



## REQUEST FOR PROPOSALS

For

### A CONSULTANT TEAM TO DEVELOP THE *COVID-19 MEMORIAL INITIATIVE* PROCESS EVALUATION AND COMMUNITY ENGAGEMENT STRATEGY FOR THE CITY OF LOS ANGELES

Open to professional consultants, academics, survey designers, sociologists, urban planning, public policy, and planning researchers residing in the County of Los Angeles.

Mayor's Office  
And  
Department of Cultural Affairs (DCA)  
Public Art Division

Request for Proposal (RFP)  
To view or download this RFP online, visit: <https://lamayor.org/COVIDMemorial>  
and [culturela.org](http://culturela.org)

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# SECTION I – PROJECT DESCRIPTION

## PROJECT OVERVIEW

The City of Los Angeles Mayor’s Office, in partnership with Department of Cultural Affairs (DCA), is seeking a consultant team to develop a process evaluation, community engagement strategy, and facilitate listening sessions to determine if and how the city should create a permanent Covid-19 Memorial, and garner community feedback on the form(s) and site(s) for a Memorial.

Before the city can begin to envision constructing a permanent representation of the effects of Covid-19 on Angelenos, it is important for communities to heal, beginning with the need for personal reflection and contemplation. Thus, the focused attention during the first phase of this initiative shall address three key themes: Honor, Remember and Mobilize. Honor the loss of ordinary citizens and city workers; Remember and ameliorate the grief and disruptions to our lives and livelihoods; and mobilize solidarity amongst Angelenos to come together to rebuild communities. The Consultant, under the oversight of Mayor’s Office, shall work with the Department of Cultural Affairs (DCA), representatives from other city departments, and other relevant stakeholders as needed to accomplish the Scope of Work.

While most memorials mark a specific event or person, a permanent Covid-19 memorial will be the first citywide memorial that specifically recognizes the pandemic as an event that every Angeleno experienced simultaneously and collectively, albeit differently, and how memorializing this moment will shape our civic identity in the future.

## BACKGROUND

The *COVID-19 MEMORIAL* is an initiative proposed by the Office of Mayor Eric Garcetti to explore if and how the city should create a permanent Covid-19 Memorial for Angelenos. The *COVID-19 MEMORIAL* initiative is the first step in helping Angelenos heal from the spectrum of traumas of the pandemic. It is also an opportunity to collectively honor the tremendous losses over the past year and a half, its protracted impacts, and to instill hope for rebuilding the future.

The *COVID-19 MEMORIAL* initiative is an outgrowth of the Civic Memory Project led by Christopher Hawthorne, Chief Design Officer, City Los Angeles. The Civic Memory working group, made up of historians, architects, scholars and city department staff, began working in November 2019 and concluded its work in February 2021. Its final report, *Past Due*, offers strategies to help a city-led approach to the production of monuments, memorials, and commemorations, feel authentic, equitable and productive to the citizens of Los Angeles.

While numerous demographics were impacted by COVID-19 in an unequal way, in Los Angeles, African Americans, Latinos, Native Americans, and Pacific Islanders specifically, have consistently experienced higher positivity rates and death tolls overall. Because the pandemic illuminated and exacerbated systemic inequalities, the ability to use this initiative to help communities process this type of inquiry and trauma in real time will be important.

Memorials can take many forms - outdoor plazas, water features, museums, landscaped pathways, figurative or abstract sculptures, gardens, lighting installations, etc. Memorials can also be temporary or permanent, in a single or multiple sites, and designed by an artist or architect. Through the *COVID-19 MEMORIAL* initiative, the city is supporting a new paradigm for engendering a civic dialogue, one that changes its role to be more of a facilitator in the conversation about this important public memorial. The direction a permanent covid memorial could take will come out of the community input.

The selected Consultant should provide effective project and account management for all tasks and

aspects of the project over the contract period including but not limited to, researching, designing, planning, facilitating, executing and monitoring the project, controlling project costs, and providing Mayor's Office/DCA staff timely updates of issues. The Consultant's team should include someone with experience and training in facilitating input sessions with communities who are in the process of or are going through trauma; research experience and stakeholder engagement with people in a post disaster context; survey design and implementation; and knowledge of community arts in the public sphere, as well as experience working with public agencies, including cities, state, or federal agencies. The Consultant will attend as-needed video meetings and conference calls with Mayor's Office/DCA staff, maintain responsive telephone communication and email correspondence. Under Mayor's Office' and DCA's oversight, the Consultant shall work to complete delivery of the tasks described in the Scope of Work and shall provide details on how they would most effectively produce deliverables.

## B. REQUEST FOR PROPOSAL RESPONSES

Statement of Qualifications (SOQ or Proposal) in response to this Request for Proposal (RFP) must be submitted via an electronic cloud-based storage format (e.g., Dropbox, Google Drive, OneDrive, etc.). Access link(s) *and* any password(s) for password protected folder(s)/file(s) in the cloud storage shall be emailed to [felicia.filer@lacity.org](mailto:felicia.filer@lacity.org) with the email subject as follows: **"RFP Covid-19 Memorial Process Evaluation and Community Engagement Strategy Submission - *company name*"** and received **by January 7, 2022 at 5:00 PM (PST)**. Failure to submit cloud access link(s) *and* password(s) for the proposal by the deadline will result in disqualification.

All documents must be in portable document format (PDF) with optical character recognition (OCR) enabled. Submissions are as follows:

1. One (1) unredacted proposal without city required documents/forms (appendices herein) attached.
2. One (1) redacted proposal without city required documents/forms (appendices herein) attached for public consumption (see Section III(C)(10), (13), and (14)).
3. One (1) copy of each city required document/form (appendices herein) each as their own standalone file. Do not combine different documents/forms into one file. Keep them separated.

Timely submission of the proposal is the sole responsibility of the proposer. No fax, hard copy, or flash drive submissions will be accepted. All proposals become the property of the City of Los Angeles.

The City will evaluate the responses to this RFP based on the criteria outlined in the Scope of Work (Section II); and Proposal Contents, Provisions, and Requirements (Section III). The consultant team must submit a proposal highlighting their ability to complete the Scope of Work (Section II). Note that the City reserves the right to substitute sub-consultants as deemed necessary. Proposers shall respond to all questions listed in Section III, and supply all information requested therein.

Please direct all questions to:

Jeanne Holm  
Deputy Mayor  
Mayor's Office of Budget and Innovation  
200 N. Spring St.,  
Los Angeles, CA 90012  
(213) 978-3340  
[Jeanne.holm@lacity.org](mailto:Jeanne.holm@lacity.org)

or

Felicia Filer  
Director of Public Art  
Department of Cultural Affairs  
1400 No. Figueroa Street, Suite 1400  
Los Angeles, CA 90012  
(213) 855-7159  
felicia.filer@lacity.org

**Contract Duration**

The City anticipates that the contract resulting from this RFP will be for a term of one year, with the option to extend up to one additional year. The City reserves the right to terminate the contract for any reason upon 30-day notice.

**End of Section I**

## **SECTION II – SCOPE OF WORK**

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### **A. BACKGROUND**

Consultants should respond to this RFP with a proposal for services as described in Section II (B) below.

### **B. SCOPE OF WORK**

#### **1. PROJECT INITIATION AND KICK-OFF**

The Consultant shall meet with the Mayor's Office/DCA team at a kick-off meeting to coordinate and manage the work process and products. The Consultant shall attend coordination meetings (approximately once a month as appropriate) during the preparation of the Survey and Community Engagement strategy, as well as weekly standing phone conferences to report on the status of both and troubleshoot issues throughout the life of the project. The Consultant will be required to have experience in facilitating the sensitive dialogue needed given the gravity of the subject matter, with people while collecting data. The Consultant will also be required to develop and host regionally-specific listening sessions and seek public input using multiple channels such as surveys, social media posts, and town halls, as part of the community engagement process; create toolkits that can be used in listening sessions by self-formed groups who are currently bringing their constituency together to work through the fatigue of the pandemic to begin the journey toward healing. The Consultant shall provide progress reports along with invoices on a regular basis. The Consultant shall develop a methodology memo and a work plan to ensure project efficacy.

#### **Anticipated Deliverables:**

1. Kick-off meeting(s), agendas, and minutes.
2. Methodology memo (draft and final) that details the strategic approach for the project, the tools to be used for project management, as well as the communication plan to Mayor's Office and DCA.
3. Identify short, mid, and long-term community engagement strategies.
4. Identification of key stakeholder groups that will be intentionally engaged.
5. Work Plan and schedule for the contract (draft and final).

#### **2. PROJECT MONITORING**

The consultant shall provide regular reports on the status of the project.

#### **Anticipated Deliverable:**

1. Monthly written status reports that address the work done, literature reviews for similar projects in other areas, key findings, etc.

#### **3. COVID-19 MEMORIAL SURVEY**

The Consultant shall coordinate with Mayor's Office and DCA to design a comprehensive community input process using multiple platforms survey, online and paper, and social media, focused on the key themes of Honor, Remember and Mobilize, as a first step to helping Angelenos deal with the traumas individually and collectively experienced. The survey is also intended to solicit ideas that will allow the public to convey what they think is the most appropriate type of Covid-19 Memorial, consider the possible location(s), and the timing of when the memorial should be created given the duration of the pandemic. The survey findings and data collected from the listening sessions will guide the next phase of the initiative.

### **Anticipated Deliverables:**

1. Meetings, agendas and minutes; and
2. Survey goals, objectives, and specific questions (Draft and Final).
3. Develop a toolkit for self-formed groups who want to learn how to host a conversation on their own, collect data and submit responses and feedback to Consultant (Draft and Final).
4. Survey dissemination strategy (Draft and Final).

## **4. COMMUNITY ENGAGEMENT AND OUTREACH**

The Consultant shall coordinate with Mayor's Office and DCA to ensure that specific sectors of the Los Angeles community, including but not limited to mental health workers, faith-based communities, front-line workers, nursing home staff and residents, funeral directors, essential workers, social service, and arts organizations, are engaged in the listening sessions and town hall meetings. The Consultant shall develop and host regionally specific listening sessions that can engage with communities that are in different stages of grief. Researchers should be trained in culturally responsive facilitation techniques to address the sensitive nature of the subject. These listening sessions should be designed to both help Angelenos deal with the traumas and loss from the pandemic, and to allow the public to demonstrate their ideas and desires for a Covid-19 memorial.

### **Anticipated Deliverables:**

1. Meetings, agendas and minutes.
2. Community stakeholder outreach plan and timeline (Draft and Final);
3. List of community partners; (Draft and Final)
4. Host public listening sessions and town hall meetings
5. Summarize data collected from self-formed group listening sessions for inclusion in final report (Draft and Final).

## **5. DEVELOPMENT OF FINAL REPORT**

The Consultant shall create a final report of the data collected from the public listening sessions, surveys, social media posts and self-formed group meetings, findings from the survey, hosted community meetings and self-formed community meetings. The Consultant shall recommend the process by which the Mayor's Office and DCA can work to implement the desires of the public for a Covid-19 Memorial given the gravity of the subject matter and considering the protracted duration of the pandemic.

### **Anticipated Deliverables:**

1. Meetings, agendas and minutes.
2. Draft Final Report including recommendations for short-, mid- and long-term next steps.
3. Final Report, including recommendations for short-, mid- and long-term next steps.

**End of Section II**

# **SECTION III – PROPOSAL CONTENTS, PROVISIONS AND REQUIREMENTS**

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## **A. PROPOSAL FORMAT, CONTENTS AND EVALUATION CRITERIA**

The RFP has been structured to provide specific requirements which function as a standardized framework for the evaluation of prospective Proposer's qualifications.

Each Proposal shall be prepared simply and economically, avoiding the use of elaborate promotional material beyond what is sufficient to provide a complete and accurate presentation. The responses to this RFP must be made in accordance with the format set forth in this Section. Only Proposals that have been determined to be responsive will be considered. Failure to adhere to the following format may cause rejection of the Proposal as non-responsive.

To be considered responsive, proposers must comply with all the requirements described in this RFP, including the City's Administrative Requirements as set forth in Appendices I-XXII. To assist in meeting requirements, an RFP Checklist is attached (Attachment I).

Only firms that are deemed responsive will be evaluated. All responsive proposals shall be evaluated by the Evaluation Committee who shall make the final recommendation to the Director of Planning.

### **1. Cover Letter**

The Proposal shall contain a cover letter and introduction (limited to one page) which includes the [proposer's name] or company name and address, email, the name and telephone number of the persons who will be authorized to represent the Proposer regarding all matters related to the Proposal and any contract subsequently awarded to the Proposer. This letter shall be signed by any person(s) authorized to bind the company to all commitments made in the Proposal. If the Proposer is a partnership, the Proposal must be signed in the name of the partnership by a general partner thereof. If the Proposer is a corporation, the Proposal must be signed on behalf of the corporation by two authorized officers (Chairman of the Board of Directors, President or Vice-President and a Secretary, Treasurer or Chief Financial Officer) or an officer authorized by the Board of Directors to execute such documents on behalf of the corporation. If the Proposer is a team, the Proposal must be signed by the lead team member. All signatures above must be original and in ink or digital equivalent.

### **2. Amendment(s) and Addenda Acknowledgement**

The Proposal shall contain an acknowledgement of receipt of all amendments and/or addenda to the RFP. Amendments and addenda are posted on the opportunity's Los Angeles Business Assistance Virtual Network (LABAVN) webpage ([labavn.org](http://labavn.org)).

### **3. Table of Contents**

A clear identification of the materials by section and page numbers.

### **4. Introduction**

Summary of the Proposer's understanding of proposal objectives and Scope of Work.

### **5. Qualifications of the Proposer**

The Proposer's team should possess qualifications and previous experience performing the Scope

of Work as described in this RFP. Documentation should be included on the financial status of the Proposer to ensure that the Proposer will continue business through the term of the contract.

Proposers shall also provide thorough responses to the following list of questions. The responses to these questions will be included in the City's evaluation of the Proposer. In addition, the responses to these questions will be incorporated into and made part of the contract. In your proposal, please restate the questions followed by the response.

- 1) What is the general type of work performed by your firm/team? Does your firm/team have a focus? If yes, please elaborate. State the number of years your firm/team has performed this type of work.
- 2) Describe your firm/team's experience with culturally responsive facilitation?
- 3) What is your firm/team's research experience and engagement with communities going through trauma? State the number of years your firm/team has performed this type of work?
- 4) If your firm/team is located outside of Southern California, what will be done to ensure access? Do you have additional offices in Southern California?
- 5) Many firm/teams have adopted a profile for the managers they hire. Do you have such a profile? Please explain.
- 6) What are your firm/team's quality assurance measures for this type of contract work?
- 7) Describe your firm/team's experience working on concurrent projects for a single client. How was internal coordination and project management handled?
- 8) Describe any situation over the past three years in which your firm/team did not complete a contract for a client. Describe the details of the situation, and explain the reasons for the incompleteness (e.g., firm default, client withdrawal, non-payment of invoices, etc.).
- 9) How is the performance of your managers and any contract management personnel evaluated?
- 10) What are your firm/team's Equal Employment Opportunity and Affirmative Action programs and accomplishments?
- 11) Provide any additional information regarding your firm/team to assist the city to better evaluate your proposal.

## **6. Qualifications of Proposer Team Members**

This section includes, but is not limited to, a listing of all required personnel and qualifications for each position. A Project Manager must be designated and identified, and a detailed resume must be submitted; resumes of other key personnel should be provided.

The Proposer will be evaluated based upon the capability of the Proposer to meet the terms of the RFP, such as the ability to accomplish the work within the estimated time frame, plus the related studies or projects recently completed by the Proposer, which demonstrates expertise in accomplishing similar work. The qualifications of proposed staff will be evaluated in terms of their previous experience and capabilities. The relevant experience of key personnel, especially the Project Manager, will be of major importance in the evaluation of the Proposals. Proposers shall provide thorough answers to the following list of questions. In the Proposal, each question should be restated followed by the response.

- 1) Who will be the responsible Principal for the project? What is this person's background, experience, and role within the firm/team? Include a resume of this person. How long has this person been with the team?
- 2) What is the commitment of the Principal/Sr. Staff to this project? How will your support staff work together to combine elements of a large project together?
- 3) Who will be the Project Manager(s)? Describe the background, experience, and availability of team members to work over the life of the contract. Attach a resume for each person.
- 4) How will your team handle staff changes and vacancies created over the life of the project? How will your team assure any replacement staff is qualified before the changes are made?
- 5) Identify the other professionals who will be working on the projects in this Proposal.
- 6) Will there be Subcontractors? If so, provide a list of the Subcontractors.
  - a) What aspect of the project will they work on and what are their qualifications?
  - b) What is your team's previous experience working with the proposed Subcontractor(s)?
- 7) Provide an organization chart which identifies the Project Principal, Project Manager(s), key team members and other personnel, including their roles, responsibilities, and their current project obligations.

## **7. Project Budget**

The Mayor's Office requests that the Consultant provide an itemized budget for the completion of the following tasks and deliverables. For tasks for which little detail is currently known or provided, the proposer should identify what portion of the budget would be necessary to fulfill that task and explain assumptions about the Scope of Work that can be accomplished within the allotted amount for a given task. Additional work and recommended tasks should be itemized and included as optional in the proposal. Failure to provide cost by task and deliverable may result in non-consideration of your bid.

## **8. References**

The Consultant's organization will be evaluated on the capability of the Consultant to meet the terms of the RFP and on demonstrated expertise in accomplishing similar work as evidenced by projects recently completed by the Consultant's organization. To assess this capability, Proposer shall submit at least three non-Proposer references with whom in the past five years the Proposer has conducted business similar and applicable to this RFP.

For each of the references provided, include a detailed description of the project, services and solutions provided, cost, project timeline, as well as the company name, address, contact person, and telephone number and email address of the contact person.

## **9. Work Samples**

Include one set of work products completed within the last five years that demonstrates experience with projects similar in scope to the work described in this RFP. Provide descriptions of work on similar projects, including but not limited to project descriptions, funding sources, dollar amounts, timelines, sample project management status updates, and services provided. For graphic and internet-based material, describe how it was produced (programs, production process) and approximate budget.

## **10. Additional Data**

Include any other data the Proposer considers essential to the evaluation of the Proposal.

## **11. Company Portfolio or Annual Report**

The Proposer should submit a detailed company portfolio including the company's financial viability within the past three (3) years, credit references, banking references, on-going projects, and all pending litigation in which the company may be directly or indirectly involved.

## **12. Evaluation Criteria**

Evaluation of the Proposals will be weighted as follows:

### **40% Experience and Qualifications**

- Consultant Team and Project Manager's qualifications for the tasks as outlined in the Scope of Work;
- Demonstrated experience with projects of similar size and scope recently completed for other public agencies;
- Resources available for the project;
- References; and
- Demonstrated ability to conduct research, prepare and disseminate a survey, develop community engagement strategies, host community town halls and listening sessions, present a final report with recommendations, implementation plans and timelines to City staff, the Mayor's Office, Department of Cultural Affairs, and/or City Council members.

### **30% Knowledge and Suitability**

- Demonstrated knowledge of the tasks described in the Scope of Work; and
- Tasks and approach clearly described in a manner that communicates understanding of the project.

### **20% Value**

- The value offered to the city considering cost in comparison to professional capabilities and experience of the project team; and
- Past performance working as a consultant on similar projects in respect to quality, adherence to budget, and schedule.

### **10% Capability and Availability**

- Availability to complete the work within a reasonable timeframe; and
- Ability to lead and manage complex efforts with a team structure, and to coordinate and analyze input from a variety of involved parties.

Proposers may be invited to an interview with the Evaluation Committee and should be prepared to have key management personnel available for the interview. The successful Proposer(s) will be named after the Proposals are evaluated. The Evaluation Committee will make recommendations to the Deputy Mayor. If interviews are not held, final selection will be based solely on the RFP submittal.

It is the Proposer's responsibility to prepare a Proposal which is representative of the Proposer's qualifications. If there is any additional information that would assist the City in its assessment of

the Proposal, the Proposer should include all such information in its proposal under the title "Additional Information."

## **B. LIMITATIONS**

1. Notwithstanding any other provisions of this RFP, the City reserves the right to reject all Proposals and to waive any submission or task contained within a Proposal, if doing so would be to the advantage to the City or its taxpayers.
2. The Proposer understands and agrees that the City shall have no financial responsibility for any costs incurred by the Proposer in responding to this RFP.
3. The City of Los Angeles requires that every Proposal, bid, or offer shall have thereon or attached thereto the affidavit of the Proposer indicating that: such Proposal is genuine, not sham or collusive, nor made in the interest of any person therein named; that the Proposer has not directly or indirectly induced or solicited any other Proposer to submit a sham Proposal or to refrain from proposing; and that the Proposer has not in any manner sought by collusion to secure for himself an advantage over any other Proposer. Any Proposal made without such affidavit, or found to be in violation thereof, shall not be considered.

### **4. Conflict of RFP Provisions**

In case of a conflict between any provisions in this RFP with the provisions in Appendix I – Standard Provisions for City Contract in this RFP, the provisions in Appendix I – Standard Provisions for City Contracts shall prevail. Similarly, in case of a conflict between any provisions in this RFP with the provisions in Appendices II through XXII, the provisions in Appendices II through XXII shall prevail.

### **5. Proposal and Evaluation**

The Evaluation Committee will score and rank all the proposals and make award recommendations to the Deputy Mayor.

## **C. SUBMISSION OF PROPOSAL**

### **1. Acceptance of Terms and Conditions**

Submission of a Proposal pursuant to this RFP shall constitute acknowledgment and acceptance of all the terms and conditions hereinafter set forth in this RFP, including the Standard Provisions for City Contracts, unless otherwise expressly stated in the Proposal.

### **2. Protest Procedure – RFP Content**

Any interested party who submits, or who plans to submit a proposal, may file a protest based on the content of the RFP within three (3) business days after the RFP is first advertised. Protesters shall submit the protest in writing to Mayor's Office at the following address via certified mail with return receipt, and postmarked no later than three (3) days after the solicitation posting on LABAVN:

Mayor's Office  
200 N. Spring St.  
Los Angeles, CA 90012

Protests may also be sent via email to: [jeanne.holm@lacity.org](mailto:jeanne.holm@lacity.org) or [felicia.filer@lacity.org](mailto:felicia.filer@lacity.org)

If the Mayor's Office deems revision of RFP content is appropriate upon review of the protest, an RFP Addendum will be issued and posted on LABAVN.

### **3. Award of Contract**

The Proposer to whom the contract is awarded shall be required to enter into a written contract with the City in a form approved by the City Attorney. This RFP and the proposal, or any part thereof, may be incorporated into and made a part of the final contract, however, the City reserves the right to further negotiate the terms and conditions of the contract with the selected Proposer. The City may select and award contract(s) to one or more consultants for the Scope of Work described in Section II(B).

Qualified consultants will be evaluated and selected according to the selection criteria set forth in the RFP. DCA will execute the contract with the selected consultant, subject to the approval of the Mayor and subject to approval of the City Attorney as to form.

A firm/team will not be recommended for contract award, regardless of the merits of the response submitted, if it has a history of noncompliance with the City or other funding source or past or current nonperformance with the City or other funding source.

### **4. Conferences During the Proposal Period**

After expiration of the time to submit Proposals and continuing until a contract has been awarded, all City personnel and all others involved in the project will have been specifically directed against holding any meetings, conferences, or technical discussions with any Proposer except as provided in this Section.

Proposers shall not communicate in any manner with any representatives of participating agencies regarding the RFP or the Proposals during this period. Failure to comply with this requirement may result in the termination of further consideration of that Proposer's Proposal. Proposers should direct all questions to the Contract Administrator listed in this RFP.

### **5. Adherence to RFP Format**

The response to this RFP must be made in accordance with the format set forth in this Section. Failure to adhere to this format may be cause for rejection of the Proposal as non-responsive.

### **6. Proposals Conditions and Limitations**

Proposals which set forth conditions on or limitations to those set forth in the RFP may be considered non-responsive and rejected.

### **7. Proposal Interpretation and Addenda**

Any change to or interpretation of the RFP will be sent by the City to each firm or individual that requests such changes. Receipt of any such changes or interpretations shall become a part of said RFP and may be incorporated into any contract awarded.

### **8. Execution of Proposals**

If the Proposer is a partnership, the Proposal must be signed in the name of the partnership by a general partner thereof. If the Proposer is a corporation, the Proposal must be signed on behalf of the corporation by two authorized officers (a chairman of the Board, President or Vice-President and a secretary, treasurer or chief financial officer) or an officer authorized by the Board of Directors to execute such documents on behalf of the corporation. All signatures above must be in original

ink or digital equivalent.

## **9. Disposition of Proposals**

All Proposals submitted in response to this RFP will become the property of the City of Los Angeles and a matter of public record. The Proposer must identify, in writing, all copyrighted material, trade secrets, or other proprietary information that it claims is exempt from disclosure under the Public Record Act, (California Government Code Section 6250 et seq.). Any Proposer claiming such an exemption must also state in the Proposal its refusal to disclose such material, trade secrets or other proprietary information to any party making a request.

Any Proposer who fails to include such a statement shall be deemed to have waived its right to an exemption from disclosure as provided by said Act.

## **10. Proposal Cost and Ownership**

Each Proposal prepared in response to this RFP shall be prepared at the sole cost and expense of the Proposer and with the expressed understanding that no claims against the City for reimbursement will be accepted. All Proposals will become the property of the City and will not be returned to the Proposer. The Proposer shall not include confidential information or trade secrets without expressly stating and identifying the information or trade secrets to be considered confidential, since all accepted Proposals will become public information. However, if such information is necessary to assure a competitive Proposal, then the Proposer is to follow the guidelines for confidential information as discussed below.

## **11. Protest Procedure — Award or Non-Selection**

Protests objecting to the award or non-selection of a contract resulting from this RFP to any Proposer by the City, pursuant to competitive proposal procedures, shall be submitted, in writing, to the Deputy Mayor within five (5) business days via certified mail with a return receipt from the date postmarked on the award or non-selection letter to the following address:

Mayor's Office  
200 N. Spring St.  
Los Angeles, CA 90012

Protests may also be sent via email to: [Jeanne.holm@lacity.org](mailto:Jeanne.holm@lacity.org) or [felicia.filer@lacity.org](mailto:felicia.filer@lacity.org)

Written protests may not include any new or additional information that was not submitted with the original proposal. Only one protest per proposal shall be permitted.

All protests must be submitted within the time limits set in the above paragraphs. The protest shall clearly state the grounds of protest and the relief sought. The protest will be reviewed by a Standing Protest Committee, composed of executive staff of the Mayor's Office/DCA. The Standing Protest Committee shall conduct an internal meeting to review the protest and submit recommendations to the Deputy Mayor, who will render the final and ultimate decision.

## **12. Confidential Information**

Proposals made in response to this RFP may contain technical, financial, or other data whose public disclosures could cause substantial injury to the Proposer's competitive position or constitute a trade secret. To protect such data from disclosure, the Proposer shall specifically identify the pages of the Proposal that contain confidential information by properly marking the applicable pages and inserting the following notice in front of the Proposal:

## **“NOTICE”**

*“The data on the pages of this Proposal identified by an asterisk (\*) or marked along the margin with a vertical line, contain information which are trade secrets and/or whose disclosure would cause substantial injury to the Proposer’s competitive position. The Proposer requests that such data be used only for the evaluation of its Proposal but understand that disclosure will be limited to the extent that the City determines is under federal, state, and local law.”*

In Proposals containing proprietary information, proprietary paragraphs and/or data shall be clearly marked as noted above. The Proposer must include one additional unbound copy of the Proposal with the confidential material totally blacked out or removed from the text so that one copy is available as public material. In accordance with the Public Records Act, this information may, upon request, be released to the public.

The city assumes no responsibility for disclosure or use of unmarked data for any purpose. In the event properly marked data are requested, the Proposer will be advised of the request and may expeditiously submit to the city a detailed statement indicating the reasons it has for believing that the information is exempt from disclosure under federal, state, and local law. This statement will be used by the city in making its determination as to whether or not disclosure is proper under federal, State, and local law. The city will exercise care in applying this confidentiality standard but will not be held liable for any damage or injury that may result from any disclosure that may occur.

The Proposer agrees to assume and pay for all costs incurred by the City, including attorneys’ fees awarded by the court, if the Proposer requests the City to resist disclosure of material provided to the City by the Proposer.

## **13. Public Records**

All proposals submitted in response to this RFP will become the property of the City of Los Angeles and a matter of public record. The Proposer must identify, in writing, all copyrighted material, trade secrets, or other proprietary information that it claims is exempt from disclosure under the Public Records Act, (California Government Code Section 6250 et seq.). Any Proposer claiming such an exemption must also state in the proposal its refusal to disclose such material, trade secrets or other proprietary information to any party making a request.

Any Proposer who fails to include such a statement shall be deemed to have waived its right to an exemption from disclosure as provided by said Act.

## **14. Insurance Requirements**

The Proposer will be required to maintain insurance in effect during the term of the contract as set forth in Appendix II of this RFP.

## **15. Rights Reserved by the City**

The City reserves the right, at its discretion, to pursue any or all of the following actions in regard to this RFP:

- Award multiple contracts based upon the evaluation criteria contained in this RFP;
- Request additional information and/or clarification from the Proposers;
- Reject any or all Proposals, permit the timely correction of errors, or waive minor deviations;
- Withdraw this RFP or extend the time for submittal;
- Shortlist any or all Proposals and schedule presentations by the Proposers;
- Take whatever other action it deems in its interest;
- Restrict the review or distribution of all Proposals until a contract is awarded;
- Substitute sub-consultants as deemed necessary; and

- Terminate the contract upon a 30-day notice.

The City may consider Proposals that contain provisions which deviate slightly from the requirements in this RFP, if the deviation(s) are not considered material. However, if the originator of such a Proposal is awarded the contract, the Proposer will be expected to perform in full compliance with the objectives described herein. This RFP does not obligate the City to accept any proposal, negotiate with any Proposer, nor award a contract in response to this RFP.

## **16. Preparation of Proposal**

Each Proposal will be submitted via electronic format as outlined in Section I(B) with pages numbered sequentially and be prepared simply and economically avoiding the use of elaborate promotional materials beyond those sufficient to provide a complete, accurate, and reliable presentation. Appendices must be submitted via electronic format as outlined in Section I(B). Submittal of non-relevant or promotional material will result in a lower score for the evaluation of the Project.

## **17. Single Proposal Response**

If only one proposal is received in response to this RFP, and it is found by Los Angeles Mayor's Office to be acceptable, a detailed price/cost proposal may be requested of the single Proposer. A price or cost analysis, or both, possibly including an audit, may be performed by or for Mayor's Office of the detailed price/cost proposal to determine if the price is fair and reasonable. The Proposer agrees to such analysis by submitting a proposal in response to this RFP. A price analysis is an evaluation of a proposed price that does not involve an in-depth evaluation of all the separate cost elements and the profit factors that comprise a Proposer's price proposal. It should be recognized that a price analysis through comparison to other similar services must be based on an established or competitive price of the elements used in the comparison. The comparison must be made to a similar service. Where a difference exists, a detailed analysis must be made of this difference and costs attached thereto. Where it is impossible to obtain a valid price analysis, it may be necessary to conduct a cost analysis of the proposed price. A cost analysis is a more detailed evaluation of the cost elements in the Proposer's Offer to Perform. It is conducted to form an opinion as to the degree to which the proposed costs represent what the Proposer's performance should cost.

A cost analysis is generally conducted to determine whether the Proposer is applying sound management in proposing the application of resources to the contracted effort and whether costs are allowable, allocable, and reasonable. Any such analysis and the results therefrom shall not obligate the Mayor's Office to accept such a single proposal, and Mayor's Office may reject such proposal at its sole discretion.

## **D. CITY OF LOS ANGELES REQUIREMENTS- APPENDICES**

### **1. Standard Provisions for City Personal Services Contract (Appendix I)**

The Contractor shall abide by and obey all applicable Federal, State, and City laws, including, but not limited to, the Nondiscrimination and affirmative action provisions of the laws of the United States of America, the State of California, and the City. The selected Proposer shall stipulate that in any action related to the awarded contract, venue shall be in the County of Los Angeles, State of California.

All service contracts with the City of Los Angeles, including the contract for this project shall include and are required to comply with all the Standard Provisions for City Personal Services Contract (Rev. 10/17 V.3).

## **2. Insurance and Indemnification (Appendix II)**

The Contractor must provide evidence of coverage with minimum limits, submitted and approved prior to occupancy/start of operations. All **ACORD** certificates must be submitted **ONLINE** using the self-service site at <https://kwikcomply.org/>.

## **3. Nondiscrimination, Equal Employment Practices and Affirmative Action Program (Non-Construction and Construction) (Appendix III)**

Bidders/Proposers are advised that any contract awarded pursuant to this procurement process shall be subject to the applicable provisions of Los Angeles Administrative Code Section 10.8.2., Non-discrimination Clause.

All contracts (both construction and non-construction) for which the consideration is \$1,000 or more shall comply with the provisions of Los Angeles Administrative Code Sections 10.8.3., Equal Employment Practices Provisions. By affixing its signature on a contract that is subject to the Equal Employment Practices Provisions, the Contractor shall agree to adhere to the provisions in the Equal Employment Practices Provisions for the duration of the contract.

All contracts (both construction and non-construction) for which the consideration is \$25,000 or more shall comply with the provisions of Los Angeles Administrative Code Sections 10.8.4., Affirmative Action Program Provisions. By affixing its signature on a contract that is subject to the Affirmative Action Program Provisions, the Contractor shall agree to adhere to the provisions in the Affirmative Action Program Provisions for the duration of the contract.

Furthermore, contractors shall include similar provisions in all subcontracts awarded for work to be performed under the contract with the City and shall impose the same obligations. The contract with the subcontractor that contends similar language shall be made available to the Office of Contract Compliance upon request.

Bidders/Proposers seeking additional information regarding the requirements of the City's Non-Discrimination Clause, Equal Employment Practices and Affirmative Action Program may visit the Bureau of Contract Administration's website at <http://bca.lacity.org>.

## **4. Living Wage Ordinance and Worker Retention Ordinance (Appendix IV)**

Unless approved for an exemption, contractors under contracts primarily for the furnishing of services to or for the City and that involve an expenditure in excess of \$25,000 and a contract term of at least three (3) months, lessees and licensees of City property, and certain recipients of City financial assistance, shall comply with the provisions of Los Angeles Administrative Code Sections 10.37 et seq., Living Wage Ordinance (LWO) and 10.36 et seq., Worker Retention Ordinance (WRO).

Bidders/Proposers who believe that they meet the qualifications for one of the exemptions shall apply for exemption from the Ordinance by completing and submitting the appropriate Exemption/Non-Coverage Application form with their proposal. Application forms are as follows: Exemption Application (Form LW-10), Small Business Exemption Application (Form LW-26), 501(c)(3) Non-profit Exemption Application (Form OCC/LW-28), and Non-Coverage Determination Application (Form OCC/LW-29). These forms and more detailed information about the ordinances are available on the Bureau of Contract Administration's website at <https://bca.lacity.org>.

## **5. Notice to Employees Working on City Contracts RE: Living Wage Ordinance and Prohibition Against Retaliation (Appendix V)**

Notice is included in appendices for informational purposes.

**6. Equal Benefits Ordinance and First Source Hiring Ordinance (Appendix VI)**

***Equal Benefits Ordinance (EBO)***

Bidders/Proposers are advised that any contract awarded pursuant to this procurement process shall be subject to the applicable provisions of Los Angeles Administrative Code Section 10.8.2.1, Equal Benefits Ordinance.

All Bidders/Proposers shall complete and submit the Equal Benefits Ordinance Compliance Affidavit, available on the City of Los Angeles' Business Assistance Virtual Network (BAVN) residing at [www.labavn.org](http://www.labavn.org), prior to award of a City contract that exceeds \$25,000. The affidavit shall be valid for a period of three years from the date it is first uploaded onto LABAVN. Bidders/Proposers do not need to submit supporting documentation with their bids or proposals. However, the City may request supporting documentation to verify that the benefits are provided equally as specified on the EBO Affidavit.

Bidders/Proposers seeking additional information regarding the requirements of the Equal Benefits Ordinance may visit the Bureau of Contract Administration's website at <http://bca.lacity.org>.

***First Source Hiring Ordinance (FSHO)***

Unless approved for an exemption, contractors under contracts primarily for the furnishing of services to or for the City, the value of which exceeds \$25,000 with a term of at least three (3) months, and certain recipients of City Loans or Grants, shall comply with the provisions of Los Angeles Administrative Code Sections 10.44 et seq., First Source Hiring Ordinance.

All Bidders/Proposers shall complete and electronically sign the FSHO Compliance Affidavit available on (LABAVN) prior to award of a City contract. The affidavit shall be valid for a period of three years from the date it is first uploaded onto LABAVN.

Bidders/Proposers seeking additional information regarding the requirements of the First Source Hiring Ordinance may visit the Bureau of Contract Administration's website at <http://bca.lacity.org>.

**7. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions (Appendix VII)**

Proposers are required to sign the Certificate Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions.

**8. Certification Regarding Lobbying (Appendix VIII)**

Proposers are required to sign the Certification Regarding Lobbying Form.

**9. Americans with Disabilities Act (Appendix IX)**

The City of Los Angeles requires that all Contractors and Subcontractors be in compliance with the American with Disabilities Act 42 U.S.C. 12101 et seq., and its implementing regulations. The Proposer will provide reasonable accommodations to allow qualified individuals with disabilities to have access to and to participate in its programs, services and activities in accordance with the provisions of the Disabilities Act. The Proposer will not discriminate against persons with disabilities nor against persons due to their relationship to or association with a person with a disability. Any subcontractor entered into by the Proposer, relating to this contract, to the extent allowed hereunder, shall be subject to the provisions of this paragraph. Proposers shall complete and submit the attached Certification of Compliance Form.

**10. Child Support Assignment Orders (Appendix X)**

Section 10.10 of the Los Angeles Administrative Code, Child Support Assignment Orders Ordinance, requires that all Contractors and Sub-Contractors performing work for the city comply

with all reporting requirements and wage and earning assignments relative to legally mandated child support.

**11. City Resident Workforce Form (Appendix XI)**

The city requires information on the number of contractor's employees residing in the city.

**12. Statement of Independency (Appendix XII)**

This statement certifies that consultants work for the city as independent contractors, setting their own hours, etc., and are not employed by the city.

**13. Affidavit of Non-Collusion (Appendix XIII)**

Proposers shall complete and submit the attached Affidavit of Non-Collusion forms.

**14. Disclosure Ordinances Affidavit (Appendix XIV)**

Unless otherwise exempt by the provisions of the Slavery Disclosure Ordinance (SDO) or Disclosure of Border Wall Contracting Ordinance (DBWCO), any contract awarded under this RFP will be subject to the SDO, Section 10.41 of the Los Angeles Administrative Code and the DBWCO, Section 10.50 of the Los Angeles Administrative Code.

You must register on LABAVN to access the updated Disclosure Ordinances Affidavit web form. The web form can be found by clicking on the "Profiles" tab. Scroll to the "Company Profile" section and click on "Compliance Documents." The web form should be completed and submitted by the time of RFP submission.

The web form will be verified by the Bureau of Contract Administration (BCA) only if your company is the successful Proposer selected for contract award. Proposers seeking additional information regarding the requirements of the SDO and DBWCO Disclosure Ordinances may visit the Bureau of Contract Administration's website at <http://bca.lacity.org>.

**15. Iran Contracting Act of 2010 (Appendix XV)**

In accordance with California Public Contract Code Sections 2200-2208, all bidders submitting proposals for, entering into, or renewing contracts with the City of Los Angeles for goods and service estimated at \$1,000,000 or more are required to complete, sign, and submit the Iran Contracting Act of 2010 Compliance Affidavit.

**16. Municipal Lobbying Ordinance (CEC Form 50) (Appendix XVI)**

All proposers must submit a completed Bidder Certification CEC Form 50 regarding the City's Municipal Lobbying Ordinance to the awarding authority at the same time the response is submitted. Proposals submitted without a completed CEC Form 50 shall be deemed non-responsive.

**17. Municipal Campaign Finance Ordinance (CEC Form 55) (Appendix XVII)**

All proposers must submit a CEC Form 55 regarding the City's Municipal Campaign Finance Ordinance to the awarding authority at the same time the response is submitted. Proposals submitted without a completed CEC Form 55 shall be deemed non-responsive.

**18. Contractor Responsibility Ordinance and Questionnaire/Pledge of Compliance (Appendices XVIII -XIX)**

The City requires that the Proposer is subject to the provisions of the Contractor Responsibility Ordinance, Section 10.40 et seq. of Article 14, Chapter 1 of Division 10 of the Los Angeles

Administrative Code. By executing a contract with the City, the Contractor pledges to comply with all applicable federal, state, and local laws in performance of the contract. This Ordinance requires that all proposers complete and submit, with their response, the attached Form and/or Questionnaire. Failure to return the completed questionnaire may result in the proposer being deemed non-responsive.

**19. Contractor/Bidder History Form (Appendix XX)**

Proposers shall complete and submit the attached Contractor/Bidder History Form.

**20. Fair Chance Initiative for Hiring Ordinance (Appendix XXI)**

Any contract awarded pursuant to this RFP will be subject to the Fair Chance Initiative for Hiring Ordinance (FCIHO), Section 10.48 of the Los Angeles Administrative Code.

**21. Proposer Signature Declaration Page (Appendix XXII)**

Proposers shall complete and submit the attached Signature Declaration Page. This form serves both as the Addendum Acknowledgement (Section III A-2) and Affidavit of Proposer (Section III B-3).

**22. Contractor Evaluation Ordinance - Personal Services Contracts**

At the end of this contract, the City will conduct an evaluation of the Contractor's performance. The City may also conduct evaluations of the Contractor's performance during the term of the contract. As required by Section 10.39.2 of the Los Angeles Administrative Code, evaluations will be based on a number of criteria, including the quality of the work product or service performed, the timeliness of performance, the Contractor's compliance with budget requirements, and the expertise of personnel that the Contractor assigns to the contract. The Contractor will be provided with a copy of the final City evaluation and allowed 14 calendar days to respond. The City will use the final City evaluation, and any response from the Contractor, to evaluate Proposals and to conduct reference checks when awarding other personal services contracts.

**23. Contractor's Use of Criminal History for Consideration of Employment Applications Ordinance**

Any contract awarded pursuant to this RFP will be subject to the Contractor's Use of Criminal History for Consideration of Employment Applications Ordinance, Section 10.48 of the Los Angeles Administrative Code. The Ordinance provides, among other things, that contractors/subcontractors with at least 10 employees are: prohibited from seeking a job applicant's criminal history information until after the job offer is made; must post Contractors' Use of Criminal History for Consideration of Employment Applications Ordinance information in conspicuous places at worksites; and cannot withdraw a job offer based on an applicant's criminal history unless a link has effectively been made between the applicant's criminal history and the duties of the job position.

Bidders/Proposers seeking additional information regarding the requirements of the Contractors' Use of Criminal History for Consideration of Employment Applications Ordinance may visit the Bureau of Contract Administration's website at <http://bca.lacity.org>.

**24. City of Los Angeles Business Tax Registration Certificate**

All contractors are required to submit one copy of their City of Los Angeles Business License, Tax Registration Certificate or Vendor Registration Number. To obtain a Business Tax Registration Certificate (BTRC) call (213) 473-5901 and pay the respective business taxes. The address is as follows: City of Los Angeles, City Hall, Room 101, Office of Finance, Tax and Permit Division, 200 North Spring Street, Los Angeles, CA 90012. For more details, visit <http://finance.lacity.org>.

**25. Proof of IRS Number (W-9)**

All contractors are required to complete and submit proof of IRS Number (W-9) Form.

**End of Section III**

## **LIST OF APPENDICES**

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- I. Standard Provisions for City Personal Services Contracts
- II. Insurance and Indemnification
- III. Nondiscrimination, Equal Employment Practices, Affirmative Action Program (Non-Construction)
- IV. Living Wage Ordinance and Service Contract Worker Retention Ordinance
- V. Notice to Employees Working on City Contracts RE: Living Wage Ordinance and Prohibition Against Retaliation
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- XVII. Municipal Campaign Finance Ordinance
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- XIX. Pledge of Compliance
- XX. Contractor/Bidder History Form
- XXI. Fair Chance Initiative for Hiring Ordinance
- XXII. Proposer Signature Declaration Page

## **GLOSSARY OF ACRONYMS AND ABBREVIATIONS**

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BCA	Bureau of Contract Administration
BTRC	Business Tax Registration Certificate
DBWCO	Disclosure of Border Wall Contracting Ordinance
DCA	Department of Cultural Affairs
LACP	Department of City Planning
EBO	Equal Benefits Ordinance
FCIHO	Fair Chance Initiative for Hiring Ordinance
FSHO	First Source Hiring Ordinance
LABAVN	Los Angeles Business Assistance Virtual Network
LWO	Living Wage Ordinance
MOCS	Mayor's Office of City Services
RFP	Request for Proposal
SDO	Slavery Disclosure Ordinance
WRO	Worker Retention Ordinance