

November 10, 2011

To all interested parties:

Attached is a copy of a request for proposal (RFP) for professional assistance to provide the Los Angeles City Council Redistricting Commission with assistance in its outreach and media efforts. The Los Angeles City Council Redistricting Commission is seeking proposals from qualified firms with extensive experience in ethnic and small market media, media strategy/messaging, and outreach to residents who are not civically engaged throughout the City. All proposals shall be submitted in accordance with the requirements set forth in this document.

**Proposals are due no later than 4:00 PM, Friday, November 18, 2011.** All proposals must be hand delivered to the Office of the Chief Legislative Analyst. The City will provide each proposer with a time and date stamped receipt at the time that the proposal is delivered to the City. No mailed proposals will be accepted due to the abbreviated period within which proposals must be returned to the City. The City reserves the right to extend the deadline for response to this RFP, waive any informality in procedure should such action be deemed in the best interest of the City and reject all proposals. Your submittal and all other written communications should be directed to:

Office of the Chief Legislative Analyst  
Attention: Gerry F. Miller  
200 N. Spring St., City Hall Room 255  
Los Angeles, CA 90012

Information concerning this proposal can be found at [www.labavn.org](http://www.labavn.org). Copies of this proposal are posted at that site. Any updates concerning this proposal will be posted at that site as well. Any questions on this RFP and the Los Angeles City Council Redistricting Commission should be directed to John Wickham at (213) 473-5738.

Thank you for your interest in this project.

Sincerely,

Gerry F. Miller  
Chief Legislative Analyst

Attachment

**REQUEST FOR PROPOSAL**

**ADVISORS TO ASSIST IN THE IMPLEMENTATION OF  
THE MEDIA AND OUTREACH STRATEGY**

**City of Los Angeles  
*Los Angeles City Council Redistricting Commission*  
November 10, 2011**

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LOS ANGELES CITY COUNCIL REDISTRICTING COMMISSION  
REQUEST FOR PROPOSALS  
ADVISORS TO ASSIST IN IMPLEMENTATION  
OF THE MEDIA AND OUTREACH STRATEGY

**I. INTRODUCTION**

The Los Angeles City Council Redistricting Commission (Commission) intends to hire advisors to assist in implementation of the media and outreach efforts necessary to maximize public input in the redrawing of Council District boundaries. This Request for Proposals (RFP) provides information for prospective bidders concerning the scope of the project and the services required to evaluate this project.

**A. Intent**

The Commission is seeking proposals from qualified firms to assist the Commission with implementation of the media and outreach efforts necessary to maximize public input on the redrawing of Council District boundaries. Due to the unique nature of this proposal, the consultant will have experience and team capability to assist in working with the ethnic and small market media in the City, providing media messaging, and maximizing outreach to residents who are not civically engaged.

Advisors will provide and implement a strategy to develop a consistent media message for the Commission. Engaging the ethnic media, including multicultural and non-English media, and small market media throughout the City will be a critical component of the consultant's efforts. Advisors will also provide and implement a strategy to maximize the Commission's outreach efforts to residents who are not civically engaged.

**B. General Overview**

The Los Angeles City Charter requires that the City be redistricted at least once every 10 years. It calls for creation of a twenty-one member Redistricting Commission, which provides recommendations to the Los Angeles City Council for adopting a redistricting plan that sets boundaries for City Council districts.

The testimony and input of Los Angeles residents is critical to creating a redistricting plan that provides fair and effective representation for all residents of the City.

**C. Required Copies and Deadline for Submission of Proposal**

Proposers must supply all information requested in the format prescribed by this RFP. One typed original and twelve clear copies of the proposal are required. The proposal shall be addressed to:

Office of the Chief Legislative Analyst  
Attn: Gerry F. Miller  
200 N. Spring Street, Room 255  
Los Angeles, CA 90012

No proposal will be accepted after **4:00 PM, Friday, November 18, 2011**. The City reserves the right to extend the deadline for response to this RFP and to waive any informality in procedure

should such action be deemed in the best interest of the City. In the event this date is changed, notice will be posted on the City's Business Assistance Virtual Network (BAVN) at [www.labavn.org](http://www.labavn.org). The City will require oral presentation of the proposals by a maximum of three finalists at a publicly-noticed meeting of the Commission's Ad Hoc Committee on Outreach on Monday November, 21 2011 beginning at 8am. The City reserves the right in its sole discretion to determine the timeliness of all proposals, extend the submission deadline and/or to reject all proposals.

**D. Questions Regarding the RFP**

All questions regarding this RFP, including clarifying questions and answers that will be posted publicly, must be submitted in writing and in person to the CLA's office no later than Monday November 14, 2011. All clarifying questions and answers that will be posted publicly will be made available no later than Tuesday November 15, 2011. All questions must include the following information:

1. The name address and telephone of the person representing the prospective proposer;
2. The name of the involved RFP;
3. A detailed written statement of the question, identification of the relevant section of the RFP, and expected resolution of question;

Questions shall be addressed to:

Office of the Chief Legislative Analyst  
Attn: Gerry F. Miller  
200 N. Spring Street, Room 255  
Los Angeles, CA 90012

**II. SCOPE OF SERVICES**

The scope of services will include the following components:

- Prepare and implement a consistent media strategy for the Commission;
- Prepare and implement a media strategy for the Commission that engages the ethnic and small market media (e.g. print, radio, television, PSAs, other low cost publicity, etc.) in the City, including multiple languages (e.g. Spanish, Korean, Chinese, Tagalog, Vietnamese, Japanese, Armenian, Thai, Hindi, etc.) and cultures (e.g. African-American, Latino, Asian-American, Armenian, Jewish, LGBT, etc.);
- Prepare and implement an outreach strategy for the Commission that maximizes public input from residents who are not civically engaged;
- Prepare and implement a strategy to publicize 15 anticipated public forums in December which seek to solicit public comments geared to determining local neighborhoods and communities of interest and any general concerns regarding the redistricting process. The public forums may last several hours in the evening or weekend and a representative of the proposer may be expected to attend;

- Prepare and implement a strategy to publicize 8 to 10 anticipated public forums in late January and early February which seek to solicit public comments geared to draft Council District boundary maps and any general concerns regarding the redistricting process;
- Accept and implement additional assignments from the Chair of the Commission or the Executive Director;

### **III. TIMETABLE AND DELIVERABLES**

The term of the contract will be for approximately four months, commencing as soon after a proposer is selected as practicable. Specific deliverables and timetables will be included in the contract. Proposers are hereby notified that the schedule of services listed in the RFP are subject to change and flexibility will be required.

### **IV. CONTENTS OF PROPOSAL**

Proposals shall be organized as described below. You should note the various attachments that must be submitted with your proposal. Failure to follow these guidelines may cause your proposal to be considered non-responsive.

#### **A. Cover Letter**

The cover letter of each proposal shall be limited to one page. The letter must include the name, title, address, and telephone number of the person or persons who will be authorized to represent the proposer. The letter must be signed by a company officer authorized to bind the company to all commitments made in this proposal.

The cover letter must also contain a statement that the proposal shall remain firm for a period of one hundred twenty (120) calendar days following the deadline date for submission of proposals to the Chief Legislative Analyst (CLA), which date is noted in the cover letter and body of this RFP.

#### **B. Business Organization**

This section is intended to provide core descriptive information concerning your firm and must include the following:

1. State the full name and address of your organization and, if applicable, any branch or district office that will be involved with this analysis.
2. Indicate whether you operate as an individual, partnership, or corporation. If a corporation, include the State in which you are incorporated.
3. Provide copies of any license(s) and/or registration(s) which indicate that your firm is licensed and/or registered to operate in the State of California and the City of Los Angeles.
4. If you propose to subcontract any portion of the work in your proposal, identify the subcontractor(s), their address, and whether they operate as an individual, partnership or corporation.

5. Note your City of Los Angeles Business Tax Registration Certificate Number, Vendor Registration Number, or Certificate of Exemption Number, and the same for any subcontractor. You must confirm that this number is correct and your account valid prior to submission.

**C. Experience**

This section will provide a statement of similar work or services your firm has provided to the City or other public and private sector entities.

Begin this section with one-line, bullet-point summary listings of your experience with ethnic and small market media (e.g. television, print, radio, PSAs, other low cost publicity, etc.) including multiple languages (e.g. Spanish, Korean, Chinese, Tagalog, Vietnamese, Japanese, Armenian, Thai, Hindi, etc.) and cultures (e.g. African-American, Latino, Asian-American, Armenian, Jewish, LGBT, etc.) in the City; media messaging; outreach to residents who are not civically engaged; and other relevant experience. Clearly title and organize your experience in each area as a unique subset.

This one-line, bullet-point summary will be followed by a statement of work or services your firm has provided to the City or other public and private sector entities. Provide a description of the relevant experience, the duration of the project, and the ending date. Include the name, address, and telephone number of the responsible person in the referenced jurisdiction whom the City can contact to verify this work.

**D. Potential Conflicts**

Describe any current or past work for the Commissioners of the Los Angeles City Council Redistricting Commission. Describe any other past or present business relationships that may be perceived as a conflict of interest. Provide beginning and ending dates for each instance, as well as a description of the scope and work product provided.

**E. Key Personnel**

The contractor must be able to demonstrate the capability and appropriate experience of key personnel who will be assigned to conduct and manage this project. Key personnel assigned to the project shall be identified by name and title. A statement of the project

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area(s) for which each individual will be responsible shall be included as well. Resumes for these key personnel are required to be submitted as well as those of other employees the contractor will employ to perform various portions of the project. The City shall have the right to conduct background verifications on all personnel directly assigned to the project, including the key personnel noted above. The City will reserve the right to approve any changes in key personnel and to require the replacement of non-performing personnel assigned to the project. The same requirements apply to any subcontractors.

**F. Statement of the Program**



Provide a straightforward, concise statement of your understanding of the project requirements and objectives, and demonstrate your plan to provide the required items described in the Scope of Services.

#### **G. Fee for Services**

The selected contractor will be compensated on a fixed price basis in an amount not to exceed \$100,000.00. The proposer must state the fee required to perform all work, including billing hours and rates and other costs used to calculate the proposed fee. The proposal must break down the project into logical phases and state the portion of the fee associated with completion of each logical phase. A proposer may submit more than one cost-strategy proposal. For example, a proposer may present a proposal that includes both an \$80,000.00 scope of work that addresses all of the required elements and a \$100,000.00 scope of work that addresses the same elements, but in a different way.

#### **H. Proposal Addenda**

The City requires that Contractors comply with certain programs, as described in Section V. Your submittal must include all signed statements pertaining to the following:

1. Standard Provisions for City Personal Services Contracts (Appendix A)
2. Contractor Responsibility Ordinance (Appendix B)
3. Nondiscrimination – Equal Employment Practices - Affirmative Action (Appendix C)
4. Certification of Compliance With Child Support Obligations (Appendix D)
5. Living Wage Ordinance Compliance and Service Contract Worker Retention Ordinance (Appendix E)
6. Certification regarding Compliance with the Americans With Disabilities Act (Appendix F)
7. Business Inclusion Program (Appendix G)
8. Certification of Compliance With Equal Benefits Ordinance (Appendix H)
9. Slavery Disclosure Affidavit (Appendix I)
10. Non-Collusion Affidavit (Appendix J)
11. Workforce Residence Information (Appendix K)
12. Prior City Contract History Form (Appendix L)
13. Municipal Lobbying Ordinance and Bidder Certification Form (Appendix M)
14. City of Los Angeles - Confidentiality Agreement (Appendix N)
15. First Source Hiring (Appendix O)

#### **I. Additional Information**

The provision of additional information is discouraged, but may be appropriate to allow you to provide information essential to complete an evaluation of your proposal. ***It is imperative that additional information be specific and relevant to the Scope of Work for this project.*** Further, additional information should be concise, with ***extreme constraint*** in the number of additional pages provided. Do not provide generic materials of any kind. If you have no additional information, this section of your proposal should consist of the following statement: "There is no additional information we wish to present."

## **V. DISCUSSION OF ADDENDUM MATERIALS**

All contractors must comply with certain City laws, as described in this section. All responses to this RFP must include the documents necessary to show compliance with these regulations.

**A. Contractor Responsibility Ordinance**

Requests for Proposals, Requests for Bids, Requests for Qualifications or other procurement processes are subject to the provisions of Contractor Responsibility Ordinance, Section 10.40 et seq. of Article 14, Chapter 1 of Division 10 of the Los Angeles Administrative Code, unless exempt pursuant to the provisions of the Ordinance.

This Ordinance requires that all proposers/bidders complete and return with their response the responsibility questionnaire included in this RFP as Appendix B. Failure to return the questionnaire may result in the proposer being deemed non-responsive.

The Ordinance also requires that if a contract is awarded pursuant to this procurement, the contractor must update responses to the questionnaire within 30 days, after any changes to the responses previously provided if such change would affect the contractor's fitness and ability to continue performing the contract.

Pursuant to the Ordinance, by executing a contract with the City, the proposer pledges, under penalty of perjury, to comply with all applicable federal, state and local laws in performance of the contract, including but not limited to laws regarding health and safety, labor and employment, wage and hours, and licensing laws which affect employees. Further, the Ordinance requires each contractor to: (1) notify the awarding authority within 30 days after receiving notification that any governmental agency has initiated an investigation which may result in a finding that the contractor is not in compliance with Section 10.40.3 (a) of the Ordinance, and (2) notify the awarding authority within 30 calendar days of all findings by a governmental agency or court of competent jurisdiction that the contractor has violated Section 10.40.3. Please refer to Appendix B for further details regarding these requirements.

**B. City Affirmative Action Program and Non-Discrimination Requirements**

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.

Non-construction services to or for the City 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. All Bidders/Proposers shall complete and upload, the Non-Discrimination/Equal Employment Practices Affidavit (two (2) pages) 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 valued at \$1,000 or more.

Non-construction services to or for the City for which the consideration is \$100,000 or more shall comply with the provisions of Los Angeles Administrative Code Sections 10.8.4., Affirmative Action Program Provisions. All Bidders/Proposers shall complete and upload, the City of Los Angeles Affirmative Action Plan (four (4) pages) 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 valued at \$100,000 or more.

Bidders/Proposers opting to submit their own Affirmative Action Plan may do so by uploading their Affirmative Action Plan onto the City's BAVN.

Both the Non-Discrimination/Equal Employment Practices Affidavit and the City of Los Angeles Affirmative Action Plan Affidavit shall be effective for a period of twelve months from the date it is first uploaded onto the City's BAVN.

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 web site at <http://bca.lacity.org>.

### **C. Business Inclusion Program**

The policy of the City of Los Angeles is to provide Minority Business Enterprises (MBE), Women Business Enterprises (WBE), Small Business Enterprises (SBE), Emerging Business Enterprises (EBE), Disabled Veteran Business Enterprises (DVBE), and all Other Business Enterprises (OBE) an equal opportunity to participate in the performance of all City contracts. Due to the scope of work involved, the City does not anticipate any opportunity to subcontract to MBE, WBE, SBE, EBE, DVBE, or OBE firms. However, such certified firms are encouraged to participate as the Prime or in the event that any subcontracting opportunities arise. Furthermore, although not required, proposers should be able to show good faith efforts to include MBE, WBE, SBE, EBE, DVBE, or OBE firms.

### **D. Service Worker Retention and Living Wage Ordinance Compliance**

Unless otherwise exempt, this RFP is subject to the Service Contract Worker Retention Ordinance (SCWRO), Section 10.36 et seq., and the Living Wage Ordinance (LWO), Section 10.37 et seq., of the Los Angeles Administrative Code. Consult "Service Contract Worker Retention (SCWRO) / Living Wage Ordinance (LWO)" in Appendix E for additional information.

### **E. Equal Benefits Ordinance**

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 (EBO).

All Bidders/Proposers shall complete and upload, the Equal Benefits Ordinance Affidavit (two (2) pages) 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 valued at \$5,000. The Equal Benefits Ordinance Affidavit shall be effective for a period of twelve months from the date it is first uploaded onto the City's BAVN. 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 Equal Benefits Ordinance Affidavit.

Bidders/Proposers seeking additional information regarding the requirements of the Equal Benefits Ordinance may visit the Bureau of Contract Administration's web site at [www.bca.lacity.org](http://www.bca.lacity.org).

**F. Prior Contracts with the City**

All proposers **must** include a list of **all** contracts with the City for the past ten (10) years using the Prior City Contract History form attached as Appendix L.

**G. Affidavit of Non-Collusion**

Proposers shall complete and return with the proposal, an affidavit of non-collusion signed by a person(s) authorized to bind the proposer (see Appendix J), which states that:

1. The proposal is genuine, not a sham or collusive;
2. The proposal is not made in the interest of or on the behalf of any person not named in the proposal;
3. The Proposer has not directly or indirectly induced or solicited any person to submit a false or sham proposal or to refrain from proposing; and
4. The Proposer has not in any manner sought by collusion to secure an advantage over any other proposer.

**H. Child Support Ordinance**

This Contract is subject to the Child Support Ordinance, Los Angeles Administrative Code Section 10.10 et seq. Proposers shall complete and return with their proposal, the Certification of Compliance with Child Support, which is attached hereto as Appendix D.

**I. Americans With Disabilities Act**

The City is a covered entity under Title II of the Americans with Disabilities Act, 42 U.S.C.A. Section 12131 et seq. Proposers shall complete and return with their proposal, the Certification Regarding Compliance with the Americans with Disabilities Act which is attached hereto as Appendix F.

**J. Workforce Information**

The policy of the City of Los Angeles is to encourage businesses to locate or remain in the City. Therefore, the City Council requires all City departments to gather information regarding the headquarters address and other information on the employees of vendors contracting with the City. The following information shall be included with the proposal (see Appendix K):

1. Headquarters address of your company.
2. Total workforce.
3. Percentage of the total workforce residing in Los Angeles.
4. Percentage of total workforce working in Los Angeles.
5. The address of any branch office(s) within the City of Los Angeles.
6. Workforce in each City of Los Angeles branch office.

7. Percentage of workforce in each City of Los Angeles branch office residing in the City of Los Angeles.
8. Percentage of workforce assigned to each branch office in the City of Los Angeles.

**K. Slavery Disclosure Ordinance**

Unless otherwise exempt, in accordance with the provisions of the Slavery Disclosure Ordinance, any contract awarded pursuant to this RFB/RFP/RFQ will be subject to the Slavery Disclosure Ordinance, Section 10.41 of the Los Angeles Administrative Code.

All Bidders/Proposers shall complete and upload, the Slavery Disclosure Ordinance Affidavit (one (1) page) 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.

Bidders/Proposers seeking additional information regarding the requirements of the Slavery Disclosure Ordinance may visit the Bureau of Contract Administration's web site at [www.bca.lacity.org](http://www.bca.lacity.org).

**L. First Source Hiring Ordinance**

Unless approved for an exemption, contractors under contracts primarily for the furnishing of services to or for the City, the value of which is in excess of \$25,000 and a contract 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 (FSHO). Bidders/Proposers shall refer to Appendix "O", "First Source Hiring Ordinance" for further information regarding the requirements of the Ordinance.

The Anticipated Job Opportunities Form (FSHO-1) and Subcontractor Information Form (FSHO-2) contained in Appendix "O" shall only be required of the Bidder/Proposer that is selected for award of a contract.

**VI. CONTRACT REQUIREMENTS**

The selected Proposer(s) will be required to enter into a written contract with the Los Angeles City Council Redistricting Commission (Commission) in a form approved by the City Attorney. A copy of this RFP with all attachments and the successful proposal will remain on file and will constitute a part of the contract. However, the City reserves the right to further negotiate the terms and conditions of the contract with the selected contractor. The "Standard Provisions for City Personal Services Contracts" (Appendix A) will be incorporated into the contract and are not subject to negotiation.

This section sets forth provisions that will be incorporated into any contract awarded pursuant to the RFP and also identifies the forms, certifications, request for information, and affidavit that must be completed and returned with the proposal. Failure to provide the information requested and/or to submit the necessary forms may result in the proposal being deemed non-responsive.

**A. Contract Term**

The Commission anticipates negotiating a contract with a duration of approximately 4 months.

**B. Standard Provisions**

The selected Proposer will be required to enter into a written contract with the Commission in a form approved by the City Attorney. A copy of this RFP with all attachments and the successful proposal will remain on file and will constitute a part of the contract. However, the Commission reserves the right to further negotiate the terms and conditions of the contract with the selected contractor. The final contract offer of the Commission may contain additional terms or terms different from those set herein. The Standard Provisions for City Personal Services Contracts are attached as Appendix A. These provisions include, but are not limited to, the following:

1. Indemnification

The Contractor will be required to indemnify the City in accordance with the provisions set forth in PSC-20 of the Standard Provisions for City Personal Services Contracts

2. Insurance

The Contractor will be required to provide insurance in accordance with the Insurance Requirements, Appendix A - Exhibit 1, attached to the Standard Provisions for City Personal Services Contracts. In addition, insurance forms, which must be completed and approved by the City Attorney Insurance and Bonds Section prior to contract execution are also included. These forms are for information only and do not need to be returned with the response.

3. Business Tax Registration Certificate

The selected Proposer shall be required to demonstrate compliance with the City's business tax laws by acquiring/maintaining one of the following: Business Tax Registration Certificate, Vendor Registration Number, or Certificate of Exemption. The Certificate or Registration Number must remain in force during the entire period of the contract.

**C. Termination of Contract**

Any contract awarded pursuant to this RFP may be terminated in whole, or in part, by the City for its convenience effective as of any date, upon ten (10) days written notice thereof. The City reserves the right to verify the information in the proposal and to consider unverifiability in its decision making. If it is determined that a contract was awarded as a result of false statements submitted in response to this RFP, the City reserves the right to terminate that contract.

**VII. SELECTION CRITERIA**

Each proposal must meet all requirements included in Section IV of this RFP which will be evaluated according to the criteria set out below. Proposals will be evaluated by a review committee composed of representatives of the City. The City will require oral presentation of the proposals by a maximum of three finalists at a publicly-noticed

meeting of the Commission's Ad Hoc Committee on Outreach on Monday November, 21 2011 beginning at 8am.

**Total Possible 100 Points:**

**Proposal Quality, Responsiveness and Technical Solution 0-25 Points**

Written proposals will be evaluated for adherence to the RFP requirements, specific technical solution(s), completeness and clarity of content. Proposals should provide a straightforward, concise statement of the proposer's understanding of the project tasks and objectives. The proposed methodology and approach to the work will be evaluated in terms of appropriateness, ability / willingness to meet the timeline described in Section IV of this RFP, and consideration of relevant issues that may not have been mentioned in the RFP.

**Comparable Firm Experience 0-25 Points**

The experience of proposers in having accomplished similar projects.

**Evaluation of Key Personnel 0-25 Points**

The relevant experience of key personnel to be assigned to the analysis should be clearly set forth. An organizational structure for the analysis should be provided, with the key personnel to be assigned identified as to their functions and responsibilities.

**Fee for Services – (Fixed price) 0-25 Points**

The City has budgeted an amount not to exceed \$100,000.00 for performance of the work to be provided under this RFP. Therefore, no proposal should exceed \$100,000. In as much as the City is desirous of saving money to the greatest extent possible, proposers are encouraged to present more than one cost-strategy element. Each cost-strategy element must satisfy all of the requirements of the RFP; however, not necessarily in the same manner.

**Selection Process**

At the discretion of the City, City staff will review firms submitting the most responsive proposals and select a maximum of three to forward to the Commission. The City will require oral presentation of the proposals by a maximum of three finalists at a publicly-noticed meeting of the Commission's Ad Hoc Committee on Outreach on Monday November, 21 2011 beginning at 8am. The successful Proposer(s) will be recommended to the full Commission after the proposals and presentations (if any) are evaluated to select the most qualified firm(s). Proposers will be notified of the time and place of any oral presentations not more than three (3) days nor less than one (1) days prior to the event. Any contract(s) awarded pursuant to this RFP is subject to the Contractor Evaluation Ordinance which requires awarding authorities to evaluate contractors' performance and to retain such evaluative information in a data bank for future reference.

**VIII. ACCEPTANCE OF PROPOSAL TERMS AND CONDITIONS**

Submission of a proposal pursuant to this RFP shall constitute acknowledgment and acceptance of all terms, conditions, and content set forth in this RFP.

**A. Rejection of Responses to RFP**

The City reserves the right to withdraw this RFP at any time without prior notice and the right to accept or reject any and all responses to it. The City may also reject the proposal of any proposer who has failed to timely and satisfactorily perform any contract with the City.

The City may also reject the proposal of any proposer who has been determined to have a conflict of interest.

The City makes no representation that any contract will be awarded to any person or firm responding to this RFP.

**B. Disposition of Proposals and Disclosure of Information**

The City reserves the right to retain all proposals submitted and the proposals will become the property of the City of Los Angeles. All proposals received will be considered public records potentially subject to disclosure under the Public Records Act (California Government Code Section 6250 et seq.). Proposers must identify any material they claim is exempt from disclosure under the Public Records Act. Any proposer claiming such an exemption must identify the specific provisions of the Public Records Act that provide an exemption from disclosure for each item that the proposer claims is not subject to disclosure under said Act. In the event that such exemption is claimed, the proposer must then state in the proposal that he or she will defend, indemnify and hold harmless the City, its officers and employees from any action brought against the City for its refusal to disclose such material to any party making a request therefore. The City reserves the right to make an independent determination as to whether material is subject to the disclosure requirement. In the event that the City determines that disclosure is required under the law, the City will notify the proposer of the City's intent to disclose.

**C. Mandatory Protest Provisions**

Any protest as to the RFP documents or matters or procedures referred to therein must be submitted in detail and in writing and postmarked within 3 calendar days after the issuance of the RFP to the public. The RFP is considered issued when posted to the Los Angeles Business Assistance Virtual Network at <http://www.labavn.org/>. All persons submitting proposals in response to this RFP will be notified of the City's intended award by mail. Any protest regarding the City's intention to award a contract which results from this RFP process must be submitted in detail and in writing and be postmarked within 3 calendar days of the postmark date of the City's notification letter concerning the City's intention to award a contract that results from this RFP process.

Any protest, whether relating to the RFP or to the eventual awarding of a contract resulting from this RFP process, shall contain a full and complete statement specifying in detail the grounds of the protest and the facts in support thereof. All protests must include the following information:

1. The name address and telephone of the person representing the protesting party;
2. The name of the involved RFP;



3. A detailed written statement of the legal and factual grounds of the protest, including copies of relevant documents and an indication as to what specific portions of the documents form the basis of the protest;
4. A statement as to the form of relief requested;
5. Any evidence as to why the RFP should not issue, or in the event of a protest concerning a contract award, any reasons or evidence as to why a contract award should not be made according to the City's plans;
6. If applicable, a request that a hearing with the Commission, or their designee, be set within 3 calendar days of the actual receipt by the City of the protest or, in the alternative, a statement that the protester waives such hearing.
7. A request that the Commission, or their designee, issue a decision either sustaining or denying the protest.

All protests, whether relating to the RFP or a resulting contract award, must be in writing and sent via certified mail to:

Gerry F. Miller, Chief Legislative Analyst  
Office of the Chief Legislative Analyst  
200 N. Spring St., Room 255  
Los Angeles, California 90012

The procedure and time limits set forth in this Section are mandatory and are the sole and exclusive remedy available in the event of protest. Failure to comply with these procedures shall constitute a waiver of any right to further pursue the protest, including filing a Government Code claim or legal proceedings. The City will only consider protests by or against any Proposer(s) who appear to have a substantial and reasonable prospect of receiving an award if the protest is denied or sustained, as applicable.

Protests meeting the above criteria will be reviewed by the Commission or their designee. Protesting parties requesting a hearing will be notified of the time and date of a hearing within three (3) calendar days of the actual receipt of the written protest with the Chief Legislative Analyst or his designee. Protestors requesting a hearing will be given the opportunity to present their arguments to the Commission, or their designee. The Commission, or their designee, will hear and consider the contents of any written protest and/or any arguments made at the time of the hearing, and will issue by mail a decision in writing to the protester that either denies or sustains the protest within 1 calendar day. The decision of the Commission, or their designee, shall be final.

**D. Financial Responsibility**

All costs incurred in responding to this RFP shall be borne by the proposer. The City shall not, in any event, be liable for any pre-contractual expenses incurred by the proposer in the preparation and/or submission of its proposal.