the State's DVBE certification regulations is found in the California Code of Regulations, Title 2, Subchapter 8, Section 1896 et seq., and is also available on the California Department of General Services Office of Disabled Veteran Business Certification and Resources Website at <http://www.dgs.ca.gov/pd/Home.aspx>.

- 1.36.5 Information on the Department of Veteran Affairs SDVOSB certification regulations may be found in the Code of Federal Regulations, 38 CFR 74, and is also available on the Department of Veterans Affairs Website at: <http://www.vetbiz.gov/>.

1.37 Notification to County of Pending Acquisitions/Mergers by Proposing Company

Proposer shall notify County of any pending acquisitions/mergers of their company. This information shall be provided by Proposer on Appendix D, Required Forms, Exhibit 1, "Proposer's Organization Questionnaire/Affidavit." Failure of Proposer to provide this information may eliminate its SOQ from any further consideration.

1.38 Contractor's Charitable Contributions Compliance

- 1.38.1 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 N, Background and Resources: California Charities Regulations. New rules cover California public benefit corporations, unincorporated associations, and trustee entities and may include similar foreign corporations doing business or holding property in California. Key Nonprofit Integrity Act requirements affect 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) have new audit requirements.
- 1.38.2 All prospective Contractors must determine if they receive or raise charitable contributions which subject them to the Charitable Purposes Act and complete Appendix D, Required Forms, Exhibit 11, "Charitable Contributions Certification." A completed Exhibit 12, Charitable Contributions Certification, is a required part of any agreement with County.
- 1.38.3 In Appendix D, Required Forms, Exhibit 11, "Charitable Contributions Certification," prospective Contractor shall certify either that:
- It has determined that it does not now receive or raise charitable contributions regulated under the California Charitable Purposes Act, (including the Nonprofit Integrity Act) but will

comply if it becomes subject to coverage of those laws during the term of a County Contract, or

- It is currently complying with its obligations under the Charitable Purposes Act, attaching a copy of its most recent filing with the Registry of Charitable Trusts.

1.38.4 Prospective Contractor that does not complete Appendix D, Required Forms, Exhibit 11, “Charitable Contributions Certification,” and submit it along with its proposal may be disqualified from a Master Agreement award at County’s sole discretion. A 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)

1.39 Contractor’s Obligations as a “Business Associate” Under the Health Insurance Portability and Accountability Act of 1996 (HIPAA)

Successful Contractor(s) shall be required to comply with the Administrative Simplification requirements of the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) and as may be revised in the future, as contained in Appendix H, Sample Master Agreement, Exhibit K.

1.40 Defaulted Property Tax Reduction Program

The prospective Master Agreement 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 carefully read the Defaulted Tax Program Ordinance, Appendix J, and the pertinent provisions of the Appendix H, Sample Master Agreement, sub-paragraphs 8.50 and 8.51, 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.

Proposers shall be required to certify that they are in full compliance with the provisions of the Defaulted Tax Program and shall maintain compliance during the term of any contract that may be awarded pursuant to this solicitation or shall certify that they are exempt from the Defaulted Tax Program by completing Certification of Compliance with The County’s Defaulted Property Tax Reduction Program, Appendix A, Required Forms, Exhibit 12. 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-compliance contractor (Los Angeles County Code, Chapter 2.202).

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

1.41 Contractor Alert Reporting Database (CARD)

Proposers acknowledge that on April 27, 2010, the Board of Supervisors directed the Chief Executive Office (CEO), Auditor-Controller (A-C), County Counsel (Counsel), and the Director of Internal Services (ISD) to establish a work group to develop a mechanism to alert departments of poorly performing contractors. As a result, the County of Los Angeles developed the Contractor Alert Reporting Database (CARD), which uses the County of Los Angeles's existing enterprise-based eCAPS System to track poorly performing contractors, and that CARD status may be used in any proposal review or scoring

1.42 Time Off For Voting

Successful Proposer(s) shall notify its employees, and shall require each subcontractor to notify and provide to its employees, information regarding the time off for voting law (Elections Code Section 14000). Not less than ten (10) days before every statewide election, every Contractor and Subcontractors shall keep posted conspicuously at the place of work, if practicable, or elsewhere where it can be seen as employees come or go to their place of work, a notice setting forth the provisions of Section 14000.

1.43 Proposer's Acknowledgement of County's Commitment to Zero Tolerance Policy on Human Trafficking

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 Proposers engaged in human trafficking from receiving contract awards or performing services under a County contract.

Proposers are required to complete Exhibit 13 (Zero Tolerance Policy on Human Trafficking Certification) in Appendix A (Required Forms), certifying that they are in full compliance with the County's Zero Tolerance Policy on Human Trafficking provision as defined in Section 8.54 (Compliance with County's Zero Tolerance Policy on Human Trafficking) of Appendix H (Sample Master Agreement). Further, Successful Contractors are required to comply with the requirements under said provision for the term of any Master Agreement awarded pursuant to this solicitation.

2.0 INSTRUCTIONS TO PROPOSERS

This Section contains key project dates and activities as well as instructions to Proposers in how to prepare and submit their Statement of Qualifications (SOQ).

2.1 County Responsibility

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

2.2 Truth and Accuracy of Representations

False, misleading, incomplete, or deceptively unresponsive statements in connection with an SOQ shall be sufficient cause for rejection of the SOQ. The evaluation and determination in this area shall be at the Director's sole judgment and his/her judgment shall be final.

2.3 RFSQ Timetable

The timetable for this RFSQ is as follows:

- Release of RFSQDecember 30, 2016
- Request for a Solicitation Requirements Review DueJanuary 17, 2017
- Written Questions DueJanuary 19, 2017
- Questions and Answers Released.....January 24, 2017
- **SOQ due by 5:00PM (Pacific Time)January 31, 2017**

Those SOQ's submitted by the date identified above will be initially reviewed. Subsequent to this date, SOQ's will be reviewed as they are received to determine a proposer's qualifications. Please note there will be no question opportunities other than those identified in Section 2.5, Proposer's Questions.

2.4 Solicitation Requirements Review

Any person or entity may seek a Solicitation Requirements Review by submitting *Appendix B - Transmittal Form to Request a Solicitation Requirements Review* to WDACS as described in this Section. A request for a Solicitation Requirements Review may be denied, in WDACS' sole discretion, if the request does not satisfy all of the following criteria:

1. The request for a Solicitation Requirements Review is made within ten (10) business days of the issuance of the solicitation document;
2. The request for a Solicitation Requirements Review includes documentation, which demonstrates the underlying ability of the person or entity to submit a proposal;
3. The request for a Solicitation Requirements Review itemizes in appropriate detail, each matter contested and factual reasons for the requested review; and
4. The request for a Solicitation Requirements Review asserts either that:
 - a. application of the minimum requirements, evaluation criteria and/or business requirements unfairly disadvantages the person or entity; or,

- b. due to unclear instructions, the process may result in County not receiving the best possible responses from prospective Proposer.

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

2.5 Proposers' Questions

Proposers may submit written questions regarding this RFSQ by mail or e-mail to the Contracts Analyst identified below. All questions must be received by the date identified in Section 2.3 of this RFSQ. All questions, without identifying the submitting firm, will be compiled with the appropriate answers and issued as an addendum to this RFSQ.

When submitting questions please specify the RFSQ section number, paragraph number, and page number and quote the passage that prompted the question. This will ensure that the question can be quickly found in the RFSQ. County reserves the right to group similar questions when providing answers.

Questions may address concerns that the application of minimum requirements, evaluation criteria and/or business requirements would unfairly disadvantage Proposers or, due to unclear instructions, may result in the County not receiving the best possible responses from Proposer.

Questions should be addressed to:

Robert Brief, Administrative Services Manager II
Workforce Development Aging & Community Services
3175 West Sixth Street, Room 403
Los Angeles, CA 90020
E-mail address: rbrief@css.lacounty.gov

2.6 Preparation and Format of the SOQ

All SOQs must be bound and submitted in the prescribed format. Any SOQ that deviates from this format may be rejected without review at County's sole discretion.

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

- Table of Contents
- Proposer's Qualifications (Section A)
- Required Forms (Section B)
- Proof of Insurability (Section C)

- Proof of Licenses (Section D)

2.6.1 Table of Contents

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

2.6.2 Proposer's Qualifications (Section A)

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

A.1. Proposer's Background and Experience

Proposer shall complete, sign and date Proposer's Organization Questionnaire/Affidavit and CBE Information, Exhibit 1 as set forth in Appendix D. The person signing the form must be authorized to sign on behalf of Proposer and to bind the applicant in a Master Agreement. Provide a summary of relevant background information to demonstrate that Proposer meets the minimum qualifications stated in sub-paragraph 1.4 of this RFSQ and has the capability to perform the required services as a corporation or other entity.

Taking into account the structure of Proposer's organization, Proposer shall determine which of the below referenced supporting documents the County requires. If Proposer's organization does not fit into one of these categories, upon receipt of the SOQ or at some later time, the County may, in its discretion, request additional documentation regarding Proposer's business organization and authority of individuals to sign Contracts.

If the below referenced documents are not available at the time of SOQ submission, Proposers must request the appropriate documents from the California Secretary of State and provide a statement on the status of the request.

Required Support Documents:

Corporations or Limited Liability Company (LLC):

Proposer must submit the following documentation with the SOQ:

- 1) A copy of a "Certificate of Good Standing" with the state of incorporation/organization.
- 2) 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.

Limited Partnership:

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.

Proposer shall fill out and include Appendix D, Required Forms, Exhibit 1, "Proposer's Organization Questionnaire/Affidavit and CBE Information" to demonstrate they meet the minimum mandatory requirement as stated in Section 1.4 of this RFSQ.

A.2. Proposer's References

It is Proposer's sole responsibility to ensure that the firm's name, and point of contact's name, title and phone number for each reference is accurate. The same references may be listed on both forms – Appendix D, Required Forms, Exhibits 6 and 7.

County may disqualify a Proposer 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 Proposer's responsibility to inform the point of contact of normal working hours.

Proposer must complete and include Required Forms, Exhibits 6, 7 and 8 as set forth in Appendix A.

a. Prospective Contractor References, Exhibit 6

Proposer must provide 3 references where the same or similar scope of services were provided.

b. Prospective Contractor List of Contracts, Exhibit 7

The listing must include all Public Entity contracts for the last three (3) years. A photocopy of this form should be used if necessary.

c. Prospective Contractor List of Terminated Contracts, Exhibit 8

Listing must include contracts terminated within the past three (3) years with a reason for termination.

C. Proposer's Pending Litigation and Judgments (Section A.3)

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. Provide a statement describing the size and scope of

any pending or threatening litigation against Proposer or principals of Proposer.

2.6.3 Required Forms (Section B)

Include the following forms as provided in Appendix D, Required Forms. Complete, sign and date all forms.

- Exhibit 1 Proposer's organization Questionnaire/Affidavit and CBE Information
- Exhibit 2 Certification of No Conflict of Interest
- Exhibit 3 Proposer's EEO Certification
- Exhibit 4 Request for Preference Program Consideration
- Exhibit 5 Familiarity with the County Lobbyist Ordinance Certification
- Exhibit 6 Prospective Contractor References
- Exhibit 7 Prospective Contractor List of Contracts
- Exhibit 8 Prospective Contractor List of Terminated Contracts
- Exhibit 9 Attestation of Willingness to Consider Gain/Grow Participants
- Exhibit 10 County of Los Angeles Contractor Employee Jury Service Program Certification Form and Application for Exception
- Exhibit 11 Charitable Contributions Certification
- Exhibit 12 Certification of Compliance with the County's Defaulted Property Tax Reduction Program
- Exhibit 13 Zero Tolerance Policy on Human Trafficking Certification

2.6.4 Proof of Insurability (Section C)

Proposer must provide proof of insurability that meets all insurance requirements set forth in the Appendix H, Sample Master Agreement, subparagraphs 8.23 and 8.24. If Proposer does not currently have the required coverage, a letter from a qualified insurance carrier indicating a willingness to provide the required coverage should Proposer be selected to receive a Master Agreement award may be submitted with the SOQ.

2.7 SOQ Submission

- 2.7.1 The original SOQ and three copies shall be enclosed in a sealed envelope, plainly marked in the upper left-hand corner with the name and address of Proposer and bear the words: "SOQ FOR SOCIAL ENTERPRISE EMPLOYMENT AND TRAINING PROGRAM SERVICES MASTER AGREEMENT"

The SOQ and any related information shall be delivered or mailed by **January, 31 2017, 5:00 p.m. (Pacific Time)**, to:

Carol Domingo, Program Manager
Department of Workforce Development, Aging and Community
Services
3175 W Sixth Street, Room 403
Los Angeles, CA 90020

It is the sole responsibility of the submitting Proposer to ensure that its SOQ is received before the submission deadline. Submitting Proposers shall bear all risks associated with delays in delivery by any person or entity, including the U.S. Mail. No facsimile (fax) or electronic mail (e-mail) copies will be accepted. SOQs received after 5:00 p.m. will not be accepted and will be returned unopened.

All proposals shall be firm offers and may not be withdrawn for a period of 90 days following the last day to submit proposals.

- 2.7.2 While rolling (continuous) submissions will be accepted at the discretion of the County, any proposal received after the initial due date of **January 31, 2017 at 5:00 p.m.**, are subject to the non-appropriations clause set forth in Appendix H, Master Agreement, sub-paragraph 8.46, and any potential Master Agreement would take effect on July 1st of the following Fiscal Year or at the county's discretion. Furthermore, those potential contractors will not receive a full 3-year Master Agreement Term.

2.8 Acceptance of Terms and Conditions of Master Agreement

Proposers understand and agree that submission of the SOQ constitutes acknowledgement and acceptance of, and a willingness to comply with, all terms and conditions of the Appendix H, Sample Master Agreement.

2.9 SOQ Withdrawals

Proposer may withdraw its SOQ at any time prior to the date and time which is set forth herein as the deadline for acceptance of SOQs, upon written request for same to the Director of WDACS or designee.

3.0 SOQ REVIEW/SELECTION/QUALIFICATION PROCESS

3.1 Review Process

SOQs, as well as County issued Work Orders, will be subject to a detailed review by qualified County staff. The review process will include the following steps:

3.1.1 Adherence to Minimum Qualifications

County shall review "Proposer's Organization Questionnaire/Affidavit and CBE Information, " Exhibit 1 of Appendix A, Required Forms, and

determine if Proposer meets the minimum qualifications as outlined in sub-paragraph 1.4 of this RFSQ.

Failure of Proposer to comply with the minimum qualifications may eliminate its SOQ from any further consideration. County may elect to waive any informality in an SOQ if the sum and substance of the SOQ is present.

Corrections or re-submissions of SOQs will not be accepted.

3.1.2 Proposer's Qualifications (Section A)

County's review shall include the following:

- Proposer's Background and Experience as provided in Section A.1 of the SOQ.
- Proposer's References as provided in Section A.2. The review will include verification of references submitted, a review of the County's Contract Database, if applicable, reflecting past performance history on County contracts, and a review of terminated contracts.
- A review to determine that Proposer has experience meeting Performance Measures as required by the funding source.
- A review to determine the magnitude of any pending litigation or judgments against Proposer as provided in Section A.3.

3.1.3 Required Forms

All forms listed in RFSQ Section 2, sub-paragraphs 2.6.3 must be included in Section B of the SOQ.

3.1.4 Proof of Insurability

Review the proof of insurability provided in Section C of the SOQ.

3.2 Disqualification Review

An SOQ may be disqualified from consideration because County determined it was non-responsive at any time during the review/evaluation process. If County determines that an SOQ is disqualified due to non-responsiveness, County shall notify Proposer in writing.

Upon receipt of the written determination of non-responsiveness, Proposer may submit a written request for a Disqualification Review within the timeframe specified in the written determination.

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

1. The person or entity requesting a Disqualification Review is a Proposer;
2. The request for a Disqualification Review is submitted timely (i.e., by the date and time specified in the written determination); and
3. The request for a Disqualification Review asserts that County's determination of disqualification due to non-responsiveness was erroneous (e.g. factual errors, etc.) and provides factual support on each ground asserted as well as copies of all documents and other material that support the assertions.

The Disqualification Review shall be completed and the determination shall be provided to the requesting Proposer, in writing, prior to the conclusion of the evaluation process.

3.3 Selection/Qualification Process

- 3.3.1 County will generally select Proposers that have experience in providing a broad range of Transitional Employment and Training Services. However, in order to insure County has at its disposal a varied pool of qualified Contractors, County may offer Master Agreements to Proposers that offer a narrow scope of services in more highly specialized areas.
- 3.3.2 As noted above, in addition to the references provided by Proposer upon submission of their SOQ, a review will include the County's Contract Database and Contractor Alert Reporting Database, if applicable, reflecting past performance history on County or other contracts. This review may result in the disqualification of a Proposer to enter into a Master Agreement with County.

3.4 Master Agreement Award

Proposers who are notified by County that they appear to have the necessary qualifications and experience (i.e., they are qualified) may still not be recommended for a Master Agreement if other requirements necessary for award have not been met. Other requirements may include acceptance of the terms and conditions of the Master Agreement, and/or satisfactory documentation that required insurance will be obtained. Only when all such matters have been demonstrated to County's satisfaction can a Proposer, which is otherwise deemed qualified, be regarded as "selected" for recommendation of a Master Agreement. County will execute Board of Supervisors-authorized Master Agreements with each selected proposer. All Proposers will be informed of the final selection(s).