



Sheriff's Department

REQUEST FOR PROPOSALS

FOR

PARKING CITATION PROCESSING SERVICES

(PCPS)

SOLICITATION No. 334SH

APRIL 2009

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
PARKING CITATION PROCESSING SERVICES (PCPS)**

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1.0 INTRODUCTION

1.1 Purpose

The County of Los Angeles (County) Sheriff's Department (Department) is issuing this Request for Proposals (together with all appendices, attachments and exhibits, RFP) to solicit proposals for an Agreement (as defined in Appendix F) with an organization that can provide a Parking Citation Processing Services (PCP Services or PCPS) program for the Department's Parking Enforcement Detail. Proposers responding to this solicitation must demonstrate that their proposed services would meet or exceed the County's Functional Business Requirements, as outlined in Appendix A and the attachments thereto.

The Department is a national leader in the field of law enforcement and employs approximately 16,000 sworn and professional staff. The Department also delegates parking enforcement assignments to several other County Departments and local jurisdictions (Participating Agencies). It is anticipated that the Department, together with each of these Participating Agencies, would require that the selected Proposer be capable of processing in excess of 250,000 citations per year.

The scope of this RFP includes:

- the provision of general PCP Services to the Department.
- the provision of a centralized data system (as further defined in Appendix A and the attachments thereto, the System) to manage all aspects of the PCP Services.
- the establishment of an electronic payment process with the County using the County's electronic payment processing vendor, LINK2GOV Corporation (LINK2GOV).
- the provision of office automation equipment such as computer workstations, printers, scanners.
- the provision of 'Field Equipment' such as handheld computing devices, and automated license plate recognition systems.

Appendix A (Statement of Work) (SOW), defines the Work (as defined in Appendix F) requirements for the PCPS program. The County's Functional Business Requirements are presented in SOW, Attachment A; a library of sample notices and correspondences may be found in SOW, Attachment B; and technical requirements for the Department's computer workstations are found in SOW, Attachment C. SOW, Attachment D provides a representation of the numbers of employees requiring training in the use of the System and Field Equipment (as defined in Appendix F). SOW, Attachment E describes the LINK2GOV interface.

The selected Proposer (if other than the current contractor) shall facilitate the transfer of data from the current contractor's system to the new System. System data required to facilitate the conversion will be limited to those citations which

are currently unpaid, on 'Hold' status with the Department of Motor Vehicles (DMV), and those that have been referred to Special Collections, all of which reside in the current PCPS system. The selected Proposer shall only be responsible for maintaining these citations, and issuing 'releases' of the Holds when requested to do so by the Department.

At the selected Proposer's sole determination, risk, and expense, the selected Proposer shall interface with the current PCPS provider to begin conversion activities upon the Effective Date of the Agreement.

All as further described in the SOW and the attachments thereto, should the incumbent contractor not be selected as a result of this solicitation, the new contractor must provide a Program Implementation Plan outlining the working format of the PCPS program implementation. The Program Implementation Plan format is outlined in the SOW, Section 3.0.

**Each proposal shall include a detailed Program Implementation Plan, if applicable, that defines how the program will be implemented, and shall address in sufficient detail, the requirements, resources, estimated timeline, and required training to establish the program as defined in the SOW.

The SOW, Attachment D, lists the number and classes of all employees which comprise the Department's Parking Enforcement Detail. Employees identified as Management will require detailed System training; those identified as Administrative Staff will require limited-access System training; and those identified as enforcement officers (Parking Control Officers or PCOs) will require Field Equipment training only.

The County will staff one (1) Program Director, and one (1) Program Manager.

1.2 Overview of Solicitation Document

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

- **INTRODUCTION (1.0):** Specifies the minimum requirements for Proposers, 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:**

- **A - STATEMENT OF WORK (SOW):** Explains in detail the Work to be performed by the Contractor.

Attachment A – County’s Functional Business Requirements

Attachment B –Sample Notices

Attachment C – Department’s Desktop Computing Workstation Baseline

Attachment D –Parking Enforcement Unit Staffing Profile

Attachment E –LINK2GOV Interface

- **B - REQUIRED FORMS:** Includes forms contained that must be completed and included in the proposal.
- **C - TRANSMITTAL FORM TO REQUEST A SOLICITATION REQUIREMENTS REVIEW:** Includes Transmittal sent to Department requesting a Solicitation Requirements Review.
- **D - COUNTY OF LOS ANGELES POLICY ON DOING BUSINESS WITH SMALL BUSINESS:** Identifies County policy.
- **E - LISTING OF CONTRACTORS DEBARRED IN LOS ANGELES COUNTY:** Sets forth the 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:** Identifies County policy.
- **H - JURY SERVICE ORDINANCE:** Identifies County Code.
- **I - IRS FORM 1015:** Identifies County policy.

1.3 Terms and Definitions

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 *Appendix F (Sample Agreement), Paragraph 2.0 (Definitions)*.

1.4 Minimum Mandatory Requirements

Interested and qualified Proposers that can demonstrate their ability to successfully provide the required services outlined in *Appendix A (Statement of Work)* of this RFP and the attachments thereto 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 providing PCPS as its primary business, or as a major component of its business operations.
- 1.4.2 Proposer utilizes, as a major component of its PCPS program, a centralized relational database capable of functioning in a “high

availability” server environment that provides the County with web-based access to all citation processing data.

- 1.4.3 Proposer is currently processing a minimum of 15,000 parking citations per month.
- 1.4.4 Proposer must have successfully implemented, and currently manages, a PCPS program in at least one (1) law enforcement agency.
- 1.4.5 Proposer has, over the last three (3) years, processed electronic payments (credit cards, debit cards).
- 1.4.6 This subparagraph is deleted in its entirety (see Bulletin 4).
- 1.4.7 Proposer must support integration with LINK2GOV and configurations shall follow the requirements set forth in SOW, Attachment E.
- 1.4.8 Proposer must comply with the RFP format and requirements set forth in Section 2.0 (Proposal Submission Requirements) of this RFP.
- 1.4.9 Proposer must complete and return all Required Forms under Appendix B to this RFP.
- 1.4.10 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 Department's internet website at:

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 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 shall 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
FAX: 323.415.1246

If it is discovered that Proposer contacted and/or 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 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 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. The County's judgment shall be final.

2.3 RFP Timetable

The timetable for this RFP is as follows:

- Release of RFP **April 17, 2009**
- Request for a Solicitation Requirements Review Due **May 7, 2009**
- Written Questions Due **May 13, 2009**
- Mandatory Proposers' Conference **May 13, 2009**
- Questions and Answers Released **May 19, 2009**
- **Proposals Due** by 2:00 p.m., Pacific Time **May 27, 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 **May 7, 2009**.
- 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 shall be submitted to:

Los Angeles County Sheriff's Department
Contracts Unit, Room 214
4700 Ramona Boulevard
Monterey Park, California 91754
Attn: Mona Whittouck
E-mail: rmwhitto@lasd.org
FAX: 323.415.3745

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 **May 13, 2009**. 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.

Any questions regarding concerns that the application of minimum requirements, evaluation criteria and/or business requirements may unfairly disadvantage Proposers or, due to unclear instructions, the County may not receive the best possible responses from Proposer, must be addressed during the Solicitation Requirements Review process (Paragraph 2.4 above).

Questions shall 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 on May 13, 2009, 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 May 19, 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: **May 13, 2009**
Time: 09:00 – 12:00 p.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 (See 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 Functional Business Requirements and Proposer's Fees to Customers (not to County) (Proposal Section C)
- Proposer's provision of Desktop Computing Hardware and Field Equipment (Proposal Section D)
- Proposer's Training Plan (Proposal Section E)
- Proposer's Management Approach (Proposal Section F)
- Acceptance of / Exceptions to Requirements of the Statement of Work and Terms and Conditions in Sample Agreement (Proposal Section G)
- Business Proposal Required Forms (Proposal Section H)

-
- 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

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 Proposal section references.

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.

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 (3 attempts will be made). It is the Proposer's responsibility to inform the point of contact that reference checks will be conducted during normal business 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 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 (Required Forms), Exhibit B3

The listing must include all 'public entities' and County 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 threatened litigation against Proposer or principals of Proposer.

- i. Where judgment has been entered against Proposer, whether final or not, where the claim was that Proposer violated any of the following, as defined in Appendix F (Sample Agreement), Exhibit A (Additional Terms and Conditions): (1) any applicable of the Federal and State laws and regulations cited in Paragraph 20 (Nondiscrimination, Affirmative Action and Assurances); (2) any applicable provisions of the Fair Labor Standards Act 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 B.3.

2.8.5 Proposer's Approach and Responses to Providing the Required Services Based on County's Functional Business Requirements, and Proposer's Special Collection Fee to Customers (Business Proposal – Section C)

Proposer shall describe in detail how Proposer's PCPS program will be provided to meet the County's Functional Business Requirements, (Attachment A) to the SOW.

Proposer shall disclose and provide narrative support for its Special Collection fee to be passed to the customer.

2.8.5.1 County's Functional Business Requirements (Business Proposal – Section C.1)

Proposer must respond to Attachment A (County's Functional Business Requirements) to the SOW in the Business Proposal, Section C.1. If your program does not currently meet any of the County's Functional Business Requirements, please explain in detail how these requirements will be satisfied.

Proposer must acknowledge and respond to each of the requirements in the same order as presented in Attachment A (County's Functional Business Requirements) to the SOW. Responses to the requirements shall follow the response legend, as follows:

- E – Existing functionality that can be demonstrated. An “E” response is valid if 1) the Proposer's System 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 System, or the PCPS program, is needed to meet the requirement. (System modification cost is included in the proposal – or – Explain in detail an alternative procedure.)
- R – Report Writer is needed to meet the requirements; the County will be responsible for developing the report. (County desires that Contractor provide 'field-chooser' 'drag-and-drop' report-writing tools with Contractor's System interface.)
- F – Future planned upgrade to the System will meet the requirement. (Provide a time-frame for implementation of the upgrade.)
- X – The requirement cannot be met.

Required Supplementary Information to the Response Legend

If Proposer's PCPS program can satisfy a particular requirement, but with variation, or, if Proposer's PCPS program utilizes an approach which deviates from that which is described in the County's Functional Business Requirements set forth in Appendix A to the SOW, 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 set forth in Attachment A (County's Functional Business Requirements) to the SOW. The narrative must provide sufficient assurance to the County that the Proposer understands each of the County's Functional Business Requirements, and is capable of executing the requirements, as written, without significant delay (90 calendar days or more) to program implementation.

2.8.5.2 Proposer's Customer Fees (Business Proposal – Section C.2)

County will only permit Proposers to collect a pre-determined Special Collections processing fee (defined in the SOW) for delinquent citations.

Disclose your proposed Special Collections processing fee which shall be passed to the customer for processing delinquent citation payments. Discuss, in detail, the background and dynamics driving the proposed charge.

It is in the County's interest to ensure that any proposed Special Collections processing fee be as low as practicably possible.

2.8.6 Proposer's Provision of Desktop Computing Hardware and 'Field Equipment' (Business Proposal – Section D)

2.8.6.1 Desktop Computing Hardware and 'Field Equipment' (Business Proposal – Section D.1)

Proposer shall provide the following:

1. A complete list of desktop computing hardware and peripheral devices, along with descriptions (make, model, processing power, etc) which shall be provided to the Department's Parking Enforcement Detail administrative staff. The identified desktop computing hardware shall meet or exceed the Department's specifications found in SOW, Attachment C (Department's Desktop Computing Workstation Baseline).
2. An overview of the handheld e-ticket computing devices which will be provided to the Department's Parking Enforcement Detail Parking Control Officers. The overview shall minimally include the following information:
 - Brand and model number;
 - Software operating platform;
 - Data transmission platform/language;
 - System capabilities/features;
 - Communication architecture (general) and capabilities;

-
- How they function (a user's perspective); and
 - Any special maintenance and/or handling issues of which the Department must be aware.
3. An overview of the automated license plate recognition (ALPR) systems which will be provided to the Department's Parking Enforcement Detail Parking Control Officers. The overview shall minimally include the following information:
- Brand and model number;
 - Software operating platform;
 - Data transmission platform/language;
 - System capabilities/features;
 - Communication architecture (general) and capabilities;
 - How they function (a user's perspective); and
 - Any special maintenance and/or handling issues of which the Department must be aware.

2.8.6.2 ALPR – Proposed Uses (Business Proposal – Section D.2)

Proposers should be aware that the Department is seeking to leverage the capabilities of both the handheld computers and ALPR systems (Field Equipment) for other law enforcement functions.

The Department currently uses data captured from patrol ALPR systems, and information attained through the issuance of "moving" citations to aid in criminal investigations. Data captured via parking citation and parking ALPR systems could be of equal value to the investigative process. The Department currently uses Federal Signal's PIPS BOSS[®] systems to view plate scan data, and Crossroads[™] and COPLINK[®] to view ticket information.

Proposers: Consider the following in your Business Proposals:

- a. The feasibility of utilizing the Field Equipment to not only 'ping' parking citation data on Proposer's System, but to also 'ping' (simultaneously or otherwise) other data sources for the purpose of recovering stolen or wanted vehicles.
- b. Explain any current or proposed solutions that would allow the Department to view the data collected or to ingest the data into its current systems.
- c. Discuss the feasibility of such approaches, the pros and cons of doing so, the one-time configuration costs which may be associated with the implementation, and your recommended approach.
- d. Clearly disclose any assumptions in determining the above.

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

A. Train the Trainer (T3) Program – Management and Administrative Staff (Business Proposal – Section E.1)

Propose a Training Plan to accommodate Department's intent to have a specified number of employees, identified as 'Management', and 'Administrative Staff' sufficiently trained in the use of the PCPS System. 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 staffing levels are provided in the SOW, Attachment D (Parking Enforcement Detail Staff Profile).

B. Training Program – PCOs (Business Proposal – Section E.2)

It is also the Department's intent to have up to twenty-four (24) Parking Control Officer staff sufficiently trained in the technical operation and functionality of Contractor's configured Field Equipment.

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 Department strongly prefers all training to be held at Department facilities).

2.8.8 Management Approach (Business Proposal – Section F)

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

In this section of the Business Proposal, Proposer shall:

- Define how the PCPS program will be managed;
- Discuss disaster recovery, data storage redundancy, and backup plan;
- Define key assumptions used to develop the management approach, schedule, and staffing plan;

- Provide a preliminary project implementation plan and proposed staffing. The project implementation plan shall include a preliminary timetable including milestones and a detailed description of how the program's implementation (SOW, Section 3.0) will be accomplished. The response to this section shall be in the same order and format as presented in the SOW.
- Document Proposer's program organization. Contractor Program Director(s) and Program Manger(s), and all key staff shall be identified.
- Submit resumes for the Program Director, Program Manager, and key staff which demonstrate relevant experience and expertise;
- Define problem resolution processes and other related program management processes;
- Define the Department's program resources, including numbers of staff, skill sets, and level of effort required to assist with program conversion and implementation; and
- Define the level of support required from County's existing PCPS contractor, including numbers of staff, skill sets, and level of effort required to assist with program implementation and data conversion; and
- Define project risks and the approach Proposer will utilize to manage/mitigate the risks.

B. Quality Control Plan (Business Proposal – Section F.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 the SOW.

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.

2.8.9 Acceptance of / or Exceptions to Requirements of the SOW and Terms and Conditions in Appendix F (Sample Agreement) (Business Proposal – Section G)

- 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 Appendix A (Statement of Work) to ensure compliance with all terms, conditions and requirements. It is the County's expectation that, in submitting a proposal, 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.

Proposer's response must include:

1. A statement offering Proposer's acceptance of, or exceptions to, all terms and conditions listed in Appendix F (Sample Agreement) and Exhibit A (Additional Terms and Conditions) thereto;
2. A statement offering Proposer's acceptance of, or exceptions to, all requirements listed in Appendix A (Statement of Work); and
3. For each exception, 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.

(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.

2.8.10 Business Proposal - Required Forms (Business Proposal – Section H)

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

- | | |
|-------------------|---|
| <i>Exhibit B5</i> | <u><i>Certification of No Conflict of Interest</i></u> |
| <i>Exhibit B6</i> | <u><i>Familiarity with the County Lobbyist Ordinance Certification</i></u> |
| <i>Exhibit B7</i> | <u><i>Los Angeles County Community Business Enterprise (CBE) Program – Request for Local SBE Preference Program Consideration and CBE Firm/Organization</i></u> |

-
- 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 the Cost Proposal is as follows:

- Preparation of Cost Proposal (Cost Proposal Section A)
- Per-Citation Processing Cost (Cost Proposal Section B)
- Hardware Usage Costs (Cost Proposal Section C)
- Program Implementation Costs (Cost Proposal Section D)

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

In this Section A, 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 A 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*. The exhibit identifies the 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 program implementation, management, support, and training services costs, and not itemized separately.

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

2.9.2 Per-Citation Processing Cost (Cost Proposal – Section B)

Proposer shall identify the fixed, per-citation processing cost for the proposed PCPS program which provides the services and System features in satisfaction of the County's Functional Business

Requirements as described in the SOW, and Attachment A thereto.

The County will use this fixed cost, multiplied by 150,000, and divided by 12, to arrive at a prospective monthly fixed cost to administer the PCPS program. For example:

$$(\text{per-Citation processing cost} \times 150,000) / 12$$

This prospective cost will be used to arrive at a final competitive figure for the purpose of this solicitation only. (The County makes no guarantee as to the actual number of citations which may be processed in any given contract year.)

2.9.3 Hardware Usage Costs (Cost Proposal – Section C)

Proposer shall identify the monthly fixed usage cost for each of the hardware systems supplied to the Department which satisfies the County's requirements as described in the SOW, and Attachments thereto.

Desktop Computers

Proposers shall not consider costs to purchase desktop application software. These items will be purchased and installed to the computers by County, under consultation with Contractor's Program Manager.

2.9.4 Implementation Costs (Cost Proposal – Section D)

2.9.4.1 IVR Telephone Subsystem (includes Pay-by-Phone) (Cost Proposal – Section D.1)

Proposer shall specify the one-time cost, if any, to establish the IVR subsystem described in the SOW, Paragraph 11.6. All pricing assumptions must be clearly identified in the Cost Proposal.

2.9.4.2 Pay-by-Web Interface ('Storefront' Design/Set-up) (Cost Proposal – Section D.2)

Proposer shall specify the one-time cost, if any, to design/set up the Pay-by-Web interface described in the SOW, Paragraph 11.7. All pricing assumptions must be clearly identified in the Cost Proposal.

2.9.4.3 ALPR Law Enforcement Configuration (Cost Proposal – Section D.3)

Proposer shall specify the one-time cost, if any, to configure the provided ALPR systems to meet the Department’s extended law enforcement needs, as described in the Subparagraph 2.8.6.2.

All pricing assumptions must be clearly identified in the Cost Proposal.

The IVR and Pay-by-Web implementation requirements are briefly described below.

SOW Par 11.6	<u>Interactive Voice Response (IVR) Capability – Telephones</u>
	<p>Contractor shall establish and maintain a System-integrated, interactive voice-response (IVR) telephone system capability. All telephonic payment transactions (credit cards, etc.) and automated inquiries to the IVR must, in real time, update to the PCPS System, and shall utilize a direct link (Application Programming Interface or ‘API’) to County’s electronic payment processing provider, LINK2GOV.</p>
SOW Par 11.7	<u>Pay-by-Web Interface</u>
	<p>Contractor shall establish and maintain a System-integrated, Sheriff-approved Pay-by-Web interface (also website).</p> <p>The website shall provide customers (the public) with account status and payment information, as well as provide for online electronic payment processing utilizing a direct link (HTTP Secure or ‘HTTPS’ protocol) to County’s electronic payment processing provider, LINK2GOV.</p>

2.10 Proposal Submission

The original *Business Proposal* and **five (5)** 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 PARKING CITATION PROCESSING SERVICES"

The original *Cost Proposal* and **two (2)** 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 PARKING CITATION PROCESSING SERVICES"

In addition, as part of the proposal submission, Proposers shall submit .pdf electronic copies of both the Business Proposal and Cost Proposal on 2 separate compact disks (CDs), both of which shall be clearly labeled.

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 proposals are 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) shall not be accepted and shall be 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 shall 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 be eliminated from further consideration.

All proposals will be evaluated based on the evaluation criteria listed below in Paragraphs 3.3 (Business Proposal Evaluation Criteria) and 3.4 (Cost Proposal Evaluation Criteria). All proposals will be scored and ranked in numerical sequence from high to low. The County may invite only finalist Proposers to make an oral presentation, demonstrate the capabilities of their PCPS program, and offer solutions to the PCPS needs of the County, based on the County's requirements.

3.1.1 Proposer Presentation and Product Demonstration

The County may, in the County's sole discretion, provide each qualifying finalist an opportunity to provide an oral presentation and demonstrate their PCPS System features. 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 PCPS program, the System, and/or other features of the program.

3.1.2 Selection Process

The County intends to select a single Proposer to supply the PCPS program, 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 Criteria (65%)

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 (35%)

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, Sections B, C, D, E, and F.1.

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 the SOW, Section 18.0 based on the information provided in Section F.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), including Exhibit A (Additional Term and Conditions) thereto, and the requirements of the Statement of Work outlined in the SOW, as stated in Section G (see Paragraph 2.8.9 of this RFP) 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 and discretion, disqualify any Proposer with whom the County cannot satisfactorily negotiate a contract.

3.4 Cost Proposal Evaluation Criteria (35%)

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 process, 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.

During or following the Debriefing, the Department will instruct the requesting Proposer of the manner and timeframe in which the requesting Proposer must notify the Department of the Proposer's intent to request a Proposed Contractor Selection Review (see Section 3.5.2 below), if the requesting Proposer is not satisfied with results of the Debriefing.

3.5.2 Proposed Contractor Selection Review

Any Proposer that has timely submitted a notice of its intent to request a Proposed Contractor Selection Review (as described in Section 3.5.1 above) may submit a written request for a Proposed Contractor Selection Review in the manner and timeframe as shall be specified by the Department. Without limiting the foregoing, the request must assert that the Proposer's 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.

-
- 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. The written decision shall additionally instruct the proposer of the manner and timeframe for requesting a review by a County Review Panel (see Section 3.5.3 below).

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 in the manner and timeframe specified by the Department in the Department's written decision regarding the Proposed Contractor Selection Review.

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 provide a written statement certifying 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 the Agreement shall commence upon execution by the Board of Supervisors and shall continue for a period of three (3) years, unless sooner terminated or extended. The County may, in its sole discretion, provide for a conversion period at the beginning of the Agreement Term which, the County anticipates, should not exceed thirty (30) days, to allow for data conversion from the existing vendor to Contractor (Conversion Period). In such case, the Agreement shall expire three (3) years from the completion or expiration of the Conversion Period, unless sooner terminated or extended.

The County may elect, in the County's sole discretion, to execute two (2) additional one-year Option periods, plus one 6-month Option period in any increment.

4.3 Contract Rates

The Contractor's rates shall remain firm and fixed for the term of the Agreement.

4.4 Days of Operation

Unless otherwise specified in the resultant Agreement, 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 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

There are underscores in the address between the words 'doing_business' and 'main_db'.

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 are 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 a Proposer to the Board, and such recommendation appears on the Board agenda, all proposals submitted in response to this RFP become a matter of public record with the exception of those parts of each proposal which are plainly 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 record or any parts thereof, if disclosure is

required or permitted under the California Public Records Act, or otherwise by law. A blanket statement of confidentiality or the marking of each page of the proposal as "Trade Secret," "Confidential," or "Proprietary" shall not be deemed sufficient notice of exception and shall not be permitted. Any such designation shall be disregarded. The Proposer(s) must specifically label only those provisions of the proposal which are "Trade Secrets," "Confidential," or "Proprietary" in nature.

4.7.3 By submitting a response to this RFP, the Proposer shall be deemed to have agreed to indemnify and hold harmless the County for any liability arising from or in connection with the County's failure to disclose, in response to a request under the California Public Records Act, any portion or portions of the Proposer's response to this RFP which have been marked "Trade Secret," "Confidential," or "Proprietary."

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 determining the lowest price, 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 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 13.1 (Indemnification) and Paragraph 14.0 (Intellectual Property 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 13.2 (General Insurance Requirements), as well as provide performance security in accordance with Appendix F (Sample Agreement), Exhibit A (Additional Terms and Conditions), Subparagraph 13.2.4 (Performance Security Requirements, Bond).

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 Appendix E of this RFP 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.

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 (Appendix I).

4.19 Consideration of GAIN/GROW Participants for Employment

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 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 Program (the Program) provides for exceptions to the Program if a company qualifies as a Small Business. 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 of 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.

4.25 Conflict of Interest

No County employee whose position in the County enables him/her to influence the selection of a Contractor for this RFP, or any competing RFP, nor any spouse of 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 D (Required Forms), Exhibit 5 (Certification of No Conflict of Interest).

4.26 Confidentiality and Independent Contractor Status

As appropriate, Contractor shall be required to comply with the Confidentiality provision contained in Section 3.0, and the Independent Contractor Status provision contained in Section 41.0 in Appendix F (Sample Agreement), Exhibit A (Additional Terms and Conditions).

4.27 Background and Security Investigations

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

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