



**LOS ANGELES COUNTY
SHERIFF'S DEPARTMENT**

**INVITATION FOR BIDS (IFB)
FOR
VISITOR BUS TRANSPORTATION SERVICES**

IFB 518-SH

January 2014

NOTICE TO VENDORS

THIS BASE DOCUMENT INCLUDES THE REQUIREMENTS KNOWN TO COUNTY AS OF THE DATE OF ISSUANCE OF THIS IFB.

THIS DOCUMENT DOES NOT STAND ALONE AND MUST BE READ AND REVIEWED IN CONNECTION WITH ALL OTHER PARTS OF THIS IFB, INCLUDING ANY APPENDICES, EXHIBITS, AND ATTACHMENTS ATTACHED HERETO OR THERETO.

THESE INVITATION FOR BIDS GUIDELINES ARE INTENDED TO PROVIDE GENERAL INFORMATION ONLY AND ARE SUBJECT TO REVISION BY THE COUNTY. THE RIGHTS AND OBLIGATIONS OF ANY PARTY CONTRACTING WITH THE COUNTY WILL BE DETERMINED IN ACCORDANCE WITH THE TERMS OF THE RESULTANT AGREEMENT AND ALL APPLICABLE LAW.

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1.0 GENERAL INFORMATION

1.1 Purpose

- 1.1.1 The County of Los Angeles (County) is issuing this Invitation for Bids (IFB) to solicit bids from vendors (Bidders) for the provision of bus transportation services for persons visiting inmates at various custody facilities of the Los Angeles County Sheriff's Department (Department) on weekends and holidays.
- 1.1.2 Bus transportation services shall include, but not be limited to, providing and maintaining the necessary buses and/or other vehicles as appropriate; transporting visitors to and from the various custodial facilities; providing qualified drivers, mechanics, and all other support personnel required to maintain the vehicles; and providing reports and other information, as needed by the County.
- 1.1.3 The scope of work for this IFB is summarized in Section 1.0 (Scope of Work) of Appendix B (Statement of Work) of this IFB.

1.2 Overview of Solicitation Document

This IFB is composed of the following parts:

- **GENERAL INFORMATION:** Specifies the Bidder's minimum mandatory requirements; provides information regarding some of the requirements of the Agreement; and explains the solicitation process.
- **INSTRUCTIONS TO BIDDERS:** Contains instructions to Bidders on how to prepare and submit their bid.
- **BID REVIEW AND SELECTION PROCESS:** Explains how the bids will be reviewed and selected.
- **APPENDICES:**
 - **A - SAMPLE AGREEMENT:** Lists the terms and conditions in the Agreement.
 - **B - STATEMENT OF WORK:** Explains in detail the statement of work to be performed under the Agreement.
 - **C - PERFORMANCE REQUIREMENTS SUMMARY (PRS) CHART**
 - **D - REQUIRED FORMS:** Forms contained in this section must be completed and included in the bid.

- **E - TRANSMITTAL FORM TO REQUEST A SOLICITATION REQUIREMENTS REVIEW:** Transmittal sent to Department to request a Solicitation Requirements Review.
- **F - COUNTY OF LOS ANGELES POLICY ON DOING BUSINESS WITH SMALL BUSINESS:** County policy.
- **G - JURY SERVICE ORDINANCE:** County Program.
- **H - LISTING OF CONTRACTORS DEBARRED IN LOS ANGELES COUNTY:** Contractors who are not allowed to contract with the County for a specific length of time.
- **I - IRS NOTICE 1015:** Provides information on Federal Earned Income credit.
- **J - SAFELY SURRENDERED BABY LAW:** County program.
- **K - INTENTIONALLY OMITTED**
- **L - DEFAULTED PROPERTY TAX REDUCTION PROGRAM:** County program
- **M - DISABLED VETERAN BUSINESS ENTERPRISE PREFERENCE PROGRAM:** County Program

1.3 Terms and Definitions

Throughout this IFB, references are made to certain terms, persons, groups, or departments/agencies. For convenience, a description of specific definitions can be found in Appendix A (Sample Agreement), Section 2 (Definitions) of this IFB. In addition, any term with the initial letter capitalized, which is not defined herein shall have the meaning set forth in Appendix A (Sample Agreement), Section 2 (Definitions) or elsewhere in this IFB.

1.4 Bidder's Minimum Mandatory Requirements

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

- 1.4.1 Bidder must have five (5) years experience, within the last seven (7) years, providing bus transportation services for public/government organizations and/or custodial facilities similar to the services identified in Appendix B (Statement of Work) of this IFB.
- 1.4.2 Bidder must have at least five (5) buses (minimum capacity of 47 passengers) available on weekends and County holidays.

- 1.4.3 Bidder must have at least one bus/vehicle that is equipped to accommodate disabled passengers.
- 1.4.4 Bidder must have all required licenses, certificates and permits required by Federal, State and local laws, ordinances and directives, as well as Transportation Charter Party Permits issued by California Public Utilities Commission, as they apply to bus/vehicle transportation services. All such licenses, certificates, and permits shall be provided in Section E (Proof of License) of the Bid.
- 1.4.5 Bidder must operate a dispatch office within Los Angeles County.

1.5 County's Rights and Responsibilities

- 1.5.1 The County has the right to amend the IFB by written addendum. The County is responsible only for that which is expressly stated in the solicitation document and any authorized written addenda thereto. Each such addendum shall be made available to each person or organization which County records indicate has received this IFB and shall be posted on the Department's website at:
http://www.lasd.org/lasd_contracts/info.html (underscore between "lasd" and "contracts").
- 1.5.2 Should such addendum require additional information not previously requested, failure to address the requirements of such addendum may result in the bid 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 Agreement Term

- 1.6.1 The term of this Agreement shall commence on May 14, 2014, and shall terminate on May 13, 2017 (the "Initial Term"), unless terminated earlier in whole or in part, as provided in the Agreement.
- 1.6.2 The County has the option, at the Sheriff's discretion to extend the Term of the Agreement for up to two additional one-year periods, plus one 6-month option period in any increment (each an "Option Term"). Each extension option shall be exercised at the sole discretion of the County.

1.7 Agreement Rates

- 1.7.1 Rates shall be in accordance with Exhibit C (Price Sheet) of the Agreement.
- 1.7.2 The Agreement rates shall remain firm and fixed for the Term of the Agreement.

1.7.3 It is the responsibility of the Bidder, in calculating bid price, to take into consideration the possible escalation of operating and other cost during the Term of the Agreement.

1.8 Days of Operation

Contractor shall be required to provide Visitor Bus Transportation Services on Saturdays, Sundays, and select County-recognized holidays, as stated in Appendix B (Statement of Work), Section 9.0 (Days/Hours of Operation) of this IFB.

1.9 Contact with County Personnel

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

Los Angeles County Sheriff's Department
Fiscal Administration – Contracts Unit
Attention: William Smith
4700 Ramona Boulevard, Room 214
Monterey Park, California 91754-2169
E-mail address: wksmith@lasd.org
Fax #: (323) 415-4746

Bidders are specifically directed not to contact any other County person or agent for any matter related to this IFB. If it is discovered that a Bidder contacted and/or received information from any County person or agent, other than the person specified above, regarding this IFB, County, in its sole determination, may disqualify the Bidder and its bid from further consideration.

1.10 Final Contract Award by the Board of Supervisors

Notwithstanding a recommendation of the Department, agency, individual, or other, the Board of Supervisors retains the right to exercise its judgment concerning the selection of a bid and the terms of any resultant Agreement, and to determine which bid best serves the interests of the County. The Board is the ultimate decision making body and makes the final determinations necessary to arrive at a decision to award, or not award, an Agreement.

1.11 Mandatory Requirement to Register on County's WebVen

Prior to Agreement award, all potential Contractors must register in the County's WebVen. The WebVen contains the Bidder's business profile and identifies the goods/services the business provides. Registration can be accomplished online via the Internet by accessing the County's home page at http://lacounty.info/doing_business/main_db.htm.

1.12 County Option to Reject Bids

The County may, at its sole discretion, reject any or all Bids submitted in response to this solicitation. The County shall not be liable for any costs incurred by a Bidder in connection with the preparation and submission of any Bid. The County reserves the right to waive inconsequential disparities in a submitted Bid.

1.13 Protest Process

1.13.1 Under Board Policy No. 5.055 (Services Contract Solicitation Protest), any prospective Bidder may request a review of the requirements under a solicitation for a Board-approved services contract, as described in Subparagraph 1.13.3 below. Additionally, any actual Bidder may request a review of a disqualification or of a proposed Agreement award under such solicitation as described respectively in Paragraph 3.3 (Disqualification Review) and Paragraph 3.5 (Department's Proposed Contractor Selection Review) of this IFB. It is the responsibility of the Bidder challenging the decision of a County department committed a sufficiently material error in the solicitation process to justify invalidation of a proposed Agreement award.

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

1.13.3 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))
- Review of a Disqualified Bid (Reference Paragraph 3.3 (Disqualification Review))
- Review of Department's Proposed Contractor Selection (Reference Paragraph 3.5 (Department's Proposed Contractor Selection Review))

1.14 Notice to Bidders Regarding the Public Records Act

1.14.1 Responses to this solicitation shall become the exclusive property of the County. Absent extraordinary circumstances, the recommended Bidder's bid will become a matter of public record when (1) Agreement negotiations are complete; (2) Department receives a letter from the recommended Bidder's authorized officer that the negotiated Agreement

is the firm offer of the recommended Bidder; and (3) Department releases a copy of the recommended Bidder's bid in response to a Notice of Intent to Request a Proposed Contractor Selection under Board Policy No. 5.055.

- 1.14.2 Notwithstanding the above, absent extraordinary circumstances, all bids will become a matter of public record when the Department's bidder recommendation appears on the Board agenda.
- 1.14.3 Exceptions to disclosure are those parts or portions of all bids that are justifiably defined as business or trade secrets, and plainly marked by the Bidder as "Trade Secret," "Confidential," or "Proprietary."
- 1.14.4 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 bid as confidential shall not be deemed sufficient notice of exception. The Bidders must specifically label only those provisions of their respective bid which are "Trade Secrets," "Confidential," or "Proprietary" in nature.**

1.15 Indemnification and Insurance

Contractor shall be required to comply with the indemnification provisions contained in Appendix A (Sample Agreement), Exhibit A (Additional Terms and Conditions), Section 12.0 (Indemnification and Insurance) and Section 13.0 (Intellectual Property Indemnification) of this IFB. Contractor shall procure, maintain, and provide to the County proof of insurance coverage for all the programs of insurance along with associated amounts specified in Appendix A (Sample Agreement), Exhibit A (Additional Terms and Conditions), Section 12.0 (Indemnification and Insurance) of this IFB.

1.16 SPARTA Program

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

1.17 Injury and 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.

1.18 Background and Security Investigations

- 1.18.1 At any time prior to or during the Term of the Agreement, all Contractor's staff, performing services under the Agreement shall be required to undergo and pass, to the satisfaction of County, a background investigation as a condition of beginning and continuing work under the Agreement. Such background investigation must be obtained through fingerprints submitted to the California Department of Justice to include State, local, and federal-level review, which may include, but shall not be limited to, criminal conviction information. The fees associated with the background investigation shall be at the expense of the Contractor, regardless if the member of Contractor's staff passes or fails the background investigation.
- 1.18.2 County may at any time require Contractor to do a more detailed background and security investigation of Contractor's staff at Contractor's expense, unless otherwise specified by the County Project Director.

1.19 Confidentiality and Independent Contractor Status

As appropriate, Contractor shall be required to comply with the Confidentiality provision contained in Appendix A (Sample Agreement), Exhibit A (Additional Terms and Conditions), Section 3.0 (Confidentiality) of this IFB, and the Independent Contractor Status provision contained in Appendix A (Sample Agreement), Exhibit A (Additional Terms and Conditions), Section 40.0 (Independent Contractor Status) of this IFB.

1.20 Conflict of Interest

No County employee whose position in the County enables him/her to influence the selection of a Contractor for this IFB, or any competing IFB, nor any spouse of economic dependent of such employees, shall be employed in any capacity by a Bidder or have any other direct or indirect financial interest in the selection of a Contractor. Bidder 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) of this IFB.

1.21 Determination of Bidder Responsibility

- 1.21.1 A responsible Bidder is a Bidder who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity and experience to satisfactorily perform the Agreement. It is the County's policy to conduct business only with responsible Bidders.

- 1.21.2 Bidders are hereby notified that, in accordance with Chapter 2.202 of the County Code, the County may determine whether the Bidder is responsible based on a review of the Bidder's performance on any Agreements, including but not limited to County Agreements. Particular attention will be given to violations of labor laws related to employee compensation and benefits, and evidence of false claims made by the Bidder against public entities. Labor law violations which are the fault of the subcontractors and of which the Bidder had no knowledge shall not be the basis of a determination that the Bidder is not responsible.
- 1.21.3 The County may declare a Bidder to be non-responsible for purposes of this solicitation if the Board of Supervisors, in its discretion, finds that the Bidder has done any of the following: (1) violated a term of an Agreement with the County or a nonprofit corporation created by the County; (2) committed an act or omission which negatively reflects on the Bidder's quality, fitness or capacity to perform an Agreement with the County, any other public entity, or a nonprofit corporation created by the County, or engaged in a pattern or practice which negatively reflects on same; (3) committed an act or omission which indicates a lack of business integrity or business honesty; or (4) made or submitted a false claim against the County or any other public entity.
- 1.21.4 If there is evidence that the apparent highest ranked Bidder may not be responsible, the Department shall notify the Bidder in writing of the evidence relating to the Bidder's responsibility, and its intention to recommend to the Board of Supervisors that the Bidder be found not responsible. The Department shall provide the Bidder and/or the Bidder's representative with an opportunity to present evidence as to why the Bidder should be found to be responsible and to rebut evidence which is the basis for the Department's recommendation.
- 1.21.5 If the Bidder 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 Bidder shall reside with the Board of Supervisors.
- 1.21.6 These terms shall also apply to proposed subcontractors of Bidders on County Agreements.

1.22 Bidder Debarment

- 1.22.1 Each Bidder is hereby notified that, in accordance with Chapter 2.202 of the County Code, the County may debar the Bidder from bidding or proposing on, or being awarded, and/or performing work on other County Agreements for a specified period of time, which generally will not exceed five (5) years but may exceed five (5) years or be permanent

if warranted by the circumstances, and the County may terminate any or all of the Bidder's existing Agreements with County, if the Board of Supervisors finds, in its discretion, that the Bidder has done any of the following: (1) violated a term of an Agreement with the County or a nonprofit corporation created by the County; (2) committed an act or omission which negatively reflects on the Bidder's quality, fitness or capacity to perform an Agreement with the County, any other public entity, or a nonprofit corporation created by the County, or engaged in a pattern or practice which negatively reflects on same; (3) committed an act or offense which indicates a lack of business integrity or business honesty; or (4) made or submitted a false claim against the County or any other public entity.

- 1.22.2 If there is evidence that the apparent highest ranked Bidder may be subject to debarment, the Department shall notify the Bidder in writing of the evidence which is the basis for the proposed debarment, and shall advise the Bidder of the scheduled date for a debarment hearing before the Contractor Hearing Board.
- 1.22.3 The Contractor Hearing Board shall conduct a hearing where evidence on the proposed debarment is presented. The Bidder and/or Bidder'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 Bidder should be debarred, and, if so, the appropriate length of time of the debarment. The Bidder and the Department shall be provided an opportunity to object to the tentative proposed decision prior to its presentation to the Board of Supervisors.
- 1.22.4 After consideration of any objections, or if no objections are received, a record of the hearing, the proposed decision and any other recommendation of the Contractor Hearing Board shall be presented to the Board of Supervisors. The Board of Supervisors shall have the right to modify, deny or adopt the proposed decision and recommendation of the Contractor Hearing Board.
- 1.22.5 If a Bidder has been debarred for a period longer than five (5) years, that Bidder may, after the debarment has been in effect for at least five (5) years, submit a written request for review of the debarment determination to reduce the period of debarment or terminate the debarment. The County may, in its discretion, reduce the period of debarment or terminate the debarment if it finds that the Bidder has adequately demonstrated one or more of the following: (1) elimination of the grounds for which the debarment was imposed; (2) a bona fide change in ownership or management; (3) material evidence discovered after debarment was imposed; or (4) any other reason that is in the best interests of the County.

- 1.22.6 The Contractor Hearing Board will consider requests for review of a debarment determination only where (1) the Bidder has been debarred for a period longer than five (5) years; (2) the debarment has been in effect for at least five (5) years; and (3) the request is in writing, states one or more of the grounds for reduction of the debarment period or termination of the debarment, and includes supporting documentation. Upon receiving an appropriate request, the Contractor Hearing Board will provide notice of the hearing on the request. At the hearing, the Contractor Hearing Board shall conduct a hearing where evidence on the proposed reduction of debarment period or termination of debarment is presented. This hearing shall be conducted and the request for review decided by the Contractor Hearing Board pursuant to the same procedures as for a debarment hearing.
- 1.22.7 The Contractor Hearing Board's proposed decision shall contain a recommendation on the request to reduce the period of debarment or terminate the debarment. The Contractor Hearing Board shall present its proposed decision and recommendation to the Board of Supervisors. The Board of Supervisors shall have the right to modify, deny, or adopt the proposed decision and recommendation of the Contractor Hearing Board.
- 1.22.8 These terms shall also apply to proposed subcontractors of Bidders on County Agreements.
- 1.22.9 Appendix H (Listing of Contractors Debarred in Los Angeles County) of this IFB provides a link to the County's website where there is a listing of Contractors that are currently on the Debarment List for Los Angeles County.

1.23 Bidder's Adherence to County Child Support Compliance Program

Bidders 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 Agreement that may be awarded pursuant to this IFB. Failure to comply may be cause for termination of an Agreement or initiation of debarment proceedings against the non-compliant Contractor (County Code Chapter 2.202).

1.24 Gratuities

1.24.1 Attempt to Secure Favorable Treatment

It is improper for any County officer, employee or agent to solicit consideration, in any form, from a Bidder with the implication, suggestion

or statement that the Bidder's provision of the consideration may secure more favorable treatment for the Bidder in the award of the Agreement or that the Bidder's failure to provide such consideration may negatively affect the County's consideration of the Bidder's submission. A Bidder 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.

1.24.2 Bidder Notification to County

A Bidder 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 Bidder's submission being eliminated from consideration.

1.24.3 Form of Improper Consideration

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

1.25 Notice to Bidders 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 Agreement must certify compliance with the ordinance. As part of this solicitation process, it will be the responsibility of each Bidder to review the ordinance independently as the text of said ordinance is not contained within this IFB. Thereafter, each person, corporation or other entity submitting a response to this solicitation, must certify that each County Lobbyist, as defined by Los Angeles County Code Section 2.160.010, retained by the Bidder is in full compliance with Chapter 2.160 of the Los Angeles County Code by completing and submitting Appendix D (Required Forms), Exhibit 6 (Familiarity with the County Lobbyist Ordinance Certification) of this IFB, as part of their bid.

1.26 Federal Earned Income Credit

The 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 the Internal Revenue Service Notice No. 1015, attached hereto as Appendix I (IRS Notice 1015).

1.27 Consideration of GAIN/GROW Participants for Employment

1.27.1 As a threshold requirement for consideration for Agreement award, Bidders 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 the participants meet the minimum qualifications for that opening. Additionally, Bidders shall attest to a willingness to provide employed GAIN/GROW participants access to the Bidder's employee mentoring program, if available, to assist these individuals in obtaining permanent employment and/or promotional opportunities. Bidders who are unable to meet this requirement shall not be considered for Agreement award.

1.27.2 Bidders shall complete and return Exhibit 9 (Attestation of Willingness to Consider GAIN/GROW Participants) of Appendix D (Required Forms) of this IFB, as part of their bid.

1.28 County's Quality Assurance Plan

After Agreement award, the County or its agent will evaluate the Contractor's performance under the Agreement on a periodic basis. Such evaluation will include assessing Contractor's compliance with all terms in the Agreement and performance standards identified in the Statement of Work, of this IFB. 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 the 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.

1.29 Recycled Bond Paper

Bidder shall be required to comply with the County's policy on recycled bond paper as specified in Appendix A (Sample Agreement), Section 31.0 (Recycled-Content Paper) of this IFB.

1.30 Safely Surrendered Baby Law

The 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 J (Safely Surrendered Baby Law) of this IFB and is also available on the Internet at www.babysafela.org for printing purposes.

1.31 County Policy on Doing Business with Small Business

- 1.31.1 The County has multiple programs that address small businesses. The Board of Supervisors encourages small business participation in the County's contracting process by constantly streamlining and simplifying our selection process and expanding opportunities for small businesses to compete for our business.
- 1.31.2 The Local Small Business Enterprise Preference Program requires the company to complete a certification process. This program and how to obtain certification are further explained in Paragraph 1.33 (Local Small Business Preference Program) of this IFB.
- 1.31.3 The Jury Service Program provides exceptions to the program if a company qualifies as a Small Business. It is important to note that each program has a different definition for Small Business. You may qualify as a Small Business in one program but not the other. Further explanation of the Jury Service Program is provided in Paragraph 1.32 (Jury Service Program) of this IFB.
- 1.31.4 The County also has a Policy on Doing Business with Small Business that is stated in Appendix F (County of Los Angeles Policy on Doing Business with Small Business) of this IFB.

1.32 Jury Service Program

The prospective Agreement is subject to the requirements of the County's Contractor Employee Jury Service Ordinance ("Jury Service Program") (Los Angeles County Code, Chapter 2.203). Prospective Contractors should carefully read the Appendix G (Jury Service Ordinance) of this IFB, and the pertinent jury service provisions Appendix A (Sample Agreement), Section 32.0 (Compliance with Jury Service Program) of this IFB. The Jury Service Program applies to both Contractors and their Subcontractors. Bids that fail to comply with the requirements of the Jury Service Program will be considered non-responsive and excluded from further consideration.

- 1.32.1 The Jury Service Program requires Contractors and their subcontractors to have and adhere to a written policy that provides that its employees

shall receive from the Contractor, on an annual basis, no less than five days of regular pay for actual jury service. The policy may provide that employees deposit any fees received for such jury service with the Contractor or that the Contractor deduct from the employee's regular pay the fees received for jury service. For purposes of the Jury Service Program, "employee" means any California resident who is a full-time employee of a Contractor and "full-time" means 40 hours or more worked per week, or a lesser number of hours if: 1) the lesser number is a recognized industry standard as determined by the County, or 2) the Contractor has a long-standing practice that defines the lesser number of hours as full-time. Therefore, the Jury Service Program applies to all of a Contractor's full-time California employees, even those not working specifically on the County project. Full-time employees providing short-term, temporary services of 90 days or less within a 12-month period are not considered full-time for purposes of the Jury Service Program.

- 1.32.2 There are two ways in which a Contractor might not be subject to the Jury Service Program. The first is if the Contractor does not fall within the Jury Service Program's definition of "Contractor". The Jury Service Program defines "Contractor" to mean a person, partnership, corporation of other entity which has an Agreement with the County or a Subcontract with a County Contractor and has received or will receive an aggregate sum of \$50,000 or more in any 12-month period under one or more County Agreements or subcontracts. The second is if the Contractor meets one of the two exceptions to the Jury Service Program. The first exception concerns small businesses and applies to Contractors that have 1) ten or fewer employees; and, 2) annual gross revenues in the preceding twelve months which, if added to the annual amount of this 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. The Contractor is subject to any provision of the Jury Service Program not expressly superseded by the collective bargaining Agreement.
- 1.32.3 If a Contractor does not fall within the Jury Service Program's definition of "Contractor" or if it meets any of the exceptions to the Jury Service Program, then the Contractor must so indicate in Exhibit 10 (Certification Form and Application for Exception) of Appendix D (Required Forms) of this IFB, and include with its submission all necessary documentation to support the claim such as tax returns or a collective bargaining Agreement, if applicable. Upon reviewing the Contractor's application, the County will determine, in its sole discretion, whether the Contractor falls within the definition of Contractor or meets any of the exceptions to the Jury Service Program. The County's decision will be final.

1.33 Local Small Business Enterprise Preference Program

- 1.33.1 The County will give Local SBE preference during the solicitation process to businesses that meet the definition of a Local Small Business Enterprise (Local SBE), consistent with Chapter 2.204.030C.1 of the Los Angeles County Code. A Local SBE is defined as: 1) A business certified by the State of California as a small business and 2) has had its principal office located in Los Angeles County for at least one year. The business must be certified by Internal Services Department as meeting the requirements set forth in 1 and 2 above prior to requesting the Local SBE Preference in a solicitation.
- 1.33.2 To apply for certification as a Local SBE, businesses may register at the Internal Services Department's web-site at: <http://laosb.org>.
- 1.33.3 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. Businesses must attach the Local SBE Certification Letter to Exhibit 7 (Request for Local SBE Preference Program Consideration, and CBE Firm/Organization Information Form) of Appendix D (Required Forms) of this IFB, with their bid. Sanctions and financial penalties may apply to a business that knowingly, and with intent to defraud, seeks to obtain or maintain certification as a certified Local SBE.
- 1.33.4 Information about the State's small business enterprise certification regulations is in the California Code of Regulations, Title 2, Subchapter 8, Section 1896 et seq., and is also available on the California Department of General Services Office of Small Business Certification and Resources Web site at <http://www.pd.dgs.ca.gov/smbus/default>.

1.34 Local Small Business Enterprise (SBE) Prompt Payment Program

It is the intent of 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.

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

The Bidder shall notify the County of any pending acquisitions/mergers of their company. This information shall be provided by the Bidder on Exhibit 1 (Bidder's Organization Questionnaire/Affidavit) of Appendix D (Required Forms) of this IFB. Failure of the Bidder to provide this information may eliminate its bid from any further consideration.

1.36 Transitional Job Opportunities Preference Program

- 1.36.1 In reviewing bids, 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 most recent annual tax returns to the department with their Bid response to the contracting solicitation for which they are competing; 2) has been in operation for at least one 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.
- 1.36.2 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 Bidder that knowingly and with intent to defraud seeks to obtain or maintain certification as a Transitional Job Opportunities vendor.
- 1.36.3 To request the Transitional Job Opportunities Preference, Bidder must complete Exhibit 13 (Transitional Job Opportunities Preference Application) of Appendix D (Required Forms) of this IFB, and submit it along with all supporting documentation with its bid.

1.37 Defaulted Property Tax Reduction Program

- 1.37.1 The prospective Agreement is subject to the requirements of the County's Defaulted Property Tax Reduction Program ("Defaulted Property Tax Program") (Los Angeles County Code, Chapter 2.206). Prospective Contractors should carefully read Appendix L (Defaulted Property Tax, Reduction Ordinance) of this IFB, and the pertinent provisions of Appendix A (Sample Agreement), Exhibit A (Additional Terms and Conditions), Sections 62.0 (Warranty of Compliance with County's Defaulted Property Tax Reduction Program) and Section 63.0 (Termination for Breach of Warranty to Maintain Compliance with County's Defaulted Property Tax Reduction Program) of this IFB. The Defaulted Tax Program applies to both Contractors and their subcontractors.

- 1.37.2 Bidders shall be required to certify that they are in full compliance with the provisions of the Defaulted Tax Program and shall maintain compliance during the term of any Agreement that may be awarded pursuant to this solicitation or shall certify that they are exempt from the Defaulted Tax Program by completing Appendix D (Required Forms), Exhibit 12 (Certification of Compliance with County's Defaulted Property Tax Reduction Program) of this IFB. Failure to maintain compliance, or to timely cure defects, may be cause for termination of Agreement or initiation of debarment proceedings against the non-compliance contractor (Los Angeles County Code, Chapter 2.202).
- 1.37.3 Bids that fail to comply with the certification requirements of the Defaulted Tax Program will be considered non-responsive and excluded from further consideration.

1.38 Disabled Veteran Business Enterprise Preference Program

- 1.38.1 The County will give preference during the solicitation process to businesses that meet the definition of a Disabled Veteran Business Enterprise, consistent with Chapter 2.211 of the Los Angeles County Code. A Disabled Veteran Business Enterprise vendor is defined as:
- 1) A business which is certified by the State of California as a Disabled Veteran Business Enterprise; or
 - 2) A business which is certified by the Department of Veterans Affairs as a Service Disabled Veteran Owned Small Business (SDVOSB).
- 1.38.2 Certified Disabled Veteran Business Enterprise vendors must request the preference in their solicitation responses and may not request the preference unless the certification process has been completed and certification is affirmed.
- 1.38.3 In no case shall the Disabled Veteran Business Enterprise Preference Program price or scoring preference be combined with any other County preference program to exceed eight percent (8%) in response to any County solicitation.
- 1.38.4 Sanctions and financial penalties may apply to a business that knowingly, and with intent to defraud, seeks to obtain or maintain certification as a certified Disabled Veteran Business Enterprise.
- 1.38.5 To request the Disabled Veteran Business Enterprise Preference, Proposer must complete and submit the Request for Disabled Veteran Business Enterprise Consideration form in Appendix D (Required Forms), Exhibit 16 (Request for Disabled Veteran Business Enterprise Preference Program Consideration), with supporting documentation with their bid.

- 1.38.6 Information about the State's DVBE certification regulations is found in the California Code of Regulations, Title 2, Subchapter 8, Section 1896 et seq., and is also available on the California Department of General Services Office of Disabled Veteran Business Certification and Resources Website at <http://www.pd.dgs.ca.gov/>.
- 1.38.7 Information on the Department of Veteran Affairs SDVOSB certification regulations is found in the Code of Federal Regulations, 38CFR 74 and is also available on the Department of Veterans Affairs Website at: <http://www.vetbiz.gov/>.

1.39 Time Off for Voting

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

2.0 INSTRUCTIONS TO BIDDERS

This Section 2.0 (Instructions to Bidders) contains key project dates and activities as well as instructions to Bidders in how to prepare and submit their bid.

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 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 bid shall be sufficient cause for rejection of the bid. The evaluation and determination in this area shall be at the County's sole and absolute discretion.

2.3 IFB Timetable

The timetable for this IFB is as follows:

- Release of IFB.....Refer to Bulletin #1
- Request for a Solicitation Requirements Review Due..... Refer to Bulletin #1
- Written Questions Due by 3:00 p.m. (Pacific Time) Refer to Bulletin #1
- Bidder's Mandatory Conference and Site Visit..... Refer to Bulletin #1
- Questions and Answers Released..... Refer to Bulletin #1
- **Bids due by 3:00 p.m. (Pacific Time)**..... Refer to Bulletin #1

2.4 Solicitation Requirements Review

2.4.1 A person or entity may seek a Solicitation Requirements Review by submitting a completed Appendix E (Transmittal Form to Request a Solicitation Requirements Review) of this IFB, to the Department as described in this Paragraph 2.4 (Solicitation Requirements Review). A request for a Solicitation Requirements Review may be denied, in the Department's sole discretion, if the request does not satisfy all of the following criteria:

1. The request for a Solicitation Requirements Review is made within ten (10) Business Days of the issuance of the solicitation document.

2. The request for a Solicitation Requirements Review includes documentation, which demonstrates the underlying ability of the person or entity to submit a bid.
 3. The request for a Solicitation Requirements Review itemizes in appropriate detail, each matter contested and factual reasons for the requested review; and
 4. The request for a Solicitation Requirements Review asserts either that:
 - a. application of the minimum requirements, evaluation criteria and/or business requirements unfairly disadvantages the person or entity; or
 - b. due to unclear instructions, the process may result in the County not receiving the best possible responses from prospective vendor.
- 2.4.2 The Solicitation Requirements Review shall be completed and the Department's determination shall be provided to the requesting person or entity, in writing, within a reasonable time prior to the bid due date.
- 2.4.3 All requests for a Solicitation Requirements Review should be submitted to:

Los Angeles County Sheriff's Department
Contracts Unit, Room 214
4700 Ramona Boulevard
Monterey Park, California 91754
Attention: Susie Cousins, Assistant Director
Fax No.: (323) 415-1069
E-mail: scousin@lasd.org

2.5 Bidders' Questions

- 2.5.1 Bidders may submit written questions regarding this IFB by mail, fax or e-mail to the Contract Analyst identified below. All questions must be received by the date specified in Bulletin #1 of this IFB. All questions, without identifying the submitting company, will be compiled with the appropriate answers and issued as an addendum to the IFB.
- 2.5.2 When submitting questions please specify the IFB 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 IFB. County reserves the right to group similar questions when providing answers.
- 2.5.3 Questions regarding the application of minimum requirements, review criteria and/or business requirements would unfairly disadvantage Bidders or, due to unclear instructions, may result in the County not

receiving the best possible responses from Bidder should be addressed under the Solicitation Requirements Review pursuant to Paragraph 2.4 (Solicitation Requirements Review) of this IFB.

2.5.4 Questions should be addressed to:

Los Angeles County Sheriff's Department
Contracts Unit, Room 214
4700 Ramona Boulevard
Monterey Park, California 91754
Attention: William Smith, Contracts Analyst
Fax Number: (323) 415-4746
E-mail address: wksmith@lasd.org

2.6 Mandatory Bidders Conference and Site Visit

- 2.6.1 A Mandatory Bidders Conference and Site Visit will be held to discuss the IFB. Refer to Bulletin #1 of the IFB for details. Prospective Bidders shall RSVP to the Contract Analyst identified in Subparagraph 2.5.4 above to provide the names and titles of personnel who will be attending the Mandatory Bidder's Conference and Site Visit. Those Prospective Bidders will be sent the date, time and location of the Mandatory Bidders Conference and Site Visit. Prospective Bidders are limited to sending two (2) employees to the Mandatory Bidder's Conference and Site Visit. Attendees must be full-time employees of the Bidder's company, must present identification, and must submit a business card upon arrival.
- 2.6.2 County staff will make a reasonable attempt to respond to questions from potential Bidders. Written answers to questions posed at the Mandatory Bidder's Conference and Site visit will be provided to Bidder's who attended the Mandatory Bidder's Conference and Site Visit, in addition to being posted on the Department's website at http://www.lasd.org/lasd_contracts/info.html by the date specified in Bulletin #1 of the IFB. Answers are not considered final until they are released in writing. All subsequent written answers and any addendum shall supersede any verbal responses provided at the Mandatory Bidder's Conference and Site Visit.
- 2.6.3 All potential Bidders **must** attend the Mandatory Bidder's Conference and Site Visit in **its entirety** or their Bids may be rejected (or disqualified) without review and eliminated from further consideration. Failure of any Bidder to attend the Mandatory Bidder's Conference and Site Visit may result in the rejection without review of such Bidder's Bid and the elimination from any further consideration. **Note:** Bidders should arrive on time and bring a copy of the IFB. Late arrivals may not be admitted to the Mandatory Bidder's Conference and Site Visit.

2.7 Preparation of the Bid

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

2.8 Bid Format

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

- Bidder's Organization Questionnaire/Affidavit
- Table of Contents
- Price Sheet (Section A)
- Bidder's Qualifications (Section B)
- Required Forms (Section C)
- Proof of Insurability (Section D)
- Proof of Licenses (Section E)
- Acceptance of Terms and Conditions in Sample Agreement and Requirements of the Statement of Work (SOW) (Section F)

2.8.1 Table of Contents

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

2.8.2 Price Sheet (Section A)

Bidder shall complete and submit the following forms as provided in Appendix D (Required Forms) of this IFB:

- Price Sheet – Exhibit 12
- Certification of Independent Price Determination and Acknowledgement of IFB Restrictions – Exhibit 13

2.8.3 Bidder's Qualifications (Section B)

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

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

The Bidder shall complete, sign and date the Bidder's Organization Questionnaire/Affidavit – Exhibit 1 as set forth in Appendix D (Required Forms) of this IFB. **The person signing the form must**

be authorized to sign on behalf of the Bidder and to bind the applicant in a contract.

Bidder must provide relevant background information to demonstrate that the Bidder meets the minimum requirements stated in Paragraph 1.4 (Bidder's Minimum Mandatory Requirements) of this IFB, and has the capability to perform the required services as a corporation or other entity.

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

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

Required Supporting Documents:

Corporations or Limited Liability Company (LLC):

Bidder must submit the following documentation with the Bid:

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

Limited Partnership:

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

B. Bidder's References (Section B.2)

The Bidder must complete and include Required Forms, Exhibit 2 (Prospective Contractor References), 3 (Prospective Contractor List

of Contracts), and 4 (Prospective Contractor List of Terminated Contracts), of Appendix D (Required Forms) of this IFB.

a. Prospective Contractor References, Exhibit 2

Bidder must provide three (3) references where the same or similar scope of services was provided In order to verify minimum mandatory requirements.

b. Prospective Contractor List of Contracts, Exhibit 3

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

c. Prospective Contractor List of Terminated Contracts, Exhibit 4

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

It is the Bidder's sole responsibility to ensure that the firm's name, and point of contact's name, title and phone number for each reference is accurate. The same references may be listed on both forms – Exhibit 2 (Prospective Contractor References) and Exhibit 3 (Prospective Contractor List of Contracts).

County may disqualify a Bidder if:

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

C. Financial Capability (Section B.3)

Provide copies of the company's most current and prior two (2) fiscal years' (2012, 2011, 2010) financial statements. Statements should include the company's assets, liabilities and net worth. At a minimum, include the Balance Sheet (Statement of Financial Positions), Income Statement (Statement of Operations), and the Retained Earnings Statement. If audited statements are available, these should be submitted to meet this requirement. Do not submit Tax Returns to meet this requirement. Financial statements will be kept confidential if so stamped on each page.

D. Bidder's Pending Litigation, Threatened Litigation, and Judgments (Section B.4)

Bidder shall identify by name, case, and court jurisdiction any pending litigation in which Bidder is involved, or judgments against Bidder in the past five (5) years. Bidder shall identify any threatened litigation against the Bidder in the past five (5) years. Bidder shall provide a statement describing the size and scope of any pending litigation, threatened litigation, or judgments against the Bidder or principals of the Bidder.

Failure or refusal to report pending litigation, threatened litigation, or judgments may result in Bidder being found non-responsive, and the bid may be eliminated from future review at County's absolute and sole discretion.

If a Bidder has no pending litigation, threatened litigation, or judgments, then a statement stating so must be provided in Section B.4 of the bid.

2.8.4 Required Forms (Section C)

Include the following business forms as provided in Appendix D (Required Forms), of this IFB. Complete, sign and date all forms.

- Exhibit 5 Certification of No Conflict of Interest
- Exhibit 6 Familiarity with the County Lobbyist Ordinance Certification
- Exhibit 7 Request for Local SBE Preference Program Consideration and CBE Firm/Organization Information Form
- Exhibit 8 Bidder's EEO Certification
- Exhibit 9 Attestation of Willingness to Consider GAIN/GROW Participants
- Exhibit 10 Contractor Employee Jury Service Program - Certification Form and Application for Exception
- Exhibit 11 Intentionally Omitted
- Exhibit 14 Transitional Job Opportunities Preference Application
- Exhibit 15 Defaulted Property Tax Reduction Certification
- Exhibit 16 Request for Disabled Veteran Business Enterprise Preference Program Consideration

2.8.5 Proof of Insurability (Section D)

Bidder shall provide proof of insurability that meets all insurance requirements set forth in Appendix A (Sample Agreement), Exhibit A (Additional Terms and Conditions), Section 12.0 (Indemnification and Insurance) of this IFB. If a Bidder does not currently have the required coverage, a letter from a qualified insurance carrier indicating a willingness to provide the required coverage should the Bidder be awarded an Agreement may be submitted with the bid.

2.8.6 Proof of Licenses (Section E)

Bidder must furnish copies of all applicable licenses, certifications, and credentials in satisfaction of Subparagraph 1.4.4 (Bidder's Minimum Mandatory Requirements) of this IFB.

2.8.7 Acceptance of Terms and Conditions in Sample Agreement and Requirements of the Statement of Work (SOW) (Section F)

The terms and conditions of Appendix A (Sample Agreement) and Appendix B (Statement of Work) of this IFB are not negotiable. It is the duty of every Bidder to carefully review Appendix A (Sample Agreement), including all exhibits thereto, and Appendix B (Statement of Work), including all attachments thereto, of this IFB to ensure compliance with all terms, conditions and requirements.

Section F of the bid must include a statement that the Bidder accepts all terms and conditions in Appendix A (Sample Agreement), including all exhibits thereto, and all requirements of Appendix B (Statement of Work) including all attachments thereto, of this IFB.

2.9 Bid Submission

The original bid(s) and three (3) numbered exact hard copies; and two (2) compact discs, each containing the bid(s) in electronic format, must be submitted in a sealed envelope or box, plainly marked in the upper left-hand corner with the name and address of the Bidder and bear the words:

**“BID FOR VISITOR BUS TRANSPORTATION SERVICES
IFB No. 518-SH”**

The bid and any related information shall be delivered or mailed to:

Los Angeles County Sheriff's Department
Contracts Unit – Room 214
4700 Ramona Boulevard
Monterey Park, California 91754
Attention: Will Smith, Contracts Analyst

It is the sole responsibility of the submitting Bidder to ensure that its bid is received before the bid due date and time specified in Bulletin #1, or any addendum amending the bid due date and time. Submitting Bidders shall bear all risks associated with delays in delivery by any person or entity, including the U.S. Mail. Any bids received after the scheduled bid due date and time, as specified in Bulletin #1, or any addendum amending the bid due date and time, will not be accepted and will be returned to the sender unopened. Timely hand-delivered bids are acceptable. No facsimile (fax) or electronic mail (e-mail) copies will be accepted.

All bids shall be firm offers and may not be withdrawn for a period of two hundred seventy (270) days following the bid due date and time set forth in Bulletin #1, or any addendum amending the bid due date and time. In the event the County is unable to enter into an Agreement within the two hundred seventy (270) day period, the County may request that all Bidders extend their offers for a period of time thereafter, in that event, any Bidder unwilling to extend its offer may be removed from consideration.

2.10 Bid Corrections and Errors

If Bidder realizes, before the bid due date, that the submitted bid contains one or more errors, Bidder may request in writing that the bid be withdrawn. If there are one or more errors, Bidder may resubmit another bid with each error corrected up to the bid due date. Once the bid due date has passed, all bids received on time stand as written. Requests for withdrawal shall be sent to:

Angelo Faiella, Manager
Los Angeles County Sheriff's Department
Contracts Unit
4700 Ramona Boulevard
Monterey Park, California 91754

In addition, if County determines at any time that there are one or more errors (e.g. clerical or arithmetic errors) or that there is missing information in any submitted bid, County, in its sole discretion, may request in writing that the particular Bidder submit a written correction of the applicable portions of its bid within a County-specified time period and in compliance with all County instructions as set forth in the request, including regarding content and format. Bidder understands and agrees that any such correction shall be limited to correcting errors or submitting missing information identified by County, shall comply with all County instructions as set forth in the request, and shall be considered part of the bid for all purposes including bid review/evaluation. If Bidder fails to submit such correction or missing information within the County-specified time period, the bid shall stand as written.

3.0 BID REVIEW AND SELECTION PROCESS

3.1 Review Process

- 3.1.1 Bids will be examined to determine the lowest price. Should one or more of the Bidders request and be granted the Local SBE Preference, Transitional Job Opportunities Preference, or Disabled Veterans Business Enterprise Preference, the lowest bid price will be determined as follows:

Local SBE Preference: Eight percent (8%) of the lowest bid price submitted will be calculated, which shall not exceed \$50,000, and that amount will be deducted from the bid price submitted by all Local SBE Bidders who requested and were granted the Local SBE Preference.

Transitional Job Opportunities Preference: Eight percent (8%) of the lowest bid price submitted will be calculated, and that amount will be deducted from the bid price submitted by all Bidders who requested and were granted the Transitional Job Opportunities Preference.

Disabled Veteran Business Enterprise Preference: Eight percent (8%) of the lowest bid price submitted will be calculated and that amount will be deducted from the bid price submitted by all Bidders who requested and were granted the Disabled Veteran Business Enterprise Preference up to the maximum of \$50,000.

In no case shall any preference be combined to exceed eight percent (8%) in response to any County solicitation.

- 3.1.2 The lowest price bid will be reviewed to determine whether it is responsive and responsible. The following steps will be performed until it is determined which is the lowest price, and most responsive and responsible bid.

3.2 Adherence to Minimum Mandatory Requirements

- 3.2.1 County shall review Exhibit 1 (Bidder's Organization Questionnaire/Affidavit) of Appendix D (Required Forms) of this IFB and determine if the Bidder meets the minimum requirements as outlined in Paragraph 1.4 (Bidder's Minimum Mandatory Requirements) of this IFB.
- 3.2.2 Failure of the Bidder to comply with the minimum requirements may eliminate its bid from any further consideration. The County may elect to waive any informality in a bid if the sum and substance of the bid is present.

3.3 Disqualification Review

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

3.4 Bid Review

3.4.1 Price Sheet (Section A)

1. Bids will be examined to determine the lowest price based on the rates set forth in the Bidder's Exhibit 12 (Price Sheet) of Appendix D (Required Forms) of this IFB, and as described in Paragraph 3.1 (Review Process) of this IFB.
2. Exhibit 13 (Certification of Independent Price Determination and Acknowledgement of IFB Restrictions) of Appendix D (Required Forms) of this IFB will be reviewed.

3.4.2 Bidder's Qualifications (Section B)

1. Bidder will be evaluated on their experience and capacity as a corporation or other entity to perform the required services based on information provided in Section B.1 of the bid.
2. Proposer will be evaluated on the verification of references provided in Section B.2 of the bid. In addition to the references provided, a review will include the County's Contract Database and Contractor Alert Reporting Database, if applicable, reflecting past performance history on County or other Agreements. This review may result in point deductions up to 100% of the total points awarded in this evaluation category. Additionally, a review of terminated Agreements will be conducted which may result in point deductions.
3. A review of Bidder's financial stability and financial capability to perform the required services will be conducted based upon the financial statements provided in Section B.3 of the bid.
4. A review will be conducted to determine the significance of any pending litigation, threatened litigation, or judgments against the Proposer as provided in Section B.4 of the bid.

3.4.3 Required Forms (Section C)

All forms listed in Subparagraph 2.8.4 (Required Forms (Section C)) of this IFB must be included in **Section C** of the bid, if applicable.

3.4.4 Proof of Insurability (Section D)

Review the proof of insurability provided in **Section D** of the bid.

3.4.5 Proof of Licenses (Section E)

Review the proof of licenses provided in **Section E** of the bid.

3.4.6 Acceptance of Terms and Conditions in Sample Agreement and Requirements of the Statement of Work (Section F)

Review statement that Bidder accepts all terms and conditions in Appendix A (Sample Agreement) and the requirements of Appendix B (Statement of Work) in **Section F** of the bid.

3.5 Department's Proposed Contractor Selection Review

3.5.1 Proposed Contractor Selection Review

Any Bidder that has timely submitted a notice of its intent to request a Proposed Contractor Selection Review as described in this Section 3.5 may submit a written request for a Proposed Contractor Selection Review, in the manner and timeframe as shall be specified by the Department.

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

1. The person or entity requesting a Proposed Contractor Selection Review is a bidder/proposer;
2. The request for a Proposed Contractor Selection Review is submitted timely (i.e., by the date and time specified by the department);
3. The person or entity requesting a Proposed Contractor Selection Review asserts in appropriate detail with factual reasons one or more of the following grounds for review:
 - a. The department materially failed to follow procedures specified in its solicitation document. This includes:
 - i. Failure to correctly apply the standards for reviewing the bid format requirements.
 - ii. Failure to correctly apply the standards, and/or follow the prescribed methods, for evaluating the bids as specified in the solicitation document.
 - iii. 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 bids, resulting in the Bidder receiving an incorrect score and not being selected as the recommended contractor.
 - c. Another basis for review as provided by state or federal law; and
4. The request for a Proposed Contractor Selection Review sets forth sufficient detail to demonstrate that, but for the Department's alleged failure, the Bidder would have been the lowest cost, responsive and responsible bid or the highest-scored bid, as the case may be.

Upon completing the Proposed Contractor Selection Review, the department representative shall issue a written decision to the Bidder within a reasonable time following receipt of the request for a Proposed Contractor Selection Review, and always before the date the contract award recommendation is to be heard by the County Board of

Supervisors. The written decision shall additionally instruct the Bidder of the manner and timeframe for requesting a County Independent Review (see Subparagraph 3.5.2 (County Independent Review Process) below).

3.5.2 County Independent Review Process

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

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

1. The person or entity requesting the County Independent Review is a Bidder;
2. The request for a County Independent Review is submitted timely (i.e., by the date and time specified by the Department); and
3. The person or entity requesting the County Independent Review has limited the request to items raised in the Proposed Contractor Selection Review and new items that (a) arise from the Department's written decision and (b) are one of the appropriate grounds for requesting a Proposed Contractor Selection Review as listed in Section 3.5.1 above.

Upon completion of the County Independent Review, the County's Internal Services Department will forward the report to the Department, which will provide a copy to the Bidder.