



**SHERIFF'S DEPARTMENT**

**COURT SERVICES DIVISION**

**REQUEST FOR PROPOSALS**

**FOR**

**AS-NEEDED SECURITY GUARD SERVICES**

**RFP No. 630-SH**

July 2020  
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 applicable contract and applicable law.

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## **1.0 INTRODUCTION**

- 1.1 The Los Angeles County (County) Sheriff's Department (Department) is issuing this Request for Proposals (RFP) to solicit proposals from interested and qualified vendors (Proposers) that can provide as-needed armed and unarmed security guard (Guard) services (Services) on a 24-hour, seven-days-per-week basis, which may include designated County and/or court-recognized holidays, at County facilities (Facilities) and County courthouses (Courthouses) located within the County of Los Angeles (County).
- 1.2 Titles, captions, and headings contained in this solicitation are inserted as a matter of convenience and for reference and are not intended and shall not be deemed or construed to define, limit, extend or otherwise describe the scope or any provision of this solicitation.

## **2.0 PURPOSE**

### **2.1 Scope of Work**

- 2.1.1 Contractor shall be required to provide relief for planned and unplanned absences of the Department's security staff. In addition, Contractor's armed and unarmed security Guards shall be required to provide building and parking security Services at specified facilities. Contractor shall be expected to implement the requirements outlined in Appendix A (Statement of Work) of this RFP.
- 2.1.2 Services to be provided under the contract include as-needed long-term and short-term day and after-hour armed and unarmed Guard Services to provide relief for Department Security Officers and Security Assistants who are unavailable due to planned and unplanned absences, and to provide after-hour coverage when Department Security Officers and Security Assistants cannot cover the vacancies with overtime.
- 2.1.3 The Department's daily armed and unarmed Guard Services requirements will vary, depending upon absences and facility needs. The Department currently has 255 security Post positions, most of which are filled by Department employees. The Department does not have a pool of security staff to fill in when there are employee vacancies and absences. Currently, the County is utilizing an average of 50 contracted security Guards on a daily basis. However, the County cannot guarantee a specific minimum number of Contractor employees required on a daily basis.

## **2.2 Sample Contract: County Terms and Conditions**

**2.2.1** Contractor shall be expected to adhere to the requirements outlined in Appendix B (Sample Contract) of this RFP.

### **2.2.2 Anticipated Contract Term**

The contract term is anticipated to be for a period of three years. The contract is anticipated to commence on April 1, 2021, following County Board of Supervisors' award. County, at its sole and absolute option, shall be entitled to extend the term of the contract for up to four additional one-year option periods in any increment. The actual work start date is subject to change upon the mutual agreement of the County and the Contractor.

### **2.2.3 Contract Rates**

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

### **2.2.4 Days of Operation**

The Contractor shall be required to provide Services Monday through Friday weekly. The Contractor may be required to provide Services on County-recognized holidays. The County Project Manager, or designee, will provide a list of the County holidays to the Contractor at the time the Contract is approved, and annually thereafter, at the beginning of each calendar year.

### **2.2.5 Indemnification and Insurance**

Contractor shall be required to comply with the provisions contained in Paragraph 8.23 (Indemnification) of Appendix B (Sample Contract) to this RFP. The 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 Paragraph 8.24 (General Provisions for all Insurance Coverage) and Paragraph 8.25 (Insurance Coverage) of Appendix B (Sample Contract) to this RFP.

### **2.2.6 Intentionally Omitted**

### **3.0 PROPOSER'S MINIMUM MANDATORY REQUIREMENTS**

- 3.1 Interested and qualified Proposers that can demonstrate their ability and qualifications to successfully provide the required Services outlined in Appendix A (Statement of Work) of this RFP, are invited to submit a proposal, provided they meet the following Minimum Mandatory Requirements:
- 3.1.1 Proposer must demonstrate the ability to provide armed and unarmed Guard Services for all locations listed in Attachment A1 (County Courthouses and Other Sheriff's Facilities) to Appendix A (Statement of Work) and for all vacancies listed in Attachment A2 (County Security Staff Vacancy Levels and Contractor's Required Staffing) to Appendix A (Statement of Work) to this RFP. Proposer shall include an organizational chart in Section B.1 of its proposal indicating the number of certified Guard personnel currently on staff, in accordance with Paragraph 7.8.7 (Proposer's Qualifications (Section B)) of this RFP.
  - 3.1.2 Proposer must have a minimum of 40 total certified armed and unarmed Guard personnel on staff or on call at all times, of which a minimum of 60 percent (24 Guards) must be armed. Guard's required certificates and licenses are outlined in Paragraph 4.0 (Required Certificates and Licenses) of Appendix A (Statement of Work) to this RFP. This requirement will be verified by County utilizing Proposer's organizational chart provided as part of Section B of the proposal.
  - 3.1.3 Proposer shall have at least five years of continuous armed and unarmed Guard Service experience within the last ten years, comparable to the Services identified in Appendix A (Statement of Work) to this RFP. Proposer shall provide at least three references that verify this Minimum Mandatory Requirement in Section B.2 (Proposer's References) of its proposal. Contractor shall complete and submit Exhibit 3 (Prospective Contractor References) found in Appendix C (Required Forms) to this RFP, which shall include start dates, end dates, agency names, and a brief description of the Services provided.
  - 3.1.4 Proposer shall assign a Project Manager who has a minimum of two years of experience within the last seven years, managing a project comparable in size and scope to the Services described herein, who will be responsible for assuring that all requirements described in Appendix A (Statement of Work) to this RFP, are fulfilled. A copy of the Project Manager's resume must be submitted with the proposal pursuant to Paragraph 7.8.7 (Proposer's Qualifications) of this RFP.

- 3.1.5 Proposer's proposed line supervisors must have at least two years of supervisory experience. All proposed supervisors must meet the training and certification requirements specified in Appendix A (Statement of Work) to this RFP. Proposer must include copies of certificates and resumes for proposed supervisory staff pursuant to Paragraph 7.8.7 (Proposer's Qualifications) of this RFP.
- 3.1.6 Contractor shall maintain an office in Los Angeles County with a telephone in the Contractor's name where Contractor conducts business. If Contractor maintains several offices in the County, it shall designate one office in the County as the main contact for County.
- 3.2 If Proposer's compliance with a County Contract has been reviewed by the Department of the Auditor-Controller within the last ten years, Proposer must not have unresolved questioned costs identified by the Auditor-Controller, in an amount over \$100,000.00, that are confirmed to be disallowed costs by the contracting County department, and remain unpaid for six months or more from the date of disallowance, unless such disallowed costs are the subject of current good faith negotiations to resolve the disallowed costs, in the opinion of the County.

#### **4.0 COUNTY'S RIGHTS AND RESPONSIBILITIES**

##### **4.1 Representations Made Prior to Contract Execution**

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

##### **4.2 Final Contract Award by the County Board of Supervisors**

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

### **4.3 County's Option to Reject Proposals or Cancel RFP**

4.3.1 Proposers are hereby advised that this RFP is a solicitation for proposals only, and is not intended, and is not to be construed as, an offer to enter into a contract or as a promise to engage in any formal competitive bidding or negotiations pursuant to any statute, ordinance, rule, or regulation. The County may, at its sole discretion, reject any or all proposals submitted in response of this RFP or may, in its sole discretion, reject all proposals and cancel this RFP in its entirety. 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.

### **4.4 County's Right to Amend Request for Proposals**

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

### **4.5 Background and Security Investigations**

4.5.1 Contractor shall ensure that all its employees providing Services under the contract, including all armed and unarmed Guards, undergo a background investigation as required by the County in accordance with Paragraphs 19.0 (Background Investigations) of Exhibit A (Statement of Work), and 7.5 (Background and Security Investigations) of Appendix B (Sample Contract) to this RFP.

#### **4.6 County's Quality Assurance Plan**

4.6.1 After contract award, the County or its agent will monitor the Contractor's performance under the contract on a periodic basis. Such monitoring will include assessing Contractor's compliance with all terms and conditions in the contract and performance standards identified in Appendix A (Statement of Work) to this RFP. Contractor's deficiencies which the County determines are significant or continuing and that may jeopardize performance of the contract will be reported to the County 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 contract in whole or in part, or impose other penalties as specified in the contract.

#### **5.0 PROPOSER'S REQUIREMENTS AND CERTIFICATIONS**

##### **5.1 Notice to Proposers Concerning the Public Records Act**

5.1.1 Responses to this solicitation shall become the exclusive property of the County. Absent extraordinary circumstances, the recommended Proposer's proposal will become a matter of public record when: (1) Contract negotiations are complete; (2) Department receives a letter from the recommended Proposer's authorized officer that the negotiated contract is the firm offer of the recommended Proposer; and (3) Department releases a copy of the recommended Proposer's proposal in response to a Notice of Intent to Request a Proposed Contractor Selection Review under Board Policy No. 5.055 (Services Contract Solicitation Protest).

Notwithstanding the above, absent extraordinary circumstances, all proposals will become a matter of public record when the Department's Proposer recommendation appears on the County Board of Supervisors agenda.

Exceptions to disclosure are those parts or portions of all proposals that are justifiably defined as business or trade secrets, and plainly marked by the Proposer as "Trade Secret", "Confidential", or "Proprietary".

- 5.1.2 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 confidential shall not be deemed sufficient notice of exception. The Proposers must specifically label only those provisions of their respective proposal which are "Trade Secrets", "Confidential", or "Proprietary", in nature.
- 5.1.3 In the event the County is required to defend an action on a Public Records Act request for any of the aforementioned documents, information, books, records, and/or contents of a proposal marked "Confidential", "Trade Secrets", or "Proprietary", Proposer agrees to defend and indemnify County from all costs and expenses, including reasonable attorneys' fees, incurred in connection with any action, proceedings, or liability arising in connection with the Public Records Act request.

## **5.2 Contact with County Personnel**

- 5.2.1 All contact regarding this RFP or any matter relating thereto must be in writing and may be mailed or e-mailed as follows:

Los Angeles County Sheriff's Department - Contracts Unit  
211 W. Temple Street, 6<sup>th</sup> Floor  
Los Angeles, CA 90012  
Attention: Rayvin Secol, Contract Analyst  
E-mail address: rjsecol@lasd.org

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

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

- 5.3.1 Prior to a contract award, all potential Contractors must register in the County's WebVen. WebVen contains the vendor's business profile and identifies the goods/services the business provides. Registration can be accomplished online via the Internet by accessing the County's home page at:

<http://camisvr.co.la.ca.us/webven/>

## **5.4 Protest Policy Review Process**

5.4.1 Under Board Policy No. 5.055 (Services Contract Solicitation Protest), any prospective Proposer may request a review of the requirements under a solicitation for a County Board approved Services contract, as described in Paragraph 5.4.3 (Grounds for Review) below. Additionally, any actual Proposer may request a review of a disqualification or of a proposed contract award under such a solicitation, as described respectively in the Paragraphs below. It is the responsibility of the Proposer challenging the decision of a County Department to demonstrate that the Department committed a sufficiently material error in the solicitation process to justify invalidation of a proposed contract award.

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

### **5.4.3 Grounds for Review**

Unless State or Federal statutes or regulations otherwise provide, the grounds for review of a solicitation for a County Board approved Services contract provided for under County Board Policy No. 5.055 (Services Contract Solicitation Protest) are limited to the following:

5.4.3.1 Review of Solicitation Requirements (Reference Paragraph 7.3 in the Proposal Submission Requirements Section)

5.4.3.2 Review of Disqualified Proposal (Reference Paragraph 8.3 in the Selection Process and Evaluation Criteria Section)

5.4.3.3 Review of Proposed Contractor Selection (Reference Paragraph 8.7 in the Selection Process and Evaluation Criteria Section)

## **5.5 Injury and Illness Prevention Program**

5.5.1 Contractor shall be required to comply with the State of California's Cal OSHA's regulations. California Code of Regulations Title 8 Section 3203 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.

## **5.6 Confidentiality and Independent Contractor Status**

5.6.1 As appropriate, Contractor shall be required to comply with Paragraph 7.6 (Confidentiality) and Paragraph 8.22 (Independent Contractor Status) contained in Appendix B (Sample Contract) to this RFP.

## **5.7 Conflict of Interest**

5.7.1 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 Exhibit 5 (Certification of No Conflict of Interest) of Appendix C (Required Forms) to this RFP.

## **5.8 Determination of Proposer Responsibility**

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

5.8.2 Proposers are hereby notified that, in accordance with Chapter 2.202 of the County Code, the County may determine whether the Proposer is responsible based on a review of the Proposer's performance on any contracts, including but not limited to County contracts. Particular attention will be given to violations of labor laws related to employee compensation and benefits, and evidence of false claims made by the Proposer against public entities. Labor law violations which are the fault of the sub-contractors and of which the Proposer had no knowledge shall not be the basis of a determination that the Proposer is not responsible.

- 5.8.3 The County may declare a Proposer to be non-responsible for purposes of this contract if the County Board of Supervisors, in its discretion, finds that the Proposer has done any of the following: (1) violated a term of a contract with the County or a nonprofit corporation created by the County; (2) committed an act or omission which negatively reflects on the Proposer's quality, fitness or capacity to perform a contract with the County, any other public entity, or a nonprofit corporation created by the County, or engaged in a pattern or practice which negatively reflects on same; (3) committed an act or omission which indicates a lack of business integrity or business honesty; or (4) made or submitted a false claim against the County or any other public entity.
- 5.8.4 If there is evidence that the apparent highest ranked Proposer may not be responsible, the Department will notify the Proposer in writing of the evidence relating to the Proposer's responsibility, and its intention to recommend to the County Board of Supervisors that the Proposer be found not responsible. The Department will provide the Proposer and/or the Proposer's representative with an opportunity to present evidence as to why the Proposer should be found to be responsible and to rebut evidence which is the basis for the Department's recommendation.
- 5.8.5 If the Proposer presents evidence in rebuttal to the Department, the Department will evaluate the merits of such evidence, and based on that evaluation, make a recommendation to the County Board of Supervisors. The final decision concerning the responsibility of the Proposer shall reside with the County Board of Supervisors.
- 5.8.6 These terms shall also apply to proposed sub-contractors of Proposers on County contracts.

## **5.9 Proposer Debarment**

- 5.9.1 The Proposer is hereby notified that, in accordance with Chapter 2.202 of the County Code, the County may debar the Proposer from bidding or proposing on, or being awarded, and/or performing work on other County contracts for a specified period of time, which generally will not exceed five years but may exceed five years or be permanent if warranted by the circumstances, and the County may terminate any or all of the Proposer's existing contracts with County, if the County Board of Supervisors finds, in its discretion, that the Proposer has done any of the following: (1) violated a term of a contract with the County or a nonprofit corporation created by the County; (2) committed an act or omission which negatively reflects on the Proposer's quality, fitness or capacity to perform a

contract with the County, any other public entity, or a nonprofit corporation created by the County, or engaged in a pattern or practice which negatively reflects on same; (3) committed an act or offense which indicates a lack of business integrity or business honesty; or (4) made or submitted a false claim against the County or any other public entity.

- 5.9.2 If there is evidence that the apparent highest ranked Proposer may be subject to debarment, the Department will 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.
- 5.9.3 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 County Board of Supervisors.
- 5.9.4 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 County Board of Supervisors. The County Board of Supervisors shall have the right to modify, deny, or adopt the proposed decision and recommendation of the Contractor Hearing Board.
- 5.9.5 If a Proposer has been debarred for a period longer than five years, that Proposer may, after the debarment has been in effect for at least five 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 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.

- 5.9.6 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 years; (2) the debarment has been in effect for at least five 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.
- 5.9.7 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 County Board of Supervisors. The County Board of Supervisors shall have the right to modify, deny, or adopt the proposed decision and recommendation of the Contractor Hearing Board.
- 5.9.8 These terms shall also apply to proposed sub-contractors of Proposers on County contracts.
- 5.9.9 Appendix G (List of Debarred Contractors in Los Angeles County) to 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.

## **5.10 Adherence to County's Child Support Compliance Program**

- 5.10.1 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).

## **5.11 Gratuities**

### **5.11.1 Attempt to Secure Favorable Treatment**

It is improper for any County officer, employee, or agent to solicit consideration, in any form, from a Proposer with the implication, suggestion or statement that the Proposer's provision of the consideration may secure more favorable treatment for the Proposer in the award of the contract or that the Proposer's failure to provide such consideration may negatively affect the County's consideration of the Proposer's submission. A Proposer 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 contract.

### **5.11.2 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.

### **5.11.3 Form of Improper Consideration**

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

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

5.12.1 The Board of Supervisors of the County of Los Angeles has enacted an ordinance regulating the activities of persons who lobby County officials. This ordinance, referred to as the "Lobbyist Ordinance", defines a County Lobbyist and imposes certain registration requirements upon individuals meeting the definition. The complete text of the ordinance can be found in County Code Chapter 2.160. In effect, each person, corporation or other entity that seeks a County permit, license, franchise or contract must certify compliance with the ordinance. As part of this solicitation process, it will be the responsibility of each Proposer to review the ordinance independently as the text of said ordinance is not contained within this RFP. Thereafter, each

person, corporation or other entity submitting a response to this solicitation, must certify that each County Lobbyist, as defined by Los Angeles County Code Section 2.160.010, retained by the proposer is in full compliance with Chapter 2.160 of the Los Angeles County Code and each such County Lobbyist is not on the Executive Office's List of Terminated Registered Lobbyists by completing and submitting Exhibit 6 (Familiarity with the County Lobbyist Ordinance Certification) of Appendix C (Required Forms) to this RFP, as part of their proposal.

### **5.13 Federal Earned Income Credit**

The Contractor shall notify its employees, and shall require each sub-contractor 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 Appendix H (IRS Notice 1015) to this RFP.

### **5.14 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. 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 submit a completed Exhibit 9 (Attestation of Willingness to Consider GAIN-GROW Participants) of Appendix C (Required Forms) to this RFP, along with their proposal.

### **5.15 Recycled Bond Paper**

5.15.1 Proposer shall be required to comply with the County's policy on recycled bond paper as specified in Paragraph 8.39 (Recycled Bond Paper) of Appendix B (Sample Contract) to this RFP.

## **5.16 Safely Surrendered Baby Law**

- 5.16.1 The Contractor shall notify and provide to its employees, and shall require each sub-contractor to notify and provide to its employees, information regarding the Safely Surrendered Baby Law, its implementation in Los Angeles County, and where and how to safely surrender a baby. The information is set forth in Appendix I (Safely Surrendered Baby Law) to this RFP. Additional information is available at [www.babysafela.org](http://www.babysafela.org).

## **5.17 Jury Service Program**

- 5.17.1 The prospective contract is subject to the requirements of the County's Contractor Employee Jury Service Ordinance (Jury Service Program) (Los Angeles County Code, Chapter 2.203). Prospective Contractors should carefully read Appendix F (Jury Service Ordinance) and Paragraph 8.8 (Compliance with the County's Jury Service Program) of Appendix B (Sample Contract), both of which are incorporated by reference into and made a part of this RFP. The Jury Service Program applies to both Contractors and their sub-contractors.

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

- 5.17.2 The Jury Service Program requires Contractors and their sub-contractors 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 calendar 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 deducts 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.

- 5.17.3 There are two ways in which a Contractor might not be subject to the Jury Service Program. The first is if the Contractor does not fall within the Jury Service Program's definition of "Contractor". The Jury Service Program defines "Contractor" to mean a person, partnership, corporation or other entity which has a contract with the County or a sub-contract with a County Contractor and has received or will receive an aggregate sum of \$50,000.00 or more in any 12-month period under one or more County contracts or sub-contracts. 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; (2) annual gross revenues in the preceding 12 months which, if added to the annual amount of this contract is less than \$500,000.00, 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.
- 5.17.4 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 (Contractor Employee Jury Service Program Certification Form and Application for Exception) of Appendix C (Required Forms) to this RFP, and include with its submission all necessary documentation to support the claim such as tax returns or a collective bargaining agreement, if applicable. Upon reviewing the Contractor's application, the County will determine, in its sole discretion, whether the Contractor falls within the definition of Contractor or meets any of the exceptions to the Jury Service Program. The County's decision will be final.

## **5.18 Intentionally Omitted**

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

5.19.1 The Proposer shall notify the County of any pending acquisitions/mergers of its company unless otherwise legally prohibited from doing so. If the Proposer is restricted from legally notifying the County of pending acquisitions/mergers, then it should notify the County of the actual acquisitions/mergers as soon as the law allows and provide to the County the legal framework that restricted it from notifying the County prior to the actual acquisitions/mergers. This information shall be provided by the Proposer in Exhibit 1 (Proposer's Organization Questionnaire/Affidavit and CBE Information) of Appendix C (Required Forms) to this RFP. Failure of the Proposer to provide this information may eliminate its proposal from any further consideration. Proposer shall have a continuing obligation to notify County of changes to the information contained in Exhibit 1 (Proposer's Organization Questionnaire/Affidavit and CBE Information) during the pendency of this RFP by providing a revised Exhibit 1 (Proposer's Organization Questionnaire/ Affidavit and CBE Information) to the County upon the occurrence of any event giving rise to a change in its previously reported information.

## **5.20 Intentionally Omitted**

## **5.21 Defaulted Property Tax Reduction Program**

5.21.1 The prospective contract is subject to the requirements of the County's Defaulted Property Tax Reduction Program (Defaulted Tax Program), (Los Angeles County Code, Chapter 2.206). Prospective Contractors should carefully read Appendix J (Defaulted Tax Program Ordinance) and the pertinent provisions in Paragraphs 8.51 (Warranty of Compliance with County's Defaulted Property Tax Reduction Program) and 8.52 (Termination for Breach of Warranty to Maintain Compliance with County's Defaulted Tax Program) of Appendix B (Sample Contract) both of which are incorporated by reference into and made a part of this solicitation. The Defaulted Tax Program applies to both Contractors and their sub-contractors.

Proposers shall be required to certify that they are in full compliance with the provisions of the Defaulted Tax Program and shall maintain compliance during the term of any contract that may be awarded pursuant to this solicitation or shall certify that they are exempt from the Defaulted Tax Program by completing Exhibit 13 (Certification of Compliance with the County's Defaulted Property Tax Reduction Program) of Appendix C

(Required Forms) to this RFP. Failure to maintain compliance, or to timely cure defects, may be cause for termination of a contract or initiation of debarment proceedings against the non-compliant Contractor (Los Angeles County Code, Chapter 2.202).

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

## **5.22 Time Off for Voting**

5.22.1 The Contractor shall notify its employees, and shall require each sub-contractor to notify and provide to its employees, information regarding the time off for voting law (Elections Code Section 14000). Not less than ten calendar days before every statewide election, every Contractor and sub-contractors 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.

## **5.23 Proposer's Acknowledgement of County's Commitment to Zero Tolerance Policy on Human Trafficking**

5.23.1 On October 4, 2016, the Los Angeles County Board of Supervisors approved a motion taking significant steps to protect victims of human trafficking by establishing a zero tolerance policy on human trafficking. The policy prohibits Contractors engaged in human trafficking from receiving contract awards or performing Services under a County contract.

Contractors are required to complete Exhibit 14 (Zero Tolerance Policy on Human Trafficking Certification) of Appendix C (Required Forms) to this RFP, certifying that they are in full compliance with the County's Zero Tolerance Policy on Human Trafficking provision as defined in Paragraph 8.54 (Compliance with County's Zero Tolerance Policy on Human Trafficking) of Appendix B (Sample Contract) to this RFP. Further, Contractors are required to comply with the requirements under said provision for the term of any contract awarded pursuant to this solicitation.

## **5.24 Intentionally Omitted**

## **5.25 Default Method of Payment: Direct Deposit or Electronic Funds Transfer (EFT)**

- 5.25.1 The County, at its sole discretion, has determined that the most efficient and secure default form of payment for goods and/or services provided under a contract with the County shall be Electronic Funds Transfer (EFT) or direct deposit, unless an alternative method of payment is deemed appropriate by the Auditor-Controller (A-C).
- 5.25.2 Upon contract award or at the request of the A-C and/or the contracting department, the Contractor shall submit a direct deposit authorization request with banking and vendor information, and any other information that the A-C determines is reasonably necessary to process the payment and comply with all accounting, record keeping, and tax reporting requirements.
- 5.25.3 Any provision of law, grant, or funding agreement requiring a specific form or method of payment other than EFT or direct deposit shall supersede this requirement with respect to those payments.
- 5.25.4 Upon contract award or at any time during the duration of the contract, a Contractor may submit a written request for an exemption to this requirement. The A-C, in consultation with the contracting department(s), shall decide whether to approve exemption requests.

## **5.26 Proposer's Acknowledgement of County's Commitment to Fair Chance Employment Hiring Practices**

On May 29, 2018, the Los Angeles County Board of Supervisors approved a Fair Chance Employment Policy in an effort to remove job barriers for individuals with criminal records. The policy requires businesses that contract with the County to comply with fair chance employment hiring practices set forth in California Government Code Section 12952, Employment Discrimination: Conviction History (Section 12952).

Contractors are required to complete Exhibit 15 (Compliance with Fair Chance Employment Hiring Practices Certification) of Appendix C (Required Forms) to this RFP, certifying that they are in full compliance with Section 12952, as indicated in Appendix B (Sample Contract) to this RFP. Further, Contractors are required to comply with the requirements under Section 12952 for the term of any contract awarded pursuant to this solicitation.

## **6.0 COUNTY'S PREFERENCE PROGRAMS**

### **6.1 Overview of County's Preference Programs**

- 6.1.1 The County of Los Angeles has three preference programs. The Local Small Business Enterprise (LSBE), Disabled Veterans Business Enterprise (DVBE), and Social Enterprise (SE). The County Board of Supervisors encourages business participation in the County's contracting process by continually streamlining and simplifying our selection process and expanding opportunities for these businesses to compete for County opportunities.
- 6.1.2 The Preference Programs (LSBE, DVBE, and SE) require that a business must complete certification prior to requesting a preference in a solicitation. This program and how to obtain certification are further explained in Paragraphs 6.2 (Local Small Business Enterprise (LSBE) Preference Program), 6.4 (Social Enterprise (SE) Preference Program), and 6.5 (Disabled Veteran Business Enterprise (DVBE) Preference Program) of this RFP.
- 6.1.3 In no case shall the Preference Programs (LSBE, DVBE, and SE) price or scoring preference be combined with any other County preference program to exceed 15 percent in response to any County solicitation.
- 6.1.4 Sanctions and financial penalties may apply to a business that knowingly, and with intent to defraud, seeks to obtain or maintain certification as a certified LSBE, DVBE, or SE when not qualified.
- 6.1.5 The County also has a Policy on Doing Business with Small Business that is stated in Appendix E (County of Los Angeles Policy on Doing Business with Small Business) to this RFP.

### **6.2 Local Small Business Enterprise (LSBE) Preference Program**

- 6.2.1 The County will give LSBE preference during the solicitation process to businesses that meet the definition of a LSBE, consistent with Chapter 2.204.030C.1 of the Los Angeles County Code. An LSBE is defined as a business: (1) certified by the State of California as a small business and has had its principal place of business located in Los Angeles County for at least one year; or (2) certified as a small business enterprise with other certifying agencies pursuant to the Department of Consumer and Business Affairs (DCBA) inclusion policy that: a) has its principal place of business located in Los Angeles County, and b) has revenues and employee sizes that meet the State's Department

of General Services requirements. The business must be certified by the Department of Consumer and Business Affairs as meeting the requirements set forth above prior to requesting the LSBE Preference in a solicitation.

- 6.2.2 To apply for certification as an LSBE, businesses should contact the Department of Consumer and Business Affairs at <http://dcba.lacounty.gov>.
- 6.2.3 Certified LSBEs may only request the preference if the certification process has been completed and certification is affirmed. Businesses must complete and submit Exhibit 7 (Request for Preference Program Consideration) of Appendix C (Required Forms) to this RFP, and submit a letter of certification from the DCBA with their proposal.
- 6.2.4 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 <https://caleprocure.ca.gov/pages/sbdvbe-index.aspx>.

### **6.3 Local Small Business Enterprise (LSBE) Prompt Payment Program**

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

### **6.4 Social Enterprise (SE) Preference Program**

- 6.4.1 The County will give preference during the solicitation process to businesses that meet the definition of a SE, consistent with Chapter 2.205 of the Los Angeles County Code. A SE is defined as:
  - 1. A business that qualifies as a SE and has been in operation for at least one year providing transitional or permanent employment to a Transitional Workforce or providing social, environmental and/or human justice services; and
  - 2. A business certified by the Department of Consumer and Business Affairs (DCBA) as a SE.
- 6.4.2 The DCBA shall certify that a SE meets the criteria set forth in Paragraph 6.4.1 above.

- 6.4.3 Certified SEs may only request the preference if the certification has been completed and certification is affirmed. Businesses must complete and submit Exhibit 7 (Request for Preference Program Consideration) of Appendix C (Required Forms) to this RFP, and submit a letter of certification from the DCBA with their proposal.
- 6.4.4 Further information on SEs also available on the DCBA's website at: <http://dcba.lacounty.gov>.

## **6.5 Disabled Veteran Business Enterprise (DVBE) Preference Program**

- 6.5.1 The County will give preference during the solicitation process to businesses that meet the definition of a DVBE, consistent with Chapter 2.211 of the Los Angeles County Code. A DVBE vendor is defined as:
  - 1. A business which is certified by the State of California as a DVBE; or
  - 2. A business which is verified as a service-disabled veteran-owned small business (SDVOSB) by the Veterans Administration.
  - 3. A business certified as DVBE with other certifying agencies pursuant to the Department of Consumer and Business Affairs' (DCBA) inclusion policy that meets the criteria set forth by the agencies in 1 and 2 above.
- 6.5.2 The DCBA shall certify that a DVBE is currently certified by the State of California, by the U.S. Department of Veteran Affairs, or is determined by the DCBA' inclusion policy that meets the criteria set forth by the agencies in Paragraph 6.5.1, 1 or 2 above.
- 6.5.3 Certified DVBEs may only request the preference if the certification process has been completed and certification is affirmed. Businesses must complete and submit Exhibit 7 (Request for Preference Program Consideration) of Appendix C (Required Forms) to this RFP, and submit a letter of certification from the DCBA with their proposal.

- 6.5.4 Information about the State's DVBE certification regulations is found in the California Code of Regulations, Title 2, Sub-chapter 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: <https://caleprocure.ca.gov/pages/sbdvbe-index.aspx>.
- 6.5.5 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: <https://www.va.gov/osdbu/>.

**7.0 PROPOSAL SUBMISSION REQUIREMENTS**

This Paragraph 7.0 (Proposal Submission Requirements) contains key project dates and activities as well as instructions to Proposers in how to prepare and submit their proposal.

**7.1 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 Department's sole judgment and which judgment shall be final. All proposals shall be firm and final offers and may not be withdrawn for a period of 180 days following the final proposal submission date.

**7.2 RFP Timetable**

The timetable for this RFP is as follows:

- Release of RFP .....July 7, 2020
- Request for a Solicitation Requirements Review Due.....July 21, 2020
- Last day to Confirm Attendance to Virtual Mandatory Proposers' Conference.....July 28, 2020
- Virtual Mandatory Proposers' Conference.....August 5, 2020
- Written Questions Due by 3:00 p.m. (Pacific Time).....August 14, 2020
- Written Questions and Answers Released.....August 28, 2020
- **Proposals due by 3:00 p.m. (Pacific Time).....September 15, 2020**

### **7.3 Solicitation Requirements Review**

7.3.1 Any person or entity may seek a Solicitation Requirements Review by submitting Appendix D (Transmittal Form to Request a Solicitation Requirements Review) to this RFP, to the Department conducting the solicitation as described in this Paragraph 7.3 (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 is made within the time frame identified in the solicitation document (generally within ten business days of the issuance of the solicitation document);
2. The request includes documentation (e.g., letterhead, business card, etc.) which identifies the underlying authority of the person or entity to submit a proposal;
3. The request itemizes in appropriate detail, each matter contested and factual reasons for the requested review; and
4. The request asserts either that:
  - a. application of the Minimum Mandatory 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 proposers.

7.3.2 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 proposal due date.

All requests for a Solicitation Requirements Review should be submitted to:

Los Angeles County Sheriff's Department - Contracts Unit  
211 W. Temple Street, 6<sup>th</sup> Floor  
Los Angeles, CA 90012  
Attention: Rayvin Secol, Contract Analyst  
E-mail address: rjsecol@lasd.org

## **7.4 Proposers' Questions**

- 7.4.1 Proposers may submit written questions regarding this RFP by mail or e-mail to the individual identified below. All questions must be received by August 14, 2020 at 3:00pm. All questions, without identifying the submitting company, will be compiled with the appropriate answers and issued as an addendum to the RFP.

The addendum will be made available to all Proposers, in addition to being posted on the Department's website at: <http://shq.lasdnews.net/shq/contracts/info.html>.

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

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

Los Angeles County Sheriff's Department - Contracts Unit  
211 W. Temple Street, 6<sup>th</sup> Floor  
Los Angeles, CA 90012  
Attention: Rayvin Secol, Contract Analyst  
E-mail address: [rjsecol@lasd.org](mailto:rjsecol@lasd.org)

## **7.5 Intentionally Omitted**

## **7.6 Virtual Mandatory Proposers' Conference**

- 7.6.1 A virtual Mandatory Proposers' Conference will be held to discuss this RFP on August 5, 2020.

- 7.6.2 Prospective Proposers shall RSVP to the Contract Analyst identified in Paragraph 7.4.1 on or before July 28, 2020. Proposers must provide the names, titles, email addresses, and phone numbers of not more than two full-time employee/representatives who will be attending the virtual Mandatory Proposers' Conference. The County will be using the Webex video conferencing platform for this event. Prospective Proposers who RSVP'd for the conference will receive an emailed invitation with the Webex meeting URL.

7.6.3 All potential Proposers **must** attend the virtual Mandatory Proposers' Conference in **its entirety**, or their proposals will be rejected as non-responsive (disqualified) without review, and eliminated from further consideration.

7.6.4 County staff will make a reasonable attempt to respond to questions from potential Proposers. Written answers to questions posed at the virtual Mandatory Proposers' Conference will be posted by August 28, 2020 on the Department's website at <http://shq.lasdnews.net/shq/contracts/info.html>

Answers to Proposers' questions are not considered final until they are released in writing. All written answers and any addenda thereto shall supersede all verbal responses provided at the virtual Mandatory Proposers' Conference.

## **7.7 Preparation of the Proposal**

7.7.1 Two separate proposals must be submitted - a Business Proposal and a Cost Proposal. All proposals must be submitted in the format prescribed throughout this Paragraph 7.7 (Preparation of the Proposal). Any proposal that deviates from this format may be rejected as non-responsive without review at the County's sole discretion.

7.7.2 Proposers must read this RFP carefully and follow all instructions, giving consideration to all requirements and requested documents as set forth herein when submitting their proposals to ensure that errors or omissions do not cause Proposers to be eliminated from considerations.

7.7.3 Each proposal must respond clearly and comprehensively to all requirements of this RFP. Any request lacking a response will be considered "non-responsive." Failure to comply with the proposal instructions may disqualify the proposal. Noncompliant, inadequate, incomplete, or otherwise non-responsive proposals may, in the County's sole discretion, result in disqualification or elimination.

## **7.8 Business Proposal Format**

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

7.8.1.1 Table of Contents

7.8.1.2 Proposer's Organization Questionnaire/Affidavit and CBE Information and Required Support Documents for Corporations and Limited Liability Companies

- 7.8.1.3 Executive Summary (Section A)
- 7.8.1.4 Proposer's Qualifications (Section B)
- 7.8.1.5 Proposer's Approach to Provide Required Services (Section C)
- 7.8.1.6 Proposer's Quality Control Plan (Section D)
- 7.8.1.7 Terms and Conditions in the Sample Contract, and Requirements of the Statement of Work (SOW): Acceptance of/or Exceptions to (Section E)
- 7.8.1.8 Business Proposal Required Forms (Section F)

**7.8.2 Proposer's Organization Questionnaire/Affidavit and CBE Information and Required Support Documentation**

The Proposer shall complete, sign and date Exhibit 1 (Proposer's Organization Questionnaire/Affidavit and CBE Information) of Appendix C (Required Forms) to this RFP. The person signing the form must be authorized to sign on behalf of the Proposer and to bind the applicant in a contract.

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

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

**7.8.3 Required Support Documents:**

**Corporations or Limited Liability Company (LLC):**

The Proposer must submit the following documentation with the proposal:

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

2. A conformed copy of the most recent “Statement of Information” as filed with the California Secretary of State listing corporate officers or members and managers.

#### **7.8.4 Limited Partnership:**

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

#### **7.8.5 Table of Contents**

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

#### **7.8.6 Executive Summary (Section A)**

The proposal shall include an Executive Summary of the Proposer’s understanding of the project. The Executive Summary shall condense and highlight the contents of the Business Proposal to provide the County with a broad understanding of the Proposer’s approach, qualifications, experience, and staffing. The Executive Summary shall be used as the County’s orientation to the Business Proposal.

#### **7.8.7 Proposer’s Qualifications (Section B)**

Demonstrate that the Proposer’s organization has the experience and financial capability to provide the required Services. The following sections must be included:

##### **7.8.7.1 Proposer’s Background and Experience (Section B.1)**

Provide a summary of relevant background information to demonstrate that the Proposer meets the Minimum Mandatory Requirements listed in Paragraph 3.0 (Proposer’s Minimum Mandatory Requirements) of this RFP, and has the capability to provide the required Services as a corporation or other entity. The information shall include, at a minimum, the following:

1. Proposer shall provide an organizational chart indicating the number of certified Guard personnel, by classification and assignment that are currently on staff. The organizational chart shall include Proposer's proposed Contractor Project Manager and at least one supervisory staff for each Bureau listed on Attachment A2 (County Security Staff Vacancy Levels and Contractor's Required Staffing) to Appendix A (Statement of Work) to this RFP.
2. For each proposed Contractor Project Manager and supervisory staff listed, Proposer shall provide complete name, current position, years with the firm, and level of education and experience. Proposer shall include a resume for the Contractor Project Manager, and copies of both professional licenses/certifications and resumes for each identified supervisory staff.

#### 7.8.7.2 Proposer's References (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 is accurate. The same references may be listed on both Exhibit 2 (Prospective Contractor References) and Exhibit 3 (Prospective Contractor List of Contracts) of Appendix C (Required Forms) to this RFP. Proposer must provide at least three references, all of which in the aggregate, must be able to verify Proposer's qualifications to propose (see Paragraph 3.0 (Proposer's Minimum Mandatory Requirements)).

1. County may disqualify a Proposer as non-responsive and/or non-responsible if:
  - a. References fail to substantiate Proposer's description of the Services provided; or
  - b. References fail to support that Proposer has a continuing pattern of providing capable, productive and skilled personnel; or

- c. The Department is unable to reach the point of contact with reasonable effort (at least three attempts will be made). It is the Proposer's responsibility to inform the point of contact of normal working hours.
2. The Proposer must complete and include the following Required Forms:
  - a. Exhibit 2 (Prospective Contractor References) of Appendix C (Required Forms) to this RFP. Proposer must provide at least three references where the same or similar scope of Services was provided.
  - b. Exhibit 3 (Prospective Contractor List of Contracts) of Appendix C (Required Forms) to this RFP. The listing must include all government and County contracts for the last three years. Use additional sheets if necessary.
  - c. Exhibit 4 (Prospective Contractor List of Terminated Contracts) of Appendix C (Required Forms) to this RFP. Listing must include contracts terminated within the past three years with a reason for termination.

#### 7.8.7.3 Proposer's Financial Capability (Section B.3)

Provide copies of the company's most current and prior two fiscal years (for example 2016 and 2017) financial statements. Statements should include the company's assets, liabilities and net worth and at a minimum should include the Balance Sheet, Statement of Income, and the Statement of Cash Flows. It should be noted that depending on the nature of the entity, i.e., for-profit, non-profit, governmental, the title of these statements may differ. For example, for a non-profit entity the Balance Sheet is referred to as the Statement of Financial Position. If audited statements are available, these should be submitted to meet this requirement. Do not submit Income Tax Returns to meet this requirement. Financial statements will be kept confidential if so stamped on each page.

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

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

If a Proposer has no pending litigation, threatened litigation, or judgements, then a statement stating so must be provided in this section.

**7.8.8 Proposer's Approach to Provide Required Services  
(Section C)**

Proposer shall describe the methodology it will use to meet the contract work requirements, and how the Services will be performed to meet or exceed the requirements to Appendix A (Statement of Work) of this RFP, as follows:

- a. Describe your corporate strategy for incentivizing employees who will be providing Guard Services throughout all three bureaus, as identified in Attachment A2 (County Security Staff Vacancy Levels and Contractor's Required Staffing) to Appendix A (Statement of Work) to this RFP.
- b. Describe the plan for recruitment and retention of qualified security Guard and security Guard supervisory personnel.
- c. Describe your strategy for recruiting and employing qualified personnel who can successfully pass the Department's background investigation in accordance with Paragraph 7.5 (Background and Security Investigations) of Appendix B (Sample Contract) to this RFP.
- d. Describe the strategy for ensuring Contractor shall respond to planned absence requests within 12 hours of notification by County as specified in Paragraph 7.1.1 (Planned County Absences) of Appendix A (Statement of Work) to this RFP.
- e. Describe your strategy to maintain a pool of Guards who shall report to the requested location within two hours to fill unplanned absences as stated in Paragraph 7.1.2 (Unplanned County Absences) of Appendix A (Statement of

Work) to this RFP. The strategy shall include the discussion as to how employees may be incentivized to participate in an on-call program.

- f. Describe your Quality Assurance Plan to ensure all armed and unarmed Guards possess and maintain all required certificates and licenses as stated in Paragraph 4.0 (Required Certificates and Licenses) of Appendix A (Statement of Work) to this RFP.
- g. Discuss how your weapons qualification program will align with the Department's requirement to have security Guards qualify every trimester as stated in Paragraph 14.2.3 (Firearms) of Appendix A (Statement of Work) to this RFP. Please describe how this information will be tracked.
- h. Discuss how you will ensure your employees meet or exceed the duties described in Paragraph 9.0 (Contractor Supervisor Duties) and Paragraph 10.0 (Contractor Guard Duties) of Appendix A (Statement of Work) to this RFP.
- i. Discuss your corporate training strategy(ies) to ensure all Contractor's employees will meet all training requirements, as well as the bi-annual orientation facilitated by the Court Services Training Unit. The discussion shall include how Proposer will document and track training described in Paragraph 3.3 (Contractor Guards and Supervisors, Qualifications) and Paragraph 18.0 (Training) of Appendix A (Statement of Work) to this RFP.
- j. Discuss your quality assurance strategy to ensure County will receive its required level of staffing shown in Attachment A2 (County Security Staff Vacancy Levels and Contractor's Required Staffing) to Appendix A (Statement of Work) to this RFP, when Contractor's employees are attending off-site training.
- k. Describe your approach to developing the Quality Control Plan required in Section D of the proposal, that ensures the County receives consistently high levels of Service as described in Paragraph 21.0 (Quality Control) of Appendix A (Statement of Work) to this RFP. The discussion shall include how Proposer will maintain quality control records and records of all inspections conducted.

### **7.8.9 Proposer's Quality Control Plan (Section D)**

Proposer shall present a comprehensive draft Quality Control Plan to be utilized by the Proposer as a self-monitoring tool to ensure the required Services are provided as specified in Paragraph 21.0 (Quality Control) to Appendix A (Statement of Work) to this RFP, and Attachment A8 (Performance Requirements Summary (PRS) Chart) to Appendix A (Statement of Work) to this RFP.

The Quality Control Plan shall include, but shall not be limited to, the following:

- 7.8.9.1 Method of monitoring to ensure that all of the Contract requirements are being met (the monitoring system must specify methods for identifying and preventing deficiencies in the quality of Services provided before the level of performance becomes unacceptable);
- 7.8.9.2 Specific activities to be monitored either on a scheduled or unscheduled basis;
- 7.8.9.3 Methods of monitoring to verify authenticity of reports, and ensure quality of Services;
- 7.8.9.4 Frequency of monitoring;
- 7.8.9.5 Samples of forms to be used in monitoring;
- 7.8.9.6 Job title and level of Guards performing monitoring functions; and
- 7.8.9.7 Methods for ensuring that Services will continue in the event of a strike of Contractor's employees.

### **7.8.10 Terms and Conditions in the Sample Contract, and Requirements of the Statement of Work (SOW): Acceptance of/or Exceptions to (Section E)**

- 7.8.10.1 It is the duty of every Proposer to thoroughly review Appendix B (Sample Contract) and Appendix A (Statement of Work) to this RFP, to ensure compliance with all terms, conditions, and requirements. It is the County's expectation that in submitting the proposal, Proposer will accept, as stated, the County's terms and conditions in Appendix B (Sample Contract) and the County's requirements in Appendix A (Statement of

Work) to this RFP. However, all Proposers are provided the opportunity to take exceptions to the County's terms, conditions, and requirements.

7.8.10.2 Section E of Proposer's response must include:

1. A statement offering the Proposer's acceptance of, or exceptions to, all terms and conditions listed in Appendix B (Sample Contract) to this RFP.
2. A statement offering the Proposer's acceptance of, or exceptions to, all requirements listed in Appendix A (Statement of Work) to this RFP; and

For each exception, the Proposer shall provide:

1. An explanation of the reason(s) for the exception;
2. The proposed alternative language; and
3. A description of the impact, if any, to the Proposer's price.

7.8.10.3 Indicate all exceptions to Appendix A (Statement of Work) and/or Appendix B (Sample Contract) by providing a 'red-lined' version of the language in question. The County relies on this procedure. Any Proposer who fails to make timely exceptions as required herein, may be barred, at the County's sole discretion, from later making such exceptions.

The County reserves the right to determine if Proposers' exceptions are material enough to deem the proposal non-responsive and not subject to further evaluation.

The County reserves the right to make changes to Appendix A (Statement of Work) and/or Appendix B (Sample Contract) of this RFP, and its appendices, attachments, and exhibits at its sole discretion.

**7.8.11 Business Proposal Required Forms (Section F)**

Proposal shall include all completed, signed, and dated forms identified in Appendix C (Required Forms) of this RFP.

- Exhibit 5 Certification of No Conflict of Interest
- Exhibit 6 Familiarity with the County Lobbyist Ordinance Certification
- Exhibit 7 Request for Preference Program Consideration
- Exhibit 8 Proposer'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 13 Certification of Compliance with the County's Defaulted Property Tax Reduction Program
- Exhibit 14 Zero Tolerance Policy on Human Trafficking Certification
- Exhibit 15 Compliance with Fair Chance Employment Hiring Practices Certification

## **7.9 Cost Proposal Format**

- 7.9.1 The content and sequence of the Cost Proposal must be as follows:
  - 7.9.1.1 Cover page identifying, at a minimum, the RFP and the Proposer's name.
  - 7.9.1.2 Exhibit 11 (Pricing Sheet) of Appendix C (Required Forms) to this RFP.
  - 7.9.1.3 Exhibit 12 (Certification of Independent Price Determination and Acknowledgement of RFP Restrictions) of Appendix C (Required Forms) to this RFP.

## **7.10 Firm Offer-Withdrawal of Proposal**

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

## **7.11 Proposal Submission**

- 7.11.1 The original Business Proposal (Sections A through F) and four numbered exact hard copies, and two separate electronic exact copies in pdf format on flash-drives or compact discs, 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 AS-NEEDED  
SECURITY GUARD SERVICES  
REQUEST FOR PROPOSALS 630-SH"**

- 7.11.2 The original Cost Proposal and two numbered exact hard copies, and one electronic exact copy in pdf format on a flash-drive or compact disc, 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 AS-NEEDED  
SECURITY GUARD SERVICES  
REQUEST FOR PROPOSALS 630-SH"**

- 7.11.3 The proposal(s) shall be delivered or mailed to:

Los Angeles County Sheriff's Department  
Fiscal Administration– Contracts Unit  
211 West Temple Street, 6<sup>th</sup> Floor  
Los Angeles, California 90012  
Attention: Rayvin Secol, Contract Analyst

- 7.11.4 While both the Business Proposal and the Cost Proposal may be boxed and delivered together, they must be SEALED SEPARATELY within the box.
- 7.11.5 It is the sole responsibility of the submitting Proposer to ensure that its proposal is received by September 15, 2020, at 3:00pm. 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 7.2 (RFP Timetable) of this RFP, will not be accepted and will be returned to the sender unopened. Timely hand-delivered proposals are acceptable. No facsimile (fax) or electronic mail (e-mail) copies will be accepted.

## **8.0 SELECTION PROCESS AND EVALUATION CRITERIA**

### **8.1 Selection Process**

8.1.1 The County reserves the sole right to judge the contents of the proposals submitted pursuant to this RFP and to review, evaluate, and select the successful proposal(s). The selection process will begin with receipt of the proposal by September 15, 2020, or by any addendum amending proposal due date and time.

Evaluation of the proposals will be made by an Evaluation Committee selected by the Department. The Committee will evaluate the proposals and will use the evaluation approach described herein to select a prospective Contractor. All proposals will be evaluated based on the criteria listed below. All proposals will be scored and ranked in numerical sequence from high to low. The County may also, at its option, invite Proposers being evaluated to make a verbal presentation or conduct site visits, if appropriate. The Evaluation Committee may utilize the services of appropriate experts to assist in this evaluation.

After a prospective Contractor has been selected, the County and the prospective Contractor(s) will negotiate a contract for submission to the County 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 who submitted a proposal, as determined by the County.

The recommendation to award a contract will not bind the County Board of Supervisors to award a contract to the prospective Contractor.

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.

### **8.2 Adherence to Minimum Mandatory Requirements (Pass/Fail)**

8.2.1 County will review Exhibit 1 (Proposer's Organization Questionnaire/Affidavit and CBE Information) of Appendix C (Required Forms) to this RFP, and the appropriate information, references and/or documentation of the proposal to determine if the Proposer meets the Minimum Mandatory Requirements as outlined

in Paragraph 3.0 (Proposer's Minimum Mandatory Requirements) of this RFP.

Failure of the Proposer to comply with the Minimum Mandatory Requirements may eliminate its proposal from any further consideration. The County may elect to waive any informality in a proposal if the sum and substance of the proposal is present, or request clarification.

### **8.3 Disqualification Review**

8.3.1 A proposal may be disqualified from consideration because a Department determined it was non-responsive at any time during the review/evaluation process. If a Department determines that a proposal is disqualified due to non-responsiveness, the Department will notify the proposer in writing.

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

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

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

Proposer can also be disqualified for Paragraph 5.8 (Determination of Proposer Responsibility) of this RFP.

## **8.4 Business Proposal Evaluation and Criteria (70%)**

**8.4.1** Any reviews conducted during the evaluation of the Business Proposal may result in a point reduction.

### **8.4.2 Proposer's Qualifications (25%)**

1. Proposer will be evaluated on their experience and capacity as a corporation or other entity to perform the required Services based on information provided in Paragraph 7.8.7.1 (Proposer's Background and Experience (Section B.1)) of this RFP.
2. Proposer will be evaluated on the verification of at least three references provided in Paragraph 7.8.7.2 (Proposer's References (Section B.2)) of this RFP. 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 contracts. This review may result in point deductions up to 100 percent of the total points awarded in this evaluation category. Additionally, a review of terminated contracts will be conducted which may result in point deductions.
3. A review will be conducted to evaluate the Proposer's financial capability as provided in Paragraph 7.8.7.3 (Proposer's Financial Capability (Section B.3)) of this RFP.
4. A review will be conducted to determine the significance of any litigation or judgments pending against the Proposer as provided in Paragraph 7.8.7.4 (Proposer's Pending Litigation and Judgments (Section B.4)) of this RFP.

### **8.4.3 Proposer's Approach to Providing Required Services (25%)**

The Proposer will be evaluated on its description of the methodology(ies) to be used to meet the County's requirements based on information provided in Paragraph 7.8.8 (Proposer's Approach to Provide Required Services (Section C)) of this RFP.

### **8.4.4 Quality Control Plan (20%)**

The Proposer will be evaluated on its ability to establish and maintain a complete Quality Control Plan to ensure the requirements of this contract are provided as specified. Evaluation of the Quality Control Plan shall cover the proposed

monitoring system of all Services listed on the Performance Requirements Summary (PRS) based on the information provided in Paragraph 7.8.9 (Proposer's Quality Control Plan (Section D)) of this RFP.

**8.4.5 Exceptions to Terms and Conditions of Sample Contract and/or Requirements of the Statement of Work**

Proposer will be evaluated on their willingness to accept the terms and conditions outlined in Appendix B (Sample Contract) and the Requirements of the Statement of Work outlined in Appendix A (Statement of Work) as stated in Paragraph 7.8.10 (Terms and Conditions in the Sample Contract, and Requirements of the Statement of Work (SOW): Acceptance of/or Exceptions to Section E) to this RFP. The County may deduct rating points or disqualify the proposal in its entirety if the exceptions are material enough to deem the proposal non-responsive.

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

**8.5 Cost Proposal Evaluation Criteria (30%)**

**8.5.1** 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.

**8.5.2** The County will calculate the Proposer's price as follows:

Average Hourly Rate (SG) x 20,000 Hours x 7 Years = Contract Bid

-Plus-

Average Hourly Rate (Supv) x 1,000 Hours x 7 Years = Contract Bid

Example:

Average Hourly Rate (SG) of \$19.50/Hr x 20,000 Hours = \$390,000 x 7 Years = \$2,730,000

Average Hourly Rate (Supv) of \$22.50/Hr x 1,000 Hours = \$22,500 x 7 Years = \$157,500

\$2,730,000 + \$157,500 = \$2,887,500

The execution of a contract does not guarantee Proposer any minimum amount of Work. Proposer shall not construe the above bid calculus as a representation of County's actual need for Services.

**8.5.3** However, should one or more Proposers request and be granted any of the preferences listed in Paragraphs 6.2 (LSBE), 6.4 (SE), and/or 6.5 (DVBE) of this RFP, the cost component points will be determined as follows:

8.5.3.1 Fifteen percent of the lowest cost proposal will be calculated, not to exceed \$150,000.00, and that amount will be deducted from the cost submitted by all proposers who requested and were granted the preference.

8.5.3.2 In no case shall any preference be combined to exceed 15 percent of the lowest cost responsible proposal meeting the Minimum Mandatory Requirements.

## **8.6 Intentionally Omitted**

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

### **8.7.1 Departmental Debriefing Process**

Upon completion of the evaluation, the Department will notify the remaining Proposers in writing that the Department is entering negotiations with another Proposer. Upon receipt of the letter, any non-selected Proposer may submit a written request for a Debriefing within the timeframe specified in the letter. A request for a Debriefing may, in the Department's sole discretion, be denied if the request is not received within the specified timeframe.

The purpose of the Debriefing is to compare the requesting Proposer's response to the solicitation document with the evaluation document. The requesting Proposer shall be debriefed only on its response. Because contract negotiations are not yet complete, responses from other Proposers shall not be discussed, although the Department may inform the requesting Proposer of its relative ranking.

During or following the Debriefing, the Department will instruct the requesting Proposer of the manner and timeframe in which the requesting Proposer must notify the Department of its intent to request a Proposed Contractor Selection Review (refer to

Paragraph 8.7.2 (Proposed Contractor Selection Review) below) if the requesting Proposer is not satisfied with the results of the Debriefing.

### **8.7.2 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 this Paragraph 8.7.2 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 request for a Proposed Contractor Selection Review is submitted timely (i.e., by the date and time specified by the Department);
2. The person or entity requesting a Proposed Contractor Selection Review asserts in appropriate detail with factual reasons one or more of the following grounds for review:
  - 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 proposal format requirements.
    - ii. Failure to correctly apply the standards, and/or follow the prescribed methods, for evaluating the proposals 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 proposals, resulting in the Proposer receiving an incorrect score and not being selected as the recommended Contractor.
  - c. A member of the Evaluation Committee demonstrated bias in the conduct of the evaluation.

- d. Another basis for review as provided by State or Federal law; and
3. The request for a Proposed Contractor Selection Review sets forth sufficient detail to demonstrate that, but for the Department's alleged failure, the Proposer would have been the lowest cost, responsive and responsible proposal or the highest-scored proposal, as the case may be.

Upon completing the Proposed Contractor Selection Review, the Department representative will issue a written decision to the Proposer within a reasonable time following receipt of the request for a Proposed Contractor Selection Review, and always before the date the contract award recommendation is to be heard by the County Board of Supervisors. The written decision shall additionally instruct the Proposer of the manner and timeframe for requesting a County Independent Review. See Paragraph 8.8 (County Independent Review Process) below.

## **8.8 County Independent Review Process**

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

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

1. The request for a County Independent Review is submitted timely (i.e., by the date and time specified by the Department); and
2. The person or entity requesting review by a County Independent Review has limited the request to items raised in the Proposed Contractor Selection Review as listed in Paragraph 8.7.2 (Proposed Contractor Selection Review) above.

Upon completion of the County Independent Review, Internal Services Department will forward the report to the Department, and will provide a copy to the Proposer.