



## **Sheriff's Department**

### **REQUEST FOR PROPOSALS**

**FOR**

### **AUTOMATED EMPLOYEE SCHEDULING SYSTEM**

**(AESS)**

### **SOFTWARE AND SERVICES**

**SOLICITATION No. 321SH**

*NOVEMBER 2008*

Prepared By  
County of Los Angeles

*These guidelines are intended to provide general information only and are subject to revision.  
The rights and obligations of any party contracting with the County will be determined in  
accordance with the terms of the resultant agreement and applicable law.*

**REQUEST FOR PROPOSALS (RFP) FOR  
AUTOMATED EMPLOYEE SCHEDULING SYSTEM (AESS)  
SOFTWARE AND SERVICES**

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## 1.0 INTRODUCTION

### 1.1 Purpose

The County of Los Angeles (County) Sheriff's Department, on behalf of the County's Sheriff, Fire and Probation Departments, is issuing this Request for Proposals (RFP) to solicit proposals for an Agreement with an organization that can provide a commercial, off-the-shelf (COTS) Automated Employee Scheduling System (AESS) software solution, as well as installation, integration, configuration and ongoing maintenance and support services for the County Sheriff's, Fire and Probation Departments (Participating Departments), collectively under the governance of the AESS Executive Steering Committee (Steering Committee). Proposers responding to this solicitation must demonstrate that their solution would require little or no software customization effort. The AESS software solution will be deployed in various locations throughout Los Angeles County.

The Participating Departments cited above are national leaders in their respective fields and collectively employ approximately 30,000 sworn and professional staff.

The scope of this RFP covers the installation of the AESS software (Phase I Pilot Installation), as well as the configuration, implementation, maintenance and related training. The success and/or failure of the Phase I Pilot Installation will determine, in part, whether or not the Steering Committee will recommend expansion of the project to full implementation of the AESS solution (Phase II Full Implementation). The County plans to acquire client and server hardware separately based on the recommended specifications of the selected AESS solution provider.

[Appendix A1 \(Statement of Work\)](#) (SOW), defines the Tasks and Deliverables that constitute the scope of the Phase I Pilot Installation. Detailed Functional Business Requirements are presented in [Appendix A2](#); the County's timekeeping Interface Requirements are presented in [Appendix A3](#); and Technical Requirements are presented in [Appendix A4](#).

The selection criteria for the AESS software provider include the following:

- Ability to meet the minimum mandatory requirements (RFP, Paragraph 1.4)
- Ability to meet the RFP functional, technical and performance requirements.
- Extent of implementation and training services.
- Positive references from existing customers.
- Experience and qualifications of proposed Project Manager(s) and other project team members.
- Financial resources and stability of the Proposer.
- Reasonableness of the implementation project schedule.
- Reasonableness of one-time and recurring costs.

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[Appendix A1 \(Statement of Work\)](#) shall be used by the selected Proposer, to facilitate the installation of the Phase I Pilot Installation of the AESS solution in three (3) distinct, parallel tracks (one for each Participating Department) that will be managed as a coordinated program. Each track is comprised of two (2) site installations for each of the three (3) Participating Departments (see [Appendix A1 \(Statement of Work\), Attachment B](#)) for a total of six (6) sites (Pilot Site(s)).

Among required services, each track shall include configuration, installation, integration, testing and training. Each proposal shall include a detailed plan that defines how the program and each of the three (3) tracks will be implemented, addressing, in sufficient detail, the requirements, resources and estimated timeline to execute the Tasks and Deliverables listed in [Appendix A1 \(Statement of Work\)](#).

Application data will not be shared among the three (3) Participating Departments.

The County anticipates that each Participating Department will host its own server configuration, but prompts Proposers to discuss the pros, cons and issues of a single server configuration for all three (3) Participating Departments.

[Appendix A1 \(Statement of Work\), Attachment C](#) is a representation of the number and classes of all employees at the six (6) Pilot Sites. Those employees identified as Schedulers will require training as part of Phase I Pilot Installation. The County plans to use trained Schedulers to provide training to employees. Additionally, employees identified as Information Technology (IT) Staff will require technical training.

[Appendix A1 \(Statement of Work\), Attachment D](#) provides a statement from each Participating Department which describes the overall size of the complete installation for each Participating Department.

Each Participating Department will have one (1) Project Manager, reporting to the AESS Project Team (APT) Director (County Project Director). The County Project Director reports directly to the Steering Committee.

## **1.2 Overview of Solicitation Document**

This Request for Proposals (RFP) is composed of the following Sections:

- **INTRODUCTION (1.0):** Specifies the Proposers' minimum requirements, provides information regarding some of the requirements of the Agreement and explains the solicitation process.
- **PROPOSAL SUBMISSION REQUIREMENTS (2.0):** Contains instructions to Proposers on how to prepare and submit their proposals.

- **SELECTION PROCESS AND EVALUATION CRITERIA (3.0):** Explains how the proposals will be selected and evaluated.
- **STANDARD COUNTY SOLICITATION TERMS & CONDITIONS (4.0):** Includes key standard solicitation terms and conditions.
- **APPENDICES:**
  - **A1 - STATEMENT OF WORK (SOW):** Explains in detail the Statement of Work to be performed by the Agreement.
  - **A2 - FUNCTIONAL BUSINESS REQUIREMENTS:** Explains in detail the business requirements for the proposed AESS solution.
  - **A3 - TIMEKEEPING INTERFACE REQUIREMENTS:** Explains in detail the timekeeping interface requirements for the proposed AESS solution.
  - **A4 - TECHNICAL REQUIREMENTS:** Explains in detail the technical requirements for the proposed AESS solution.
  - **B - REQUIRED FORMS:** Forms contained in this section 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 - COUNTY OF LOS ANGELES POLICY ON DOING BUSINESS WITH SMALL BUSINESS:** County policy.
  - **E - LISTING OF CONTRACTORS DEBARRED IN LOS ANGELES COUNTY:** Contractors that are not allowed to contract with the County for a specific length of time.
  - **F - SAMPLE AGREEMENT [including EXHIBITS]:** Lists the terms and conditions in the Agreement.
  - **G - SAFELY SURRENDERED BABY LAW:** County policy.
  - **H - JURY SERVICE ORDINANCE:** County Code.

### 1.3 **Terms and Definitions**

Throughout this RFP, references are made to certain persons, groups, or departments/agencies. For convenience, a list of specific definitions can be found in [Appendix F \(Sample Agreement\), Paragraph 2.0 \(Definitions\)](#). In addition, any terms with the initial letter capitalized, which are not defined herein, shall have the meanings given to them in [Paragraph 2.0 \(Definitions\) of Appendix F \(Sample Agreement\)](#).

### 1.4 **Minimum Mandatory Requirements**

Interested and qualified Proposers that can demonstrate their ability to successfully provide the required services outlined in [Appendix A1 \(Statement of Work\)](#) of this RFP are invited to submit proposal(s), provided they meet the following requirement(s):

- 
- 1.4.1 Proposer must demonstrate at least five (5) years' proven experience implementing AESS-type software solutions.
  - 1.4.2 Proposer must be an AESS solution provider that is either an AESS software manufacturer and implementer or an authorized reseller and implementer of COTS AESS software solutions.
  - 1.4.3 Proposer must have successfully implemented an AESS solution in at least one (1) public safety agency having a minimum of two hundred (200) employees, and with multiple sites. The comparable systems must have been fully operational for a minimum of six (6) months. For purposes of this RFP, a public safety agency shall be defined as any one of the following local, state or federal government agency types:
    - Law enforcement / general
    - Law enforcement / custodial-correctional institution
    - Fire protection-prevention
    - Homeland Security / Intelligence
  - 1.4.4 Proposer's AESS software solution must be a relational database capable of functioning in a "high availability" server environment that provides web-based access.
  - 1.4.5 Proposer must comply with the RFP format and requirements set forth in [Section 2.0 \(Proposal Submission Requirements\)](#) of this RFP.
  - 1.4.6 Proposer must complete and return all [Required Forms](#) under [Appendix B](#) to this RFP.
  - 1.4.7 Proposer must have attended the [Mandatory Proposers' Conference \(Paragraph 2.6\)](#) of this RFP).

## 1.5 **County's Rights & Responsibilities**

The County has the right to amend this RFP by written addendum. The County is responsible only for that which is expressly stated in this solicitation document and any authorized written addenda thereto. Such addenda will be made available to each person or organization which County records indicate has received this RFP. County is not responsible for distributing addenda to persons or organizations for which County has no such record. Addenda will be posted on the Los Angeles County Sheriff internet website at:

[http://www.lasd.org/lasd\\_contracts/info.html](http://www.lasd.org/lasd_contracts/info.html).

Prospective Proposers must monitor the website for any addenda to this RFP. Should any such addendum require additional information not previously requested, failure of the prospective Proposer to address the requirements of

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such addendum may result in its Proposal not being considered, as determined in the sole discretion of the County. The 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.

#### **1.6 Contact with County Personnel**

All contact regarding this RFP, or any matter relating thereto, must be in writing and may be mailed, e-mailed or faxed to the County's contact as follows:

Los Angeles County Sheriff's Department  
Contracts Unit, Room 214  
4700 Ramona Boulevard  
Monterey Park, California 91754  
Attn: Angelo Faiella  
E-mail: [afaiell@lasd.org](mailto:afaiell@lasd.org)  
FAX: 323.415.1246

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 such Proposer's proposal from further consideration.

#### **1.7 Formal Board Approval of Agreement**

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 to award a contract.

#### **1.8 County Option to Reject Proposals**

The County may, at its sole discretion, reject any or all proposals submitted in response to this RFP. The County shall 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.



## 2.0 PROPOSAL SUBMISSION REQUIREMENTS

This Section contains key project dates and activities, as well as instructions to Proposers in the preparation and submission their proposals.

### 2.1 County Responsibility

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

### 2.2 Truth and Accuracy of Representations

False, misleading, incomplete, or deceptively unresponsive statements in connection with a proposal shall be sufficient cause for rejection of the proposal. The evaluation and determination in this area shall be at the sole discretion of the County Steering Committee for this RFP. The Steering Committee's judgment shall be final.

### 2.3 RFP Timetable

#### The timetable for this RFP is as follows:

- Release of RFP ..... **November 25, 2008**
- Request for a Solicitation Requirements Review Due ..... **December 9, 2008**
- Written Questions Due ..... **December 23, 2008**
- Mandatory Proposers' Conference ..... **January 6, 2008**
- Questions and Answers Released ..... **January 20, 2009**
- **Proposals Due** by 2:00 p.m., Pacific Time ..... **January 29, 2009**

### 2.4 Solicitation Requirements Review

A person or entity may seek a Solicitation Requirements Review by submitting [Appendix C \(Transmittal Form to Request a Solicitation Requirements Review\)](#), along with supporting documentation. A Solicitation Requirements Review shall only be granted under the following circumstances:

- The request for a Solicitation Requirements Review is received by the County by **December 9, 2008**.
- The request for a Solicitation Requirements Review includes documentation, which demonstrates the underlying ability of the person or entity to submit a proposal;
- The request for a Solicitation Requirements Review itemizes, in appropriate detail, each matter contested and factual reasons for the requested review; and
- The request for a Solicitation Requirements Review asserts either that:

- application of the minimum requirements, evaluation criteria and/or business requirements unfairly disadvantage the Proposer; or,
- due to unclear instructions, the process may result in the County not receiving the best possible responses from the Proposers.

The Solicitation Requirements Review shall be completed and the Department's determination shall be provided to the Proposer, in writing, within a reasonable time prior to the proposal due date.

All Requests for Review should be submitted to:

Los Angeles County Sheriff's Department  
Contracts Unit, Room 214  
4700 Ramona Boulevard  
Monterey Park, California 91754  
Attn: Angelo Faiella  
E-mail: afaiell@lasd.org  
FAX: 323.415.1246

## **2.5 Proposers' Questions**

Proposers may submit written questions regarding this RFP by mail, fax, or e-mail to the County's contact listed below. Proposer's written questions are due and must be received by **December 23, 2008**. All questions, without identifying the submitting company, will be compiled with the appropriate answers and issued as an addendum to the RFP.

When submitting questions, please specify the RFP 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 RFP. 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 the County's contact as follows:

Los Angeles County Sheriff's Department  
Contracts Unit, Room 214  
4700 Ramona Boulevard  
Monterey Park, California 91754  
Attn: Angelo Faiella  
E-mail: afaiell@lasd.org  
FAX: 323.415.1246

## 2.6 Mandatory Proposers' Conference

A Mandatory Proposers' Conference will be held to discuss the RFP. County staff will respond to questions from potential Proposers at the conference. All questions and answers will be compiled and answered by January 20, 2009. All potential Proposers *must* attend this conference, or their proposals will be rejected without review and eliminated from further consideration.

Proposers' attendee(s) must be full-time employee(s) of the Proposer. Failure to send an appropriate representative may result in disqualification.

The conference is scheduled as follows:

Date: **January 6, 2008**  
Time: 09:00 – 10:00 a.m. (Pacific)  
Address: Los Angeles County Sheriff's Department  
Media Conference Room  
4700 Ramona Boulevard  
Monterey Park, California 91754

## 2.7 Preparation of the Proposal

Two (2) separate Proposals must be submitted - a Business Proposal and a Cost Proposal.

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

## 2.8 Business Proposal Format

The content and sequence of the Business Proposal must be as follows:

- Proposer's Organization Questionnaire/Affidavit and Required Support Documents for Corporations and Limited Liability Companies (RFP, Paragraph 2.8.1).
- Table of Contents
- Executive Summary (Proposal Section A)
- Proposer's Qualifications (Proposal Section B)
- Proposer's Response to County's Business and Technical Requirements (Proposal Section C)
- Proposer's Hardware and Software Specification (Section D)
- Proposer's Training Plan (Section E)
- Proposer's Maintenance and Support Plan (Section F)
- Proposer's Management Approach (Proposal Section G)
- Acceptance of / Exceptions to Requirements of the Statement of Work and Terms and Conditions in Sample Agreement (Proposal Section H)
- Business Proposal Required Forms (Proposal Section I)
- Transitional Job Opportunities Preference Application (*if submitted*)

Additional directions regarding the information required in each Business Proposal Section is presented below.

2.8.1 Proposer's Organization Questionnaire/Affidavit and Required Support Documents for Corporations and Limited Liability Companies.

The Proposer shall complete, sign and date the [Proposer's Organization Questionnaire/Affidavit](#) as set forth in [Appendix B \(Required Forms\), Exhibit B1](#). The person signing the form must be authorized to sign on behalf of the Proposer and to bind the applicant in a contract.

**Required Support Documents for Corporations and Limited Liability Companies**

A. Corporations

Proposers must provide a copy of the corporation's "Certificate of Good Standing" with the State of California or state of incorporation and the most recent "Statement By Domestic (or Foreign) Stock Corporation" as filed with the California Secretary of State or state of incorporation. If Proposer's most recent Statement has only the "No change in information" box checked, the Proposer must also submit the most recent Statement which includes a list of the corporate officers. The "Statement of Information" must list the corporate officers.

B. Limited Liability Companies (LLC)

Proposers must provide a copy of the LLC's most recent "Statement By Domestic (or Foreign) Stock Corporation" as filed with the California Secretary of State or state of incorporation. If the LLC's most recent Statement has only the "No change in information" box checked, the Proposer must also submit the most recent Statement which includes a list of the corporate officers. The "Statement of Information" must list the corporate officers.

2.8.2 Table of Contents

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

2.8.3 Executive Summary (Business Proposal – Section A)

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

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#### 2.8.4 Proposer's Qualifications (Business Proposal – Section B)

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

##### A. Proposer's Background and Experience (Business Proposal – Section B.1)

Provide a summary of relevant background information to demonstrate that the Proposer meets the minimum requirement(s) stated in [Paragraph 1.4 \(Minimum Mandatory Requirements\)](#) of this RFP and has the capability to perform the required services as a corporation or other entity.

##### B. Proposer's References (Business Proposal – Section B.2)

It is the Proposer's sole responsibility to ensure that the firm's name and point of contact's name, title and phone number for each reference are accurate. The same references may be listed on both forms – [Appendix B \(Required Forms\), Exhibits B2 and B3](#).

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
- 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.

The Proposer must complete and include [Appendix B \(Required Forms\), Exhibits B2, B3 and B4](#).

##### a. Prospective Contractor References, Appendix B (Required Forms), Exhibit B2

Proposer must provide at least three (3) references that can verify the Proposer's required qualifications as listed in [Paragraph 1.4 \(Minimum Mandatory Requirements\)](#).

##### b. Prospective Contractor List of Contracts, Appendix B, Exhibit B3

The listing must include all Public Entities contracts for the last three (3) years. Use additional sheets if necessary.

##### c. Prospective Contractor List of Terminated Contracts, Appendix B (Required Forms), Exhibit B4

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

C. Proposer's Pending Litigation and Judgments (Business Proposal – Section B.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 the Proposer or principals of the Proposer.

- i. Where judgment has been entered against Proposer, whether final or not, where the claim was that the Proposer violated any of the following, as defined in [Appendix F \(Sample Agreement\), Exhibit A \(Additional Terms and Conditions\)](#): (1) Civil Rights Laws and Discrimination as defined in [Paragraph 20 \(Nondiscrimination, Affirmative Action and Assurances\)](#); (2) Fair Labor Standards as defined in [Paragraph 19.0 \(Fair Labor Standards\)](#); and
- ii. Any legal claim of any kind which has been filed by a municipal, local, state, or federal public entity against the Proposer in which the amount in controversy is \$10,000 or more, whether or not the matter is pending, settled, or where the judgment has been entered, whether final or not; and
- iii. Any legal claim of any kind which has been filed by any non-public agency against the Proposer in which the claim was for breach of contract, or failure to perform duties required by a contract for services similar to the services described in this RFP, where the amount in controversy is \$20,000 or more, whether or not the matter is pending, settled, or where the judgment has been entered, whether final or not; and
- iv. In addition, any notification by a government or regulatory body that the Proposer is, or has been, the subject of a formal investigation occurring within the last five (5) years.

If Proposer has no pending litigations or judgments, then a statement stating so must be provided in this Section.

2.8.5 Proposer's Approach and Responses to Providing the Required Services Based on County's Business, Interface, and Technical Requirements (Business Proposal – Section C)

Proposer shall describe in detail how the Proposer's COTS AESS solution and accompanying services will be provided to meet the County's listed Functional Business Requirements, Interface Requirements and Technical Requirements ([Appendices A2, A3 and A4](#) to this RFP).

A. Functional Business Requirements (Business Proposal – Section C.1)

Proposer must respond to [Appendix A2 \(Functional Business Requirements\) \(FBR\)](#) in Business Proposal, Section C-1. If your product does not currently meet any of the FBRs, please explain in detail how these requirements will be satisfied.

B. Interface Requirements (Business Proposal – Section C.2)

Proposer must respond to [Appendix A3 \(Interface Requirements\) \(IR\)](#). If your product does not currently meet any of the IRs, please explain how this requirement will be satisfied.

C. Technical Requirements (Business Proposal – Section C.3)

Proposer must respond to [Appendix A4 \(Technical Requirements\) \(TR\)](#). If your product does not currently meet any of the TRs, please explain how this requirement will be satisfied.

Proposer must acknowledge and respond to each of the requirements in the same order as presented in each of the [Appendices A2, A3 and A4](#). Responses to the requirements shall follow the response legend, as follows:

- E – Existing functionality that can be demonstrated at a current operational customer site. An “E” response is valid if 1) the Proposer’s standard software can be configured to meet the requirement or 2) a report to be developed by the Proposer can meet the requirement.
- M – Modification of the standard software is needed to meet the requirement. Modification cost is included in the proposal.
- R – Report Writer is needed to meet the requirements; the County will be responsible for developing the report.
- F – Future planned upgrade to the standard software will meet the requirement.
- X – The requirement cannot be met.

Required Supplementary Information to the Response Legend

If Proposer’s COTS AESS solution can satisfy a particular requirement, but with variation, or, if Proposer’s COTS AESS solution utilizes an approach which deviates from that which is described in the above requirements, Proposer must clearly, completely and in detail describe such alternative. Proposer must describe in sufficient detail how Proposer will meet the listed Functional Business Requirements, Interface Requirements and Technical Requirements. The narrative must provide sufficient assurance to the County that the Proposer understands each of the Functional Business Requirements, Interface Requirements and Technical Requirements and is capable of executing

the requirements, as written, without customization of the COTS software.

2.8.6 Proposer's Hardware and Software Specifications (Business Proposal – Section D)

As part of Business Proposal, Section D, Proposer shall provide the following:

1. Proposers shall provide a complete list of hardware and system software specifications required for the optimal use of Contractor's proposed COTS AESS solution for each of the following Phase I environments:
  - Development / Configuration
  - System Integration Test
  - User Acceptance Test
  - Training
  - Production
  
2. The County anticipates that each Participating Department (Sheriff, Fire and Probation) will host its own server configuration. Proposers shall discuss in their Business Proposal the pros, cons and recommendations regarding the implementation of a decentralized installation (one server environment per Participating Department) versus a single, centralized server environment for all three Participating Departments. The issues to be addressed should include at least the following:
  - Software costs;
  - Hardware costs;
  - Ability to meet the unique functional requirements of each Participating Department;
  - System management issues; and
  - Ability to expand the system to full deployment in Phase II.
  
3. Proposers should be aware that one Participating Department (namely, Fire) strongly prefers MS-SQL as the DBMS, while the other two Participating Departments (Sheriff and Probation) prefer Oracle as the DBMS. Proposers shall discuss the feasibility of implementing each of these DBMS environments, the pros and cons of doing so, and their recommended approach.



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### 2.8.7 Proposer's Training Plan (Business Proposal – Section E)

#### A. Train the Trainer (T3) Program – Schedulers (Business Proposal – Section E.1)

Propose a Training Plan to accommodate County's intent to have a specified number of employees, identified as 'Schedulers', sufficiently trained in the use of the configured application. Such trainees shall be provided with a sufficient level of knowledge to assume the role as Trainers for the balance of County's employees. Details about Scheduler staffing levels are provided in [Appendix A1 \(Statement of Work\), Attachment C](#).

#### B. Training Program – IT Staff (Business Proposal – Section E.2)

It is also the County's intent to have up to four (4) IT staff per Participating Department (total of 12) sufficiently trained in the technical operation and functionality of Contractor's configured AESS COTS software.

The Proposed Training Plans shall minimally include the following information:

- Training philosophy/approach;
- Number and type of training classes to be provided;
- For each training class, provide the following:
  - Training class title
  - Length of class (in hours)
  - Type of attendees
  - Number of attendees
  - Total number of proposed training hours;
- Total number of proposed training hours; and
- Location (note that the County strongly prefers all training to be held at County facilities).

### 2.8.8 Proposer's Maintenance and Support Plan (Business Proposal – Section F)

It is the intent of the County to establish, at each Participating Department, a centralized AESS Help Desk function, which shall coordinate all user requests to the selected Proposer. With this consideration, Proposers shall consider and describe its approach to providing the post implementation support, as described below.

Proposer shall propose a post-implementation support plan designed to maintain the Phase I Pilot Installation, which shall be effective upon the date of Pilot System Acceptance (refer to [Appendix A1 \(Statement of Work\), Task 8](#)).

Describe the software maintenance and support included in this Business Proposal. Include at least the following information:

- Software warranty, including start time and length;
- Services provided during software warranty;
- Description of software maintenance and support services, including troubleshooting, upgrades, user group membership, passes to user group meetings, etc.;
- Hours and days of software maintenance and support (note that Monday through Friday, 8am-5pm, meets County's requirements);
- Method of accessing software maintenance and support services;
- Response time standards and guarantees, including Deficiency Severity Levels;
- Escalation procedures; and
- Maintenance and support options.

2.8.9 Management Approach (Business Proposal – Section G)

A. Management Approach (Business Proposal – Section G.1)

In this section of the Proposal, Proposer shall:

- Define how it will manage this project;
- Define key assumptions used to develop the project approach, schedule and staffing plan;
- Provide a preliminary project plan and proposed staffing. The project plan shall include a preliminary timetable including milestones and a detailed description of how each task and deliverable listed in [Appendix A1 \(Statement of Work\)](#) will be accomplished. The response to this section shall be in the same order and format as the SOW.
- Document the Proposer's project organization. Contractor Project Manager(s) and all key staff shall be identified. Identify the number of onsite and offsite hours each project team member will spend on this project;
- Submit resumes for all key staff which demonstrate relevant experience and expertise;
- Define problem resolution processes and other related project management processes;
- Define the County project resources, including numbers of staff, skill sets and level of effort required to complete Phase I Pilot Installation; and
- Define project risks, and the approach the Proposer will utilize to manage/mitigate the risks.

**B. Quality Control Plan (Business Proposal – Section G.2)**

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 [Appendix A1 \(Statement of Work\)](#).

The following factors shall be included in the plan:

- Activities to be monitored to ensure compliance with all Agreement requirements;
- Monitoring methods to be used;
- Frequency of monitoring;
- Samples of forms to be used in monitoring;
- Title/level and qualifications of personnel performing monitoring functions; and
- Documentation methods of all monitoring results, including any corrective action taken.

**C. Planning for Phase II Full Implementation (Business Proposal – Section G.3)**

The County needs to understand the scope of a potential Phase II Full Implementation to cover all employees of the Sheriff, Fire and Probation Departments, based on departmental size information presented in [Appendix A1 \(Statement of Work\)](#), [Attachment D](#). Proposers shall provide at a minimum the following Phase II Full Implementation planning information:

- The Proposer's largest existing implementation;
- The feasibility of rolling out the AESS solution to all employees in the three Participating Departments;
- The estimated one-time costs to complete Phase II Full Implementation, by Participating Department, including software, hardware and implementation services;
- Include your corporate tiered pricing for bulk license purchasing [if applicable];
- The estimated recurring costs for software maintenance at the conclusion of Phase II Full Implementation;
- The estimated time frame to complete Phase II Full Implementation;
- At what time (during or after Phase I Pilot Installation) detailed Phase II Full Implementation estimates could be developed; and
- Any relevant issues or alternatives the County needs to consider.

2.8.10 Acceptance of / or Exceptions to Requirements of the [SOW](#) and Terms and Conditions in [Appendix F \(Sample Agreement\)](#) (Business Proposal – Section H)

- A. It is the duty of every Proposer to thoroughly review [Appendix F \(Sample Agreement\)](#), including [Exhibit A \(Additional Terms and Conditions\)](#) thereto ("[Sample Agreement](#)"), and Statement of Work to ensure compliance with all terms, conditions and requirements. It is the County's expectation that, in submitting a proposal, the Proposer will accept, as stated, the County's terms and conditions in the Sample Agreement 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, subject to the terms stated below.

Business Proposal – Section H.1:

Proposer's response must include:

1. A statement offering the Proposer's acceptance of or exception to all terms and conditions listed in [Appendix F \(Sample Agreement\)](#) and [Exhibit A \(Additional Terms and Conditions\) thereto](#);
2. A statement offering the Proposer's acceptance of or exceptions to all requirements listed in [Appendix A1 \(Statement of Work\)](#); and
3. For each exception, the Proposer shall provide:
  - An explanation of the reason(s) for the exception;
  - The proposed alternative language; and
  - A description of the impact, if any, to the Proposer's price.

Business Proposal – Section H.2

Indicate all exceptions to the Sample Agreement and/or the Statement of Work by providing a 'red-lined' version of the paragraphs in question. The County relies on this procedure. Proposers which fail to make timely exceptions as required herein, may be barred, at the County's sole discretion, from later making such exceptions.

- B. The County reserves the right (i) to determine that a Proposer's exceptions are material enough to deem the Proposer's proposal non-responsive and not subject to further evaluation or (ii) to deduct points in evaluating the proposal.
- C. The County reserves the right to make changes to the Sample Agreement, its appendices and exhibits, at its sole discretion.

### 2.8.11 Business Proposal - Required Forms (Business Proposal – Section I)

Include the forms listed below, as provided in [Appendix B \(Required Forms\)](#). Complete, sign, and date all forms.

- Exhibit B5* [Certification of No Conflict of Interest](#)  
*Exhibit B6* [Familiarity with the County Lobbyist Ordinance Certification](#)  
*Exhibit B7* [Los Angeles County Community Business Enterprise \(CBE\) Program – Request for Local SBE Preference Program Consideration and CBE Firm/Organization Information Form](#) (Attach Local SBE Certification Letter issued by Los Angeles County Office of Affirmative Action Compliance.)  
*Exhibit B8* [Proposer's EEO Certification](#)  
*Exhibit B9* [Attestation of Willingness to Consider GAIN/GROW Participants](#)  
*Exhibit B10* [Contractor Employee Jury Service Program - Certification Form and Application for Exception](#)  
*Exhibit B13* [Transitional Job Opportunities Preference Application](#) (**if submitted**) Complete and provide all supporting documents.

## 2.9 Cost Proposal Format

The content and sequence of each Section of the Cost Proposal is presented below.

### 2.9.1 Preparation of Cost Proposal (Cost Proposal – Section A)

In this Section, all the components required in the Cost Proposal are described. Although additional information can be supplied, the Cost Proposal must include all the cost data defined in this Section and adhere to the format as follows:

- Cover Page identifying, at a minimum, the RFP and the Proposer's name.
- [Certification of Independent Price Determination & Acknowledgement of RFP Restrictions - Appendix B \(Required Forms\), Exhibit B12](#)
- Price Sheet - [Appendix B \(Required Forms\), Exhibit B11](#). Format to be used for the cost proposal.

The Price Sheet must contain cost detail and must include applicable sales taxes and incidental costs, if any. Travel costs and related expenses are to be factored into project management, installation, implementation, support, and training services costs, and not itemized separately.

The guidelines applicable to the [Price Sheet](#) set forth in [Appendix B \(Required Forms\), Exhibit B11](#) are set forth in the subsequent Paragraphs below.

2.9.2 Software Costs (Cost Proposal – Section B)

Proposer shall identify the fixed cost for the Commercial Off-the-Shelf (COTS) application software which satisfies the AESS Functional Business Requirements, Interface Requirements and Technical Requirements as described in the [Appendix A1 \(Statement of Work\)](#), and [Appendices A2, A3 and A4](#).

Proposers shall not consider costs to purchase system hardware or operating system software. These items will be purchased by County based on the specifications provided by the Proposer in Cost Proposal, Section D.

Costs must include:

- COTS Application Base Price for the Phase I Pilot Installation;
- Application customization costs, if any, identified by individual customization objectives/tasks (should be minimal);
- Subsystem interface customization identified by individual Interface customization objectives / tasks.

2.9.3 Application Installation, Configuration Training and Maintenance and Support (Cost Proposal – Section C)

Costs shall be specified for each major task and the related deliverables described in [Appendix A1 \(Statement of Work\)](#). Tasks and deliverables should be specified as not to exceed fixed costs. For the purposes of the Cost Proposal, each major task is briefly described below. All pricing assumptions must be clearly identified in the Cost Proposal.

|                    |                                                                                             |
|--------------------|---------------------------------------------------------------------------------------------|
| <b>Subtask 1.1</b> | <b>Develop Project Plan and Project Control Document</b>                                    |
| <b>Subtask 1.2</b> | <b>Provide Ongoing Project Management</b>                                                   |
| <b>Subtask 1.3</b> | <b>Conduct Technology Assessment</b>                                                        |
| <b>Subtask 2.1</b> | <b>Establish Testing and Training Environments</b>                                          |
| <b>Subtask 3.1</b> | <b>Review, Confirm and Finalize Requirements</b>                                            |
| <b>Task 4</b>      | <b>Baseline Application Configuration</b>                                                   |
| <b>Task 5</b>      | <b>Training, Documentation and Technical Support</b>                                        |
| <b>Task 6</b>      | <b>Acceptance Tests</b>                                                                     |
| <b>Task 7</b>      | <b>Implementation – Transition to Production</b>                                            |
| <b>Task 9</b>      | <b>Maintenance and Support [from Cutover to Production through Pilot System Acceptance]</b> |
| <b>Task 10</b>     | <b>Phase II Full Implementation Plan</b>                                                    |

#### 2.9.4 Maintenance and Support Services (Cost Proposal – Section D)

[Paragraph 2.8.8 \(Proposer's Maintenance and Support Plan\)](#) of this RFP describes County's intent to establish, at each Participating Department, a centralized AESS Help Desk function. Proposers shall consider this scenario, as well as pricing for alternative scenarios described in [Section F](#) of the Business Proposal when offering pricing for the following:

Proposers shall provide a fixed price for ongoing software Maintenance and Support costs for a minimum of five (5) years commencing upon the expiration of the Pilot Warranty Period ([Appendix A1 \(Statement of Work\), Subtask 9.1 \(Provide Maintenance and Support\)](#)).

#### 2.10 Proposal Submission

The original *Business Proposal* and **nine (9)** numbered copies shall be enclosed in a sealed envelope or box, plainly marked in the upper left-hand corner with the name and address of the Proposer and bear the words:

**"BUSINESS PROPOSAL FOR AESS APPLICATION SOFTWARE,  
INSTALLATION AND SUPPORT SERVICES"**

The original *Cost Proposal* and **nine (9)** numbered copies must be submitted in a separate sealed package, plainly marked in the upper left-hand corner with the name and address of the Proposer and bear the words:

**"COST PROPOSAL FOR AESS APPLICATION SOFTWARE, INSTALLATION  
AND SUPPORT SERVICES"**

In addition, .pdf electronic copies of both the Business Proposal and Cost Proposals (on 2 separate CDs) should be labeled and provided as part of the proposal submission.

The Proposal(s) shall be delivered or mailed to the County contact as follows:

Los Angeles County Sheriff's Department  
Contracts Unit, Room 214  
4700 Ramona Boulevard  
Monterey Park, California 91754  
Attn: Angelo Faiella

**It is the sole responsibility of the submitting Proposer to ensure that its Proposal 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. Any Proposals received after the scheduled closing date and time for receipt of Proposals, as listed in [Paragraph 2.3 \(RFP Timetable\)](#), will not be accepted and returned to the sender unopened, at the sole discretion of the County. Timely,**

**hand-delivered Proposals are acceptable. No facsimile (fax) or electronic mail (e-mail) copies will be accepted.**

All proposals shall be firm offers and may not be withdrawn for a period of two hundred seventy (270) days following the last day to submit proposals.

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. In such cases, withdrawal of the entire Proposal is required. New Proposals may be submitted until the deadline. Corrections will not be accepted once the deadline for submission of proposals has passed.



### 3.0 SELECTION PROCESS AND EVALUATION CRITERIA

#### 3.1 Selection Process

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 proposals on the proposal due date.

Evaluation of the proposals will be made by a Selection Committee appointed by the County. The Selection Committee will first evaluate the proposals for adherence to the [Minimum Mandatory Requirements](#) stated in [Paragraph 1.4](#) of this RFP and will use the evaluation approach described herein to select a prospective Contractor. Vendors that do not meet the Minimum Mandatory Requirements will not have their proposals adjudicated and will be eliminated from further consideration.

All proposals will be evaluated based on the evaluation criteria listed below in [Paragraphs 3.3 \(Business Proposal Evaluation and Criteria\) and 3.4 \(Cost Proposal Evaluation Criteria\)](#). All proposals will be scored and ranked in numerical sequence from high to low. The County will invite only finalist Proposers to make an oral presentation, demonstrate the capabilities of their AESS application, and offer solutions to the configuration needs of the County based on the defined Functional Business Requirements, Interfaces Requirements and Technical Requirements.

##### 3.1.1 Proposer Presentation and Product Demonstration

The County plans to provide each qualifying finalist Proposer with digital media loaded with fictitious employee data. The County will also provide Proposers with a list of scheduling scenarios which will vary in complexity. All finalist Proposers will be simultaneously provided with the same data and list of scheduling scenarios. Each finalist Proposer will be asked to demonstrate the scenarios using the COTS version of their respective products. Each finalist Proposer presentation will be conducted in a private setting. Finalist Proposers will not be permitted to be present at, or view or review, the presentations of other competing finalist Proposers. During the presentation, the Selection Committee, as well as other subject matter experts (SMEs), may ask questions about the product, the vendor, and the project.

##### 3.1.2 Selection Process

While the County intends to select a single Proposer to supply AESS software and services for each of the Participating Departments, the County reserves the right to select more than one Proposer, as determined to be in the best interest of the County.

After a Proposer has been selected, the County and the Proposer will negotiate a contract for submission to the County's Board of Supervisors for its consideration and possible approval. If a satisfactory contract cannot be negotiated, the County may, at its sole discretion, begin contract negotiations with the next qualified Proposer that submitted a proposal, as determined by the County.

The recommendation to award a contract(s) will not bind the Board of Supervisors to award a contract to the prospective Proposer.

The 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, another proposal is the most overall qualified, cost-effective, responsive, responsible and in the best interests of the County.

### **3.2 Disqualification Review**

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

Upon receipt of the written determination of non-responsiveness, the Proposer may submit a written request for a Disqualification Review by the date specified. Requests for a Disqualification Review not timely submitted will be denied.

A Disqualification Review shall only be granted under the following circumstances:

- A. The firm/person requesting a Disqualification Review is a Proposer;
- B. The request for a Disqualification Review is submitted timely; and,
- C. The request for a Disqualification Review asserts that the Department's determination of disqualification due to proposal 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 Department's determination shall be provided to the Proposer, in writing, prior to the conclusion of the evaluation process.

### **3.3 Business Proposal Evaluation and Criteria (75%)**

Any reviews conducted during the evaluation of the proposal may result in a point reduction.

3.3.1 Proposer's Qualifications (20%)

- A. Proposer will be evaluated on its experience and capacity as a corporation or other entity to perform the required services based on information provided in Section B.1 (Proposer's Background and Experience) of the Business Proposal.
- B. Proposer will be evaluated on the verification of references provided in Section B.2 (Proposer's References) of the Business Proposal. In addition to the references provided, a review will include the County's Contract Database, if applicable, reflecting past performance history on County contracts, and a review of terminated contracts.
- C. A review will be conducted to determine the magnitude of any pending litigation or judgments against the Proposer as provided in Section B.3 (Proposer's Pending Litigation and Judgments) of the Business Proposal.

3.3.2 Proposer's Approach to Providing Required Services (45%)

The Proposer will be evaluated on its description of the methodology to be used to meet the County's requirements based on information provided in the Business Proposal.

3.3.3 Quality Control Plan (5%)

The Proposer will be evaluated on its ability to establish and maintain a complete Quality Control Plan to ensure the requirements of the resultant Agreement are provided as specified. Evaluation of the Quality Control Plan shall cover the proposed monitoring system of all services listed on the Performance Requirements Summary (PRS) in [Appendix F \(Sample Agreement\), Attachment C.2](#) based on the information provided in Section G.2 (Quality Control Plan) of the Business Proposal.

3.3.4 Exceptions to Terms and Conditions of Sample Agreement and/or Requirements of the Statement of Work (5%)

Proposer will be evaluated on its willingness to accept the Terms and Conditions outlined in [Appendix F \(Sample Agreement\)](#) and the Requirements of the Statement of Work outlined in [Appendix A1 \(Statement of Work\)](#), as stated in Section H (see [Paragraph 2.8.10](#)) of the Business Proposal. 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.

Proposers are further notified that the County may, in its sole determination, disqualify any Proposer with whom the County cannot satisfactorily negotiate a contract.

### **3.4 Cost Proposal Evaluation Criteria (25%)**

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.

However, should one or more of the Proposers request and be granted the Local SBE Preference and/or Transitional Job Opportunities Preference, the cost component points will be determined as follows:

**Local SBE Preference:** Five percent (5%) of the lowest cost proposed will be calculated, which shall not exceed \$50,000, and that amount will be deducted from the Cost submitted by all Local SBE Proposers that requested and were granted the Local SBE Preference.

**Transitional Job Opportunities Preference:** Five percent (5%) of the lowest cost proposed will be calculated and that amount will be deducted from the Cost submitted by all Proposers that requested, and were granted, the Transitional Job Opportunities Preference.

### **3.5 Department's Proposed Contractor Selection Review**

#### **3.5.1 Departmental Debriefing Process**

Upon completion of the evaluation, and prior to entering negotiations with the selected Proposer(s), the Department shall notify the remaining Proposers in writing that the Department is entering into negotiations with another Proposer(s). Upon receipt of the letter, the Proposer may request a Debriefing within the time specified in the letter. A Debriefing will not be provided unless the request is made within the timeframe specified.

The purpose of the Debriefing is to compare the Proposer's response to the solicitation document with the evaluation document. The Proposer shall be debriefed only on its response. Because the contract process has not been completed, responses from other Proposers shall not be discussed.

If the Proposer is not satisfied with the results of the Debriefing, it may, within five (5) business days of the Debriefing, request a review on the grounds and in the manner set forth below for review of the Department's recommendation for contract award.

#### **3.5.2 Proposed Contractor Selection Review**

The Proposer may submit a written request for a Proposed Contractor Selection Review if it asserts that its proposal should have been determined to be the highest-scored proposal because of one of the following reasons:

- A. The Department materially failed to follow procedures specified in its solicitation document including:

- 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; or
- B. 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.
- C. A member of the Selection Committee demonstrated bias in the conduct of the evaluation.
- D. Another basis for review as provided by state or federal law.

Upon completing the Proposed Contractor Selection Review, the County shall 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. If the Proposer is not satisfied with the results of the Proposed Contractor Selection Review, it may request a review on the grounds and in the manner set forth below for a County Review Panel.

### 3.5.3 County Review Panel Process

If the Proposer is not in agreement with the results of the Department's Proposed Contractor Selection Review, the Proposer may submit a written request for a review by a County Review Panel.

Upon completion of the Panel's Review, the Panel will forward its report to the Department, which will provide a copy to the Proposer.

## **4.0 STANDARD COUNTY SOLICITATION TERMS & CONDITIONS**

### **4.1 Adherence to County Requirements**

Proposer must certify that, if selected, it will comply with the listed requirements detailed in [Appendix F \(Sample Agreement\)](#) and all Exhibits thereto. Proposer must also certify its intent to comply with [Appendix F \(Sample Agreement\)](#), [Exhibit A \(Additional Terms and Conditions\)](#) as detailed in its entirety. This certification must be included in Proposer's Business Proposal Section H, as required by [Paragraph 2.8.10](#) of this RFP.

### **4.2 Contract Term**

The term of this Agreement shall commence upon its execution by the County's Board of Supervisors and shall continue through the conclusion of the Pilot System Acceptance, the Pilot Warranty Period and so long as County elects to receive from Contractor Maintenance and Support services, not to exceed five (5) years from expiration of the Pilot Warranty Period. Following the expiration of the Pilot Warranty Period, the scope of the Agreement may be expanded to include Phase II Full Implementation, if elected by County and upon the approval by the County's Board of Supervisors of an Amendment to the Agreement.

### **4.3 Contract Rates**

The Contractor's rates shall remain firm and fixed for the term of the Agreement. Contractor's quoted rate for the five (5) years of Maintenance and Support (Business Proposal, Section F; Cost Proposal, Section D) shall survive the Term, and remain firm and fixed for the duration of the agreed-upon quoted Maintenance and Support period.

### **4.4 Days of Operation**

Unless otherwise specified in the resultant Agreement, the Contractor shall be required to provide all software installation and system configuration services, as well as all telephonic technical support services, between the hours of 8:00 a.m. and 5:00 p.m., Mondays through Fridays, excluding County holidays. The County will provide a list of the County holidays to the Contractor at the time the Agreement is approved, and annually, at the beginning of each calendar year.

### **4.5 Mandatory Requirement to Register on County's WebVen**

Prior to a contract award, all potential Contractors must register in the County's WebVen. The 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://lacounty.info/doing\\_business/main\\_db.htm](http://lacounty.info/doing_business/main_db.htm)

*There are underscores in the address between the words 'doing\_business' and 'main\_db'.*

Failure by Contractor to comply with this requirement may result in disqualification. Once registered, the selected Contractor must maintain the accuracy of its information. This includes, but is not limited to, change of business name and address.

#### **4.6 Protest Process**

4.6.1 Any actual or prospective Proposer may file a protest in connection with the solicitation or award of a Board-approved service contract. It is generally accepted that the Proposer challenging the decision of a County department bears the burden of proof in its claim that the department committed a sufficiently material error in the solicitation process to justify invalidation of a proposed award.

4.6.2 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.

#### 4.6.3 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 (Reference [Paragraph 2.4 Solicitation Requirements Review](#) of this RFP)
- Review of a Disqualified Proposal (Reference [Paragraph 3.3 Business Proposal Evaluation and Criteria](#) of this RFP)
- Review of Department's Proposed Contractor Selection (Reference [Paragraph 3.5 Department's Proposed Contractor Selection Review](#) of this RFP)

#### **4.7 Notice to Proposers Regarding the Public Records Act**

4.7.1 Responses to this RFP shall become the exclusive property of the County. At such time as the Department recommends Proposer(s) to the Board of Supervisors (Board) and such recommendation appears on the Board agenda, all such proposals submitted in response to this RFP become a matter of public record, with the exception of those elements in the California Government Code Section 6250 et seq. (Public Records Act) and which are marked "Trade Secret", "Confidential" or "Proprietary," and which meet the definition of "Trade Secret" in California Evidence Code Section 1061.

4.7.2 The County shall not in any way be liable or responsible for the disclosure of any such records, including, without limitation, those so marked, if disclosure is required by law, or by an order issued by a court of competent jurisdiction. A blanket statement of confidentiality or the marking of each page of the proposal as confidential shall not be deemed sufficient notice of exception. The Proposer(s) must specifically label only those provisions of the proposal which are "Trade Secrets," "Confidential," or "Proprietary" in nature.

**4.8 Injury & Illness Prevention Program (IIPP)**

Contractor 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.

**4.9 Local Small Business Enterprise (SBE) Preference Program**

4.9.1 In evaluating proposals, the County will give preference to businesses that are certified by the County as a Local Small Business Enterprise (Local SBE), consistent with Chapter 2.204 of the Los Angeles County Code. A Certified Local SBE is a business: 1) certified by the State of California as a small business enterprise; 2) having its principle office currently located in Los Angeles County for a period of at least the past 12 months; and 3) certified by Office of Affirmative Action Compliance as meeting the requirements set forth in 1 and 2 above.

4.9.2 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/SBEMain.shtml>

4.9.3 Certified Local SBEs must request the SBE Preference in their solicitation responses and may not request the preference unless the certification process has been completed and certification affirmed. Proposers must attach the Local SBE Certification Letter to the [Los Angeles County Community Business Enterprise \(CBE\) Program - Request for Local SBE Preference Program Consideration and CBE Firm/Organization Information Form, Exhibit B7](#) found in [Appendix B \(Required Forms\)](#) with their proposal. County shall verify Local SBE certification prior to applying the preference. 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.

4.9.4 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



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General Services Office of Small Business Certification and Resources  
Web site at <http://www.pd.dgs.ca.gov/smbus/default>.

- 4.9.5 **Prompt Payment Program.** It is the intent of the County that Certified Local SBEs 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.

#### **4.10 Transitional Job Opportunities Preference Program**

- 4.10.1 In evaluating proposals, the County will give preference to businesses that are certified by the County as Transitional Job Opportunity vendors, consistent with Chapter 2.205 of the Los Angeles County Code. A Certified Transitional Job Opportunity vendor is, and has been such for three (3) years, an entity: 1) that is a non-profit organization recognized as tax exempt pursuant to section 501 (c) (3) of the Internal Revenue Services Code; set forth, under penalty of perjury, such information as requested by the County on either electronic or hard copy forms, along with their application form and three (3) most recent annual tax returns to the department with their proposal response to the contracting solicitation for which they are competing; 2) has been in operation for at least one (1) year providing transitional job and the related supportive services to program participants; and 3) provide a profile of their program with a description of their program components designed to assist program participants, number of past program participants, and any other information requested by a contracting department.
- 4.10.2 Transitional Job Opportunities vendors must request the preference in their solicitation response and may not receive the preference until their certification has been affirmed by the applicable department. County must verify the Transitional Job Opportunity vendor certification prior to applying the preference. Sanctions and financial penalties may apply to a Proposer that knowingly and with intent to defraud seeks to obtain or maintain certification as a Transitional Job Opportunities vendor.
- 4.10.3 To request the Transitional Job Opportunities Preference, Proposer must complete the [Transitional Job Opportunities Preference Application, Appendix B \(Required Forms\), Exhibit B13](#) and submit it along with all supporting documentation with their proposal.

#### **4.11 Notification to County of Pending Acquisitions/Mergers by Proposing Company**

Proposer shall notify the County of any pending acquisitions/mergers of their company. This information shall be provided by the Proposer on [Proposer's Organization Questionnaire/Affidavit, Appendix B \(Required Forms\), Exhibit B1](#). Failure of the Proposer to provide this information may eliminate its proposal from any further consideration.

#### **4.12 Indemnification and Insurance**

Contractor shall be required to comply with the indemnification provisions contained in [Appendix F \(Sample Agreement\), Exhibit A \(Additional Terms and Conditions\), Paragraph 9.0 \(Indemnification\)](#). Contractor shall also procure, maintain, and provide to County proof of, insurance coverage for all the programs of insurance along with associated amounts specified in [Appendix F \(Sample Agreement\), Exhibit A \(Additional Terms and Conditions\), Paragraph 13.1 \(General Insurance Requirements\)](#), as well as provide performance security in accordance with [Appendix F \(Sample Agreement\), Exhibit A \(Additional Terms and Conditions\), Paragraph 13.2 \(Performance Security Requirements\)](#).

#### **4.13 Determination of Proposer Responsibility**

4.13.1 A responsible Proposer is a Proposer that has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity and experience to satisfactorily perform the Agreement. It is County's policy to conduct business only with responsible Proposers.

4.13.2 Proposers are hereby notified that, in accordance with Chapter 2.202 of the County Code, 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 shall not be the basis of a determination that the Proposer is not responsible.

4.13.3 County may declare a Proposer to be non responsible for purposes of the resultant Agreement 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 County or a nonprofit corporation created by County; (2) committed an act or omission which negatively reflects on the Proposer's quality, fitness or capacity to perform a contract with County, any other public entity, or a nonprofit corporation created by 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 County or any other public entity.

4.13.4 If there is evidence that the apparent highest ranked Proposer may not be responsible, the Department shall 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 shall 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.

4.13.5 If the Proposer presents evidence in rebuttal to the Department, the Department 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 the Proposer shall reside with the Board of Supervisors.

4.13.6 These terms shall also apply to proposed subcontractors of Proposers on County contracts.

#### **4.14 Proposer Debarment**

4.14.1 The Proposer is hereby notified that, in accordance with Chapter 2.202 of the County Code, 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 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 County or a nonprofit corporation created by County; (2) committed an act or omission which negatively reflects on the Proposer's quality, fitness or capacity to perform a contract with County, any other public entity, or a nonprofit corporation created by 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 County or any other public entity.

4.14.2 If there is evidence that the apparent highest ranked Proposer may be subject to debarment, the Department shall notify the Proposer in writing of the evidence which is the basis for the proposed debarment, and shall advise the Proposer of the scheduled date for a debarment hearing before the Contractor Hearing Board.

4.14.3 The Contractor Hearing Board shall conduct a hearing where evidence on the proposed debarment is presented. The 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 the Proposer should be debarred, and, if so, the appropriate length of time of the debarment. The Proposer and the Department shall be provided an opportunity to object to the tentative proposed decision prior to its presentation to the Board of Supervisors.

4.14.4 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.

4.14.5 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. County may, in its discretion, reduce the period of debarment or terminate the debarment if it finds that the 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.

4.14.6 The Contractor Hearing Board will consider requests for review of a debarment determination only where (1) the 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.

4.14.7 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.

4.14.8 These terms shall also apply to proposed subcontractors of Proposers on County contracts.

4.14.9 A listing of contractors that are currently on the Debarment List for Los Angeles County may be found on the following website:

[http://lacounty.info/doing\\_business/DebarmentList.htm](http://lacounty.info/doing_business/DebarmentList.htm)

#### **4.15 Proposer's Adherence to County's Child Support Compliance Program**

Proposers 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 contract or initiation of debarment proceedings against the non-compliant Contractor (County Code Chapter 2.202).

#### **4.16 Gratuities**

#### 4.16.1 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 Agreement or that the Proposer's failure to provide such consideration may negatively affect the County's consideration of the 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 the Agreement.

#### 4.16.2 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 the Proposer's submission being eliminated from consideration.

#### 4.16.3 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.

#### **4.17 Notice to Proposers Regarding the County Lobbyist Ordinance**

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 by completing and submitting the Familiarity with the County Lobbyist Ordinance Certification, as set forth in [Appendix B \(Required Forms\), Exhibit B6](#), as part of their proposal.

#### **4.18 Federal Earned Income Credit**

Contractor 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 Internal Revenue Service Notice No. 1015.

**4.19 Consideration of GAIN/GROW Participants for Employment**

4.19.1 Should Contractor require additional or replacement personnel after the effective date of the Agreement, Contractor shall give consideration for any such employment openings to participants in the County's Department of Public Social Services Greater Avenues for Independence (GAIN) Program or General Relief Opportunity for Work (GROW) Program who meet Contractor's minimum qualifications for the open position. For this purpose, consideration shall mean that Contractor will interview qualified candidates. County will refer GAIN/GROW participants by job category to Contractor.

*Note: In the event that both laid-off County employees and GAIN/GROW participants are available for hiring, County employees shall be given first priority.*

4.19.2 As a threshold requirement for consideration for contract award, Proposers shall 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 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 the Proposers' 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 contract award. Proposers shall complete and return the form, Attestation of Willingness to Consider GAIN/GROW Participants, as set forth in [Appendix B \(Required Forms\), Exhibit B9](#), along with their proposal.

**4.20 County's Quality Assurance Plan**

After contract award, County or its agent will evaluate Contractor's performance under the contract on a periodic basis. Such evaluation will include assessing Contractor's compliance with all terms in the resultant Agreement and performance standards identified in the Statement of Work. Contractor's deficiencies which the County determines are severe or continuing and that may jeopardize performance of the Agreement 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, the County may terminate the Agreement in whole or in part, or impose other penalties as specified in the Agreement.

**4.21 Recycled Bond Paper**

Proposer shall be required to comply with the County's policy on recycled bond paper as specified in [Appendix F \(Sample Agreement\), Exhibit A \(Additional Terms and Conditions\), Paragraph 32.0 \(Recycled-Content Paper\)](#).

#### **4.22 Safely Surrendered Baby Law**

Contractor 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 H](#) of this RFP and is also available on the Internet at [www.babysafela.org](http://www.babysafela.org) for printing purposes.

#### **4.23 County Policy on Doing Business with Small Business**

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

4.23.2 The Local Small Business Enterprise (SBE) Preference Program requires the Company to complete a certification process. This program and how to obtain certification are further explained in [Paragraph 4.9](#) above.

4.23.3 The Jury Service and Living Wage Programs, provide exceptions to the Programs 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 [Paragraph 4.24 \(Jury Service Program\)](#) of this Section.

4.23.4 The County also has a Policy on Doing Business with Small Business that is stated in [Appendix D](#) of this RFP.

#### **4.24 Jury Service Program**

The prospective Agreement is subject to the requirements of 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 G](#), and the pertinent jury service provisions of [Appendix F \(Sample Agreement\), Exhibit A \(Additional Terms and Conditions\), Paragraph 33.0](#), 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.

4.24.1 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

Contractor, on an annual basis, no less than five (5) days of regular pay for actual jury service. The policy may provide that employees deposit any fees received for such jury service with Contractor or that 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 County, or 2) 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.

- 4.24.2 There are two ways in which a Contractor might not be subject to the Jury Service Program. The first is if 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 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 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 the Agreement 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. Contractor is subject to any provision of the Jury Service Program not expressly superseded by the collective bargaining agreement.
- 4.24.3 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 Contractor must so indicate in the [Certification Form and Application for Exception, Appendix B \(Required Forms\), Exhibit B10](#), 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 Contractor's application, County will determine, in its sole discretion, whether Contractor falls within the definition of Contractor or meets any of the exceptions to the Jury Service Program. County's decision will be final.