DEPARTMENT OF MENTAL HEALTH

REQUEST FOR PROPOSALS
FOR
BUSINESS CONTINUITY PLANNING CONSULTANT SERVICES

Bid No. DMH091412B1

September 14, 2012

Prepared By
County of Los Angeles
Contracts Development & Administration Division

COUNTY OF LOS ANGELES – DEPARTMENT OF MENTAL HEALTH

MENTAL HEALTH SERVICE AREAS

C O M M U N I T I E S / C I T I E S

SERVICE AREA 1	**Lancaster, Palmdale**
SERVICE AREA 2	**Agoura Hills, Burbank, Calabasas, Glendale, Hidden Hills, L. A. (Part), La Cañada-Flintridge, San Fernando, Santa Clarita, Westlake Village**
SERVICE AREA 3	**Alhambra, Arcadia, Azusa, Baldwin Park, Bradbury, Claremont, Covina, Diamond Bar, Duarte, El Monte, Glendora, Industry, Irwindale, La Puente, La Verne, Monrovia, Monterey Park, Pasadena, Pomona, Rosemead, San Dimas, San Gabriel, San Marino, Sierra Madre, South El Monte, South Pasadena, Temple City, Walnut, West Covina**
SERVICE AREA 4	**L.A. (Part), West Hollywood**
SERVICE AREA 5	**Beverly Hills, Culver City, L.A. (Part), Malibu, Santa Monica**
SERVICE AREA 6	**Compton, L.A. (Part), Lynwood, Paramount**
SERVICE AREA 7	**Artesia, Bell, Bell Gardens, Bellflower, Cerritos, Commerce, Cudahy, Downey, Hawaiian Gardens, Huntington Park, L. A. (Part), La Habra Heights, La Mirada, Lakewood, Maywood, Montebello, Norwalk, Pico Rivera, Santa Fe Springs, South Gate, Vernon, Whittier**
SERVICE AREA 8	**Avalon, Carson, El Segundo, Gardena , Hawthorne, Hermosa Beach, Inglewood, L. A. (Part), Lawndale, Long Beach, Lomita, Manhattan Beach, Palos Verdes Estates, Rancho Palos Verdes, Redondo Beach, Rolling Hills, Rolling Hills Estates, Signal Hill, Torrance**

COUNTY OF LOS ANGELES
DEPARTMENT OF MENTAL HEALTH

MENTAL HEALTH SERVICE AREAS

The Department of Mental Health
divides the County into eight service areas.

PREAMBLE

For over a decade, the County has collaborated with its community partners to enhance the capacity of the health and human services system to improve the lives of children and families. These efforts require, as a fundamental expectation, that the County's contracting partners share the County and community's commitment to provide health and human services that support achievement of the County's vision, goals, values, and adopted outcomes. Key to these efforts is the integration of service delivery systems and the adoption of the Customer Service and Satisfaction Standards.

The County of Los Angeles' Vision is to improve the quality of life in the County by providing responsive, efficient, and high quality public services that promote the self-sufficiency, well-being and prosperity of individuals, families, businesses and communities. This philosophy of teamwork and collaboration is anchored in the shared values of:

- Accountability
- Can-Do-Attitude
- Compassion
- Customer Orientation
- Integrity
- Leadership
- Professionalism
- Respect for Diversity
- Responsiveness

These shared values are encompassed in the County Mission to enrich lives through effective and caring service and the County Strategic Plan's three goals: 1) Operational Effectiveness; 2) Fiscal Sustainability; and 3) Integrated Services Delivery. Improving the well-being of children and families requires coordination, collaboration, and integration of services across functional and jurisdictional boundaries, by and between County departments/agencies, and community and contracting partners.

The basic conditions that represent the well-being we seek for all children and families in Los Angeles County are delineated in the following five outcomes, adopted by the Board of Supervisors in January 1993.

a. Good Health;
b. Economic Well-Being;
c. Safety and Survival;
d. Emotional and Social Well-Being; and
e. Education and Workforce Readiness.

Recognizing no single strategy – in isolation – can achieve the County's outcomes of well-being for children and families, consensus has emerged among County and community leaders that making substantial improvements in integrating the County's health and human services system is necessary to significantly move toward achieving these outcomes. The County has also established the following values and goals for guiding this effort to integrate the health and human services delivery system:

a. Families are treated with respect in every encounter they have with the

health, educational, and social services systems.

b. Families can easily access a broad range of services to address their needs, build on their strengths, and achieve their goals.
c. There is no “wrong door”: wherever a family enters the system is the right place.
d. Families receive services tailored to their unique situations and needs.
e. Service providers and advocates involve families in the process of determining service plans, and proactively provide families with coordinated and comprehensive information, services, and resources.
f. The County service system is flexible, able to respond to service demands for both the Countywide population and specific population groups.
g. The County service system acts to strengthen communities, recognizing that just as individuals live in families, families live in communities.
h. In supporting families and communities, County agencies work seamlessly with public and private service providers, community-based organizations, and other community partners.
i. County agencies and their partners work together seamlessly to demonstrate substantial progress towards making the system more strength-based, family-focused, culturally-competent, accessible, user-friendly, responsive, cohesive, efficient, professional, and accountable.
j. County agencies and their partners focus on administrative and operational enhancements to optimize the sharing of information, resources, and best practices while also protecting the privacy rights of families.
k. County agencies and their partners pursue multi-disciplinary service delivery, a single service plan, staff development opportunities, infrastructure enhancements, customer service and satisfaction evaluation, and revenue maximization.
l. County agencies and their partners create incentives to reinforce the direction toward service integration and a seamless service delivery system.
m. The County human service system embraces a commitment to the disciplined pursuit of results accountability across systems. Specifically, any strategy designed to improve the County human services system for children and families should ultimately be judged by whether it helps achieve the County’s five outcomes for children and families: good health, economic well-being, safety and survival, emotional and social well-being, and education and workforce readiness.

The County, its clients, contracting partners, and the community will continue to work together to develop ways to make County services more accessible, customer friendly, better integrated, and outcome-focused. Several departments have identified shared themes in their strategic plans for achieving these goals including: making an effort to become more consumer/client-focused; valuing community partnerships and collaborations; emphasizing values and integrity; and using a strengths-based and multi-disciplinary team approach. County departments are also working to provide the

Board of Supervisors and the community with a better understanding of how resources are being utilized, how well services are being provided, and what are the results of the services: is anyone better off?

The County of Los Angeles health and human service departments and their partners are working together to achieve the following ***Customer Service and Satisfaction Standards*** in support of improving outcomes for children and families.

Personal Service Delivery

The service delivery team – staff and volunteers – will treat customers and each other with courtesy, dignity, and respect.

a. Introduce themselves by name
b. Listen carefully and patiently to customers
c. Be responsive to cultural and linguistic needs
d. Explain procedures clearly
e. Build on the strengths of families and communities

Service Access

Service providers will work proactively to facilitate customer access to services.

a. Provide services as promptly as possible
b. Provide clear directions and service information
c. Outreach to the community and promote available services
d. Involve families in service plan development
e. Follow-up to ensure appropriate delivery of services

Service Environment

Service providers will deliver services in a clean, safe, and welcoming environment, which supports the effective delivery of services.

a. Ensure a safe environment
b. Ensure a professional atmosphere
c. Display vision, mission, and values statements
d. Provide a clean and comfortable waiting area
e. Ensure privacy
f. Post complaint and appeals procedures

The basis for all County health and human services contracts is the provision of the highest level of quality services that support improved outcomes for children and families. The County and its contracting partners must work together and share a commitment to achieve a common vision, goals, outcomes, and standards for providing services.

1.0 INTRODUCTION 1
1.1 Purpose 1
1.2 Overview of Solicitation Document 2
1.3 Glossary of Terms and Acronyms/Definitions 3
1.4 Minimum Mandatory Requirements 3
1.5 County Rights & Responsibilities 5
1.6 Contract Term 5
1.7 Fee Schedule 6
1.8 Funding 6
1.9 Days of Operation 6
1.10 Contact with County Personnel 6
1.11 Final Contract Award by the Board of Supervisors 6
1.12 Mandatory Requirement to Register on County's WebVen 7
1.13 County Option to Reject Proposals 7
1.14 Protest Policy Review Process 7
1.15 Notice to Proposers Regarding the Public Records Act 8
1.16 Financial Viability 9
1.17 Indemnification and Insurance 9
1.18 SPARTA Program 10
1.19 Injury & Illness Prevention Program (IIPP) 10
1.20 Background and Security Investigations 10
1.21 Confidentiality and Independent Contractor Status 10
1.22 Conflict of Interest 10
1.23 Determination of Proposer Responsibility 11
1.24 Proposer Debarment 12
1.25 Proposer's Adherence to County's Child Support Compliance Program 14
1.26 Gratuities 14
1.27 Notice to Proposers Regarding the County Lobbyist Ordinance 15
1.28 Federal Earned Income Credit 15
1.29 Consideration of GAIN/GROW Participants for Employment 15
1.30 County's Quality Assurance Plan 16
1.31 Recycled Bond Paper 16
1.32 Safely Surrendered Baby Law 16
1.33 Jury Service Program 16
1.34 Notification to County of Pending Acquisitions/Mergers by Proposing Company 18
1.35 Transitional Job Opportunities Preference Program 18
1.36 Contractor's Obligations as an "Inadvertent Medical Record Access" Under the Health Insurance Portability & Accountability Act of 1996 and the Health Information Technology for Economic and Clinical Health Act 19
1.37 Proposer's Charitable Contributions Compliance 19
1.38 Defaulted Property Tax Reduction Program 20

2.0 PROPOSAL SUBMISSION REQUIREMENTS 21
2.1 County Rights and Responsibilities 21
2.2 Department Option to Reject Proposal Packages 21

2.3 Truth and Accuracy of Representations 21
2.4 RFP Timetable..... 21
2.5 Solicitation Requirements Review 22
2.6 Mandatory Proposers' Conference 22
2.7 Mandatory Letter of Intent 23
2.8 Proposer's Questions 24
2.9 Submission of Proposal Package 24
2.10 Preparation of the Proposal 25
2.11 Proposal Format 28

3.0 SELECTION PROCESS AND EVALUATION CRITERIA..... 40
3.1 Selection Process..... 40
3.2 Adherence to Minimum Mandatory Requirements (Pass/Fail) 40
3.3 Disqualification Review..... 40
3.4 Proposal Evaluation and Criteria 41
3.5 Department's Proposed Contractor Selection Review..... 44
3.6 County Review Panel Process……46

APPENDICES

APPENDIX A: CONSULTANT AGREEMENT (SAMPLE)
APPENDIX B: STATEMENT OF WORK (SOW)
APPENDIX C: STATEMENT OF WORK EXHIBITS
APPENDIX D: REQUIRED FORMS
APPENDIX E: TRANSMITTAL FORM TO REQUEST A SOLICITATION REQUIREMENTS REVIEW
APPENDIX F: CONTRACTOR EMPLOYEE JURY SERVICE ORDINANCE: County Code
APPENDIX G. LISTING OF CONTRACTORS DEBARRED IN LOS ANGELES COUNTY
APPENDIX H: IRS NOTICE 1015
APPENDIX I: SAFELY SURRENDERED BABY LAW
APPENDIX J: DETERMINATIONS OF CONTRACTOR NON-RESPONSIBILITY AND CONTRACTOR DEBARMENT
APPENDIX K: BACKGROUND AND RESOURCES: CALIFORNIA CHARITIES REGULATION
APPENDIX L: REGULATION DEFAULTED PROPERTY TAX REDUCTION PROGRAM ORDINANCE

1.0 INTRODUCTION

1.1 Purpose

The Los Angeles County Department of Mental Health (DMH) is issuing this Request for Proposals (RFP) to solicit proposals for a Contract with a Proposer who can provide consulting services to create a comprehensive continuity of operations plan that will include all essential DMH programs. The DMH Business Continuity Plan (BCP) will be developed utilizing the Living Disaster Recovery Planning System (LDRPS v.10) software provided by Los Angeles County. The Provider will interlink the best features of LDRPS v.10 with the concepts of the Federal level Continuity of Operations Planning (COOP) guidance while keeping in step with the State of California Emergency Management Agency continuity guidance. The DMH BCP will support the Department's ability to resume or maintain delivery of essential services during and after a major disaster event. This BCP development project is funded under the 2008 Disaster Recovery Initiative (DRI) and administered by the State of California Community Development Block Grant (CDBG) program. Renewals and/or extension of the Contract arising from this RFP entered into by the DMH and Proposer may be subject to modification of terms.

The DMH is the largest local public mental health agency in the country providing for over 10 million County residents an extensive system of public mental health services. On a daily basis DMH operates 97 DMH proprietorship sites and participates with an additional 100 co-located sites as well as coordinates with 1,200 funded contract providers throughout the County. DMH also has the responsibility for the management and coordination of one of the larger County fleets consisting of 235 vehicles.

On February 25, 2003 the County of Los Angeles Board of Supervisors instructed all Department/District Heads to participate in the development of a Countywide BCP. The County acquired and implemented SunGard Availability Services' ("Software Vendor" or "SunGard") LDRPS software and Business Impact Analysis ("BIA") web- based software. This earlier approach provided for a decentralized planning process, whereby County Departments were responsible for developing and maintaining business continuity plans for their respective critical services, business processes and functions with little to no instruction provided as how to analyze, interpret, and develop the data gathered. This earlier effort lingered as a Countywide effort with only a few Los Angeles County departments taking the initiative to continue on their own to develop departmental plans. In 2009, DMH created a new position and hired a business continuity planner to develop a comprehensive continuity program for the department.

In 2012 Los Angeles County, lead by Los Angeles County Office of Emergency Management (OEM), will re-establish their direct support to each Los Angeles County department, in a phased approach, to develop a business continuity plan utilizing LDRPS v.10. The DMH Continuity Planner will serve as the point of contact with OEM to participate in the Countywide usage of LDRPS v.10 while ensuring DMH continuity planning efforts correspond with the renewed Countywide initiative.

1.2 Overview of Solicitation Document

This RFP is composed of the following parts:

PART 1.0: **INTRODUCTION:** Specifies the Proposer's minimum requirements, provides information regarding the requirements of the Contract and the solicitation process.

PART 2.0: **PROPOSAL SUBMISSION REQUIREMENTS:** Includes instructions to Proposers on how to prepare and submit their proposal.

PART 3.0: **SELECTION PROCESS AND EVALUATION CRITERIA:** Includes information on how the proposals will be selected and evaluated.

APPENDICES:

- **A - CONSULTANT AGREEMENT (SAMPLE):** Identifies the terms and conditions in the Contract.
- **B - STATEMENT OF WORK (SOW):** Explains in detail the required services to be performed by the Contract.
- **C - STATEMENT OF WORK EXHIBITS:** Exhibits to the Statement of Work.
- **D - REQUIRED FORMS:** Forms that must be completed and included in the proposal.
- **E - TRANSMITTAL FORM TO REQUEST A RFP SOLICITATION REQUIREMENTS REVIEW:** Transmittal sent to Department requesting a Solicitation Requirements Review.
- **F - CONTRACTOR EMPLOYEE JURY SERVICE ORDINANCE:** County Code.
- **G - LISTING OF CONTRACTORS DEBARRED IN LOS ANGELES COUNTY:** Contractors who are not allowed to

contract with the County for a specific length of time.

- **H - IRS NOTICE 1015:** Provides information on Federal Earned Income Credit.

- **I - SAFELY SURRENDERED BABY LAW:** County program.

- **J - DETERMINATIONS OF CONTRACTOR NON-RESPONSIBILITY AND CONTRACTOR DEBARMENT**

- **K - BACKGROUND AND RESOURCES: CALIFORNIA CHARITIES REGULATION:** An information sheet intended to assist Nonprofit agencies with compliance with SB 1262 - the Nonprofit Integrity Act of 2004 and identify available resources.

- **L - REGULATION DEFAULTED PROPERTY TAX REDUCTION PROGRAM ORDINANCE**: County Code.

1.3 Glossary of Terms and Acronyms/Definitions

Specialized terms, roles, groups and departments/agencies referenced throughout this RFP are defined in Appendix C – Exhibit 1 Glossary of Terms and Acronyms.

1.4 Minimum Mandatory Requirements

Interested and qualified Proposers that can demonstrate their ability to successfully provide the required BCP Consulting Services outlined in Appendix B, Statement of Work (SOW), of this RFP are invited to submit proposal(s), provided they meet the requirement(s) listed below. Any proposal submitted that fails to demonstrate that Proposer meets these minimum mandatory requirements shall be considered non-responsive and the proposal may be rejected, at the County's sole discretion.

1.4.1 Proposer must attend the Mandatory Proposers' Conference as set forth in Part 2.0, Proposal Submission Requirements, Sections 2.4 and 2.6 respectively, of this RFP.

1.4.2 Proposer must submit the Mandatory Letter of Intent following instructions indicated in Part 2.0, Proposal Submission Requirements, Sections 2.4 and 2.7.

1.4.3 Proposer must submit three (3) signed letters of reference, including references from contracts or business arrangements that substantiate Proposer's capacity to provide such services

as described in the Part 2.0, Proposal Submission Requirements, Section 2.11.6 (B.2).

1.4.4 Contractor's Project Manager must have (i) graduated from a four-year college or university with a Bachelor's Degree or higher, and (ii) experience of at least five (5) years in the last eight (8) years in a project manager capacity in the field of business continuity planning. **(must attach verification of education i.e., copy of diploma or official transcript)**.

1.4.5 Assigned planning staff, to include the equivalent of a Senior Analyst, Senior Planner, and Planner must have graduated from a four-year college or university with a Bachelor's Degree or higher. Four (4) years of experience, in addition to the five years required in Section 1.4.6 below, may be substituted for the Bachelor's degree requirement.

1.4.6 Contractor's Project Manager and Senior Analyst must have at least five (5) years experience in the last eight (8) years designing, implementing, and testing BCP utilizing the full suite of SunGard LDRPS v.10 Business Continuity software tools **(please specify dates)**.

1.4.7 Proposer must have at least two (2) years experience in the last four (4) years developing BCP incorporating the concepts of the Federal Emergency Management Agency (FEMA) COOP for non-federal agencies **(please specify dates)**.

1.4.8 Contractor's Project Manager and assigned project staff must be based in the greater Los Angeles area full time **(please provide the address of project site)**.

1.4.9 Proposer must have managed at least two (2) separate projects within the last eight (8) years developing a comprehensive BCP using SunGard web-based Business Continuity software. This experience must include defining business continuity process design, process mapping, risk assessment, business impact analysis, business continuity strategy development, and business continuity plan documentation, development, and testing for a large size public agency/entity which provides services to a minimum population of 250,000 or private sector entity with 2,500 or more employees with multiple business functions **(please specify dates)**.

1.4.10 Proposer must submit full paper copy or web location of one (1) BCP developed by Proposer and identifying Proposer and key

project staff members as providing consulting services. If Proposer and key project staff are sited on separate BCP documents, please attach one copy of each document.

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

1.4.12 Proposer must not be on the Los Angeles County Debarment List (http://lacounty.info/doing_business/DebarmentList.htm) or on the Office of Inspector General (OIG) Health and Human Services (HHS) Debarment List (www.oig.hhs.gov/fraud/exclusions.asp).

1.4.13 Proposer must identify by name, case, and court jurisdiction any pending litigation in which Proposer is involved, or judgments against Proposer in the past five (5) years. Provide a statement describing the size and scope of any pending or threatening litigation against the Proposer or principals of the Proposer.

1.5 County Rights & Responsibilities

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

1.6 Contract Term

The Agreement shall commence in FY 2012-13 following Board of Supervisors' approval. The BCP project must be completed within (24) twenty-four months.

1.7 Fee Schedule

Contractor shall be reimbursed in accordance with the allowed cost described in the Budget Narrative and Justification (Appendix D, Exhibit 10). In no event shall the total reimbursement exceed County's maximum financial obligation specified in the Contract.

1.8 Funding

The BCP project is funded by the Federal 2008 DRI Grant and administered by the State of California. The total funding for this RFP is $245,000 for the entire contract term.

1.9 Days of Operation

Contractor shall be required to provide BCP Program consulting services onsite at the County specified facilities during the business hours from 8:00 A.M. to 5:00 P.M., Pacific Standard Time (P.S.T.) Monday through Friday (excluding County observed holidays) for the duration of the contract term, unless otherwise authorized by the DMH Project Manager in writing.

1.10 Contact with County Personnel

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

Richard Kushi, Chief
Contracts Development and Administration Division
County of Los Angeles – Department of Mental Health
550 South Vermont Avenue, 5th Floor, Room 500
Los Angeles, CA 90020
E-mail address: rkushi@dmh.lacounty.gov
Fax No. (213) 381-7092

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

1.11 Final Contract Award by the Board of Supervisors

Notwithstanding a recommendation of a Department, agency, individual, or other, the Board of Supervisors retains the right to exercise its judgment concerning the selection of a proposal and the terms of any resultant agreement, and to determine which proposal best serves the interests of the County. The Board is the ultimate decision making body and makes

the final determinations necessary to arrive at a decision to award, or not award, a contract.

1.12 Mandatory Requirement to Register on County's WebVen

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

1.13 County Option to Reject Proposals

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

1.14 Protest Policy Review Process

1.14.1 Review of Requirements

Under Board Policy No. 5.055 (Services Contract Solicitation Protest), any prospective Proposer may request a review of the requirements under a solicitation for a Board-approved services contract, as described in Section 1.14.3 below. Additionally, any actual Proposer may request a review of a disqualification or of a proposed contract award under such a solicitation, as described respectively in the sections below. Under any such review, it is the responsibility of the Proposer challenging the decision of a County Department to demonstrate that the Department committed a sufficiently material error in the solicitation process to justify invalidation of a solicitation or a proposed contract award, as the case may be.

1.14.2 No Obligation to Delay or Postpone Award of Contract

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

1.14.3 Grounds for Review

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

- Review of Solicitation Requirements (Part 2.0, Section 2.5 of the Proposal Submission Requirements Section)
- Review of a Disqualified Proposal (Part 3.0, Section 3.3 of the Selection Process and Evaluation Criteria Section)
- Review of Proposed Contractor Selection (Part 3.0, Section 3.5 of the Selection Process and Evaluation Criteria Section)

1.15 Notice to Proposers Regarding the Public Records Act

1.15.1 Responses to this solicitation shall become the exclusive property of the County. Absent extraordinary circumstances, at such time as (a) with respect to the recommended Proposer's proposal, DMH completes contract negotiations and obtains a letter from an authorized officer of the recommended Proposer that the negotiated contract is a firm offer of the recommended Proposer, which shall not be revoked by the recommended Proposer pending the Department's completion of the process under Board Policy No. 5.055 and approval by the Board of Supervisors and (b) with respect to each Proposer requesting a County Review Panel, the County Review Panel convenes as a result of such Proposers' request, and (c) with respect to all other Proposers, DMH recommends the recommended Proposer(s) to the Board and such recommendation appears on the Board agenda, proposals submitted in response to this solicitation become a matter of public record, with the exception of those parts of each proposal which are justifiably defined as business or trade secrets, and, if by the Proposer, plainly marked as "Trade Secret," "Confidential," or "Proprietary."

1.15.2 The County shall not, in any way, be liable or responsible for the disclosure of any such record or any parts thereof, if disclosure is required or permitted under the California Public Records Act or otherwise by law. **A blanket statement of confidentiality or the marking of each page of the proposal as confidential shall not be deemed sufficient notice of exception. The Proposers must**

specifically label only those provisions of their respective proposal which are "Trade Secrets," "Confidential," or "Proprietary" in nature.

1.16 Financial Viability

1.16.1 Proposers shall submit a current and prior two (2) years' compiled, reviewed or audited financial statements based on annual operating revenues indicated below. The latest audited financial statements may not be older than 18 months at the time of submission of the RFP.

a. Compiled Statement - annual operating revenue averaging up to $49,999.

b. Reviewed Statement - annual operating revenue averaging from $50,000 - $499,999.

c. Audited Statement - annual operating revenue averaging $500,000 or more. The opinion of the Certified Public Accountant (CPA) is to be included. If the opinion is qualified in any way, an explanation regarding the nature of the qualification is to be provided.

Do not submit Income Tax Returns to meet these requirements. Financial statements will be kept confidential if so stamped on each page. Form 990 (for Non-Profit), Department of the Treasury, Internal Revenue Service (IRS) *Return of Organization Exempt from Income Tax*, or Form 1120 (for Profit) *U. S. Corporation Income Tax Return* may be substituted for the CPA prepared financial statements when the latter are not available.

1.16.2 Proposer shall be financially viable as determined by Los Angeles County DMH based on the submission and evaluation of the submitted financial statements. Such financial statement is to include the independent CPA's letter documenting internal control and/or other findings including those from federal single audits, if applicable.

1.17 Indemnification and Insurance

Proposer shall be required to comply with the indemnification provisions contained in the - Appendix A, Consultant Agreement (Sample), Paragraph 8.0. Proposer shall procure, maintain, and provide to the County proof of insurance coverage for all the programs of insurance along with associated amounts specified in the Appendix A, Consultant

Agreement (Sample), Paragraph 8.0.

1.18 SPARTA Program

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

1.19 Injury & Illness Prevention Program (IIPP)

Proposer shall be required to comply with the State of California's California Occupational Safety & Health Administration's regulations. Section 3203 of Title 8 in the California Code of Regulations requires all California employers to have a written, effective Injury and Illness Prevention Program that addresses hazards pertaining to the particular workplace covered by the program.

1.20 Background and Security Investigations

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

1.21 Confidentiality and Independent Contractor Status

As appropriate, Contractor shall be required to comply with the Confidentiality provision contained in Paragraph 57 and the Independent Contractor Status provision contained in Paragraph 20 in Appendix A, Consultant Agreement (Sample).

1.22 Conflict of Interest

No County employee whose position in the County enables him/her to influence the selection of a Contractor for this RFP, or any competing RFP, nor any spouse of economic dependent of such employees, shall be employed in any capacity by a Proposer or have any other direct or indirect financial interest in the selection of a Contractor. Proposer shall certify that he/she is aware of and has read Section 2.180.010 of the Los Angeles County Code as stated Exhibit 5 in Appendix D - Required Forms-Certification of No Conflict of Interest.

1.23 Determination of Proposer Responsibility

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

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

1.23.3 The County may declare a Proposer to be non-responsible for purposes of this contract if the Board of Supervisors, in its discretion, finds that the Proposer has done any of the following: (1) violated a term of a contract with the County or a nonprofit corporation created by the County; (2) committed an act or omission which negatively reflects on the Proposer's quality, fitness, or capacity to perform a contract with the County, any other public entity, or a nonprofit corporation created by the County, or engaged in a pattern or practice which negatively reflects on same; (3) committed an act or omission which indicates a lack of business integrity or business honesty; or (4) made or submitted a false claim against the County or any other public entity.

1.23.4 If there is evidence that the apparent highest ranked Proposer may not be responsible, the Department shall notify the Proposer in writing of the evidence relating to the Proposer's responsibility, and its intention to recommend to the Board of Supervisors that the Proposer be found not responsible. The Department shall provide the Proposer and/or the Proposer's representative with an opportunity to present evidence as to why the Proposer should be found to be responsible and to rebut evidence which is the basis for the Department's recommendation.

1.23.5 If the Proposer presents evidence in rebuttal to the Department, the Department shall evaluate the merits of such evidence, and

based on that evaluation, make a recommendation to the Board of Supervisors. The final decision concerning the responsibility of the Proposer shall reside with the Board of Supervisors.

1.23.6 These terms shall also apply to proposed subcontractors of Proposers on County contracts.

1.24 Proposer Debarment

1.24.1 The Proposer is hereby notified that, in accordance with Chapter 2.202 of the County Code, the County may debar the Proposer from bidding or proposing on, or being awarded, and/or performing work on other County contracts for a specified period of time, which generally will not exceed five (5) years but may exceed five (5) years or be permanent if warranted by the circumstances, and the County may terminate any or all of the Proposer's existing contracts with County, if the Board of Supervisors finds, in its discretion, that the Proposer has done any of the following: (1) violated a term of a contract with the County or a nonprofit corporation created by the County; (2) committed an act or omission which negatively reflects on the Proposer's quality, fitness, or capacity to perform a contract with the County, any other public entity, or a nonprofit corporation created by the County, or engaged in a pattern or practice which negatively reflects on same; (3) committed an act or offense which indicates a lack of business integrity or business honesty; or (4) made or submitted a false claim against the County or any other public entity.

1.24.2 If there is evidence that the apparent highest ranked Proposer may be subject to debarment, the Department shall notify the Proposer in writing of the evidence which is the basis for the proposed debarment, and shall advise the Proposer of the scheduled date for a debarment hearing before the Contractor Hearing Board.

1.24.3 The Contractor Hearing Board shall conduct a hearing where evidence on the proposed debarment is presented. The Proposer and/or Proposer's representative shall be given an opportunity to submit evidence at that hearing. After the hearing, the Contractor Hearing Board shall prepare a tentative proposed decision, which shall contain a recommendation regarding whether the Proposer should be debarred, and, if so, the appropriate length of time of the debarment. The Proposer and the Department shall be provided an opportunity to object to the tentative proposed decision prior to its presentation to the Board of Supervisors.

1.24.4 After consideration of any objections, or if no objections are received, a record of the hearing, the proposed decision and any other recommendation of the Contractor Hearing Board shall be presented to the Board of Supervisors. The Board of Supervisors shall have the right to modify, deny, or adopt the proposed decision and recommendation of the Contractor Hearing Board.

1.24.5 If a Proposer has been debarred for a period longer than five (5) years, that Proposer may, after the debarment has been in effect for at least five (5) years, submit a written request for review of the debarment determination to reduce the period of debarment or terminate the debarment. The County may, in its discretion, reduce the period of debarment or terminate the debarment if it finds that the Proposer has adequately demonstrated one or more of the following: (1) elimination of the grounds for which the debarment was imposed; (2) a bona fide change in ownership or management; (3) material evidence discovered after debarment was imposed; or (4) any other reason that is in the best interests of the County.

1.24.6 The Contractor Hearing Board will consider requests for review of a debarment determination only where (1) the Proposer has been debarred for a period longer than five (5) years; (2) the debarment has been in effect for at least five (5) years; and (3) the request is in writing, states one or more of the grounds for reduction of the debarment period or termination of the debarment, and includes supporting documentation. Upon receiving an appropriate request, the Contractor Hearing Board will provide notice of the hearing on the request. At the hearing, the Contractor Hearing Board shall conduct a hearing where evidence on the proposed reduction of debarment period or termination of debarment is presented. This hearing shall be conducted and the request for review decided by the Contractor Hearing Board pursuant to the same procedures as for a debarment hearing.

1.24.7 The Contractor Hearing Board's proposed decision shall contain a recommendation on the request to reduce the period of debarment or terminate the debarment. The Contractor Hearing Board shall present its proposed decision and recommendation to the Board of Supervisors. The Board of Supervisors shall have the right to modify, deny, or adopt the proposed decision and recommendation of the Contractor Hearing Board.

1.24.8 These terms shall also apply to proposed subcontractors of Proposers on County contracts.

1.24.9 Appendix G provides a link to the County's website where there is a listing of Contractors that are currently on the Debarment List for Los Angeles County.

1.25 Proposer's Adherence to County's Child Support Compliance Program

Proposers shall: 1) fully comply with all applicable State and Federal reporting requirements relating to employment reporting for its employees; and 2) comply with all lawfully served Wage and Earnings Assignment Orders and Notice of Assignment and continue to maintain compliance during the term of any contract that may be awarded pursuant to this solicitation. Failure to comply may be cause for termination of a contract or initiation of debarment proceedings against the non-compliant Contractor (County Code Chapter 2.202).

1.26 Gratuities

1.26.1 **Attempt to Secure Favorable Treatment**
It is improper for any County officer, employee, or agent to solicit consideration, in any form, from a Proposer with the implication, suggestion, or statement that the Proposer's provision of the consideration may secure more favorable treatment for the Proposer in the award of the Contract or that the Proposer's failure to provide such consideration may negatively affect the County's consideration of the Proposer's submission. A Proposer shall not offer or give either directly or through an intermediary, consideration, in any form, to a County officer, employee, or agent for the purpose of securing favorable treatment with respect to the award of the Contract.

1.26.2 **Proposer Notification to County**
A Proposer shall immediately report any attempt by a County officer, employee, or agent to solicit such improper consideration. The report shall be made either to the County manager charged with the supervision of the employee or to the County Auditor-Controller's Employee Fraud Hotline at (800) 544-6861. Failure to report such a solicitation may result in the Proposer's submission being eliminated from consideration.

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

1.27 Notice to Proposers Regarding the County Lobbyist Ordinance

The Board of Supervisors the County of Los Angeles has enacted an ordinance regulating the activities of persons who lobby County officials. This ordinance, referred to as the "Lobbyist Ordinance", defines a County Lobbyist and imposes certain registration requirements upon individuals meeting the definition. The complete text of the ordinance can be found in County Code Chapter 2.160. In effect, each person, corporation or other entity that seeks a County permit, license, franchise, or contract must certify compliance with the ordinance. As part of this solicitation process, it will be the responsibility of each Proposer to review the ordinance independently as the text of said ordinance is not contained within this RFP. Thereafter, each person, corporation, or other entity submitting a response to this solicitation, must certify that each County Lobbyist, as defined by Los Angeles County Code Section 2.160.010, retained by the Proposer is in full compliance with Chapter 2.160 of the Los Angeles County Code and each such County Lobbyist is not on the Executive Office's List of Terminated Registered Lobbyists by completing and submitting the Familiarity with the County Lobbyist Ordinance Certification, as set forth Exhibit 6 in Appendix D - Required Forms as part of their proposal.

1.28 Federal Earned Income Credit

The Contractor shall notify its employees, and shall require each subcontractor to notify its employees, that they may be eligible for the Federal Earned Income Credit under the federal income tax laws. Such notice shall be provided in accordance with the requirements set forth in Internal Revenue Service Notice No. 1015 (Appendix H).

1.29 Consideration of GAIN/GROW Participants for Employment

As a threshold requirement for consideration for contract award, Proposers shall demonstrate a proven record of hiring participants in the County's Department of Public Social Services Greater Avenues for Independence (GAIN) or General Relief Opportunity for Work (GROW) Programs or shall attest to a willingness to consider GAIN/GROW participants for any future employment openings if they meet the minimum qualifications for that opening. Additionally, Proposers shall attest to a willingness to provide employed GAIN/GROW participants access to the Proposers' employee mentoring program, if available, to assist these individuals in obtaining permanent employment and/or promotional opportunities. Proposers who are unable to meet this requirement shall not be considered for contract award. Proposers shall complete and return the form, Attestation of Willingness to Consider GAIN/GROW

Participants, as set forth in Appendix D - Required Forms Exhibit 8, along with their proposal.

1.30 County's Quality Assurance Plan

After contract award, the County or its agent will evaluate the Contractor's performance under the contract no less than on an annual basis. Such evaluation will include assessing Contractor's compliance with all terms in the Contract and performance standards identified in the SOW, Appendix B. Contractor's deficiencies which the County determines are severe or continuing and that may place performance of the agreement in jeopardy if not corrected will be reported to the County's Board of Supervisors. The report will include improvement/corrective action measures taken by the County and Contractor. If improvement does not occur consistent with the corrective action measures, the County may terminate the Contract or impose other penalties as specified in the Contract.

1.31 Recycled Bond Paper

Proposer shall be required to comply with the County's policy on recycled bond paper as specified in Appendix A, Consultant Agreement (Sample), Paragraph 36.

1.32 Safely Surrendered Baby Law

The Contractor shall notify and provide to its employees, and shall require each subcontractor to notify and provide to its employees, a fact sheet regarding the Safely Surrendered Baby Law, its implementation in Los Angeles County, and where and how to safely surrender a baby. The fact sheet is set forth in Appendix I of this solicitation document and is also available on the Internet at www.babysafela.org for printing purposes.

1.33 Jury Service Program

The prospective contract is subject to the requirements of the County's Contractor Employee Jury Service Ordinance ("Jury Service Program") (Los Angeles County Code, Chapter 2.203). Prospective Contractors should carefully read Appendix F, the Contractor Employee Jury Service Ordinance, and the pertinent jury service provisions of Appendix A – Consultant Agreement (Sample), Paragraph 41, both of which are incorporated by reference into and made a part of this RFP. The Jury Service Program applies to both Contractors and their Subcontractors.

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

1.33.1 The Jury Service Program requires Contractors and their Subcontractors to have and adhere to a written policy that provides that its employees shall receive from the Contractor, on an annual basis, no less than five (5) days of regular pay for actual jury service. The policy may provide that employees deposit any fees received for such jury service with the Contractor or that the Contractor deduct from the employee's regular pay the fees received for jury service. For purposes of the Jury Service Program, "employee" means any California resident who is a full-time employee of a Contractor and "full-time" means 40 hours or more worked per week, or a lesser number of hours if: 1) the lesser number is a recognized industry standard as determined by the County, or 2) the Contractor has a long-standing practice that defines the lesser number of hours as full-time. Therefore, the Jury Service Program applies to all of a Contractor's full-time California employees, even those not working specifically on the County project. Full-time employees providing short-term, temporary services of 90 days or less within a 12-month period are not considered full-time for purposes of the Jury Service Program.

1.33.2 There are two ways in which a Contractor might not be subject to the Jury Service Program. The first is if the Contractor does not fall within the Jury Service Program's definition of "Contractor". The Jury Service Program defines "Contractor" to mean a person, partnership, corporation of other entity which has a contract with the County or a Subcontract with a County Contractor and has received or will receive an aggregate sum of $50,000 or more in any 12-month period under one or more County contracts or subcontracts. The second is if the Contractor meets one of the two exceptions to the Jury Service Program. The first exception concerns small businesses and applies to Contractors that have 1) ten or fewer employees; <u>and</u>, 2) annual gross revenues in the preceding twelve months which, if added to the annual amount of this Contract is less than $500,000, <u>and</u>, 3) is not an "affiliate or subsidiary of a business dominant in its field of operation". The second exception applies to Contractors that possess a collective bargaining agreement that expressly supersedes the provisions of the Jury Service Program. The Contractor is subject to any provision of the Jury Service Program not expressly superseded by the collective bargaining agreement.

1.33.3 If a Contractor does not fall within the Jury Service Program's definition of "Contractor" or if it meets any of the exceptions to the Jury Service Program, then the Contractor must so indicate in the Certification Form and Application for Exception, Exhibit 9 in Appendix D - Required Forms, and include with its submission all

necessary documentation to support the claim such as tax returns or a collective bargaining agreement, if applicable. Upon reviewing the Contractor's application, the County will determine, in its sole discretion, whether the Contractor falls within the definition of Contractor or meets any of the exceptions to the Jury Service Program. The County's decision will be final.

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

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

1.35 Transitional Job Opportunities Preference Program

1.35.1 In evaluating proposals, the County will give preference to businesses that are certified by the County as Transitional Job Opportunity vendors, consistent with Chapter 2.205 of the Los Angeles County Code. A Certified Transitional Job Opportunity vendor is, and has been such for three (3) years, an entity: 1) that is a non-profit organization recognized as tax exempt pursuant to section 501 (c) (3) of the Internal Revenue Services Code; set forth, under penalty of perjury, such information as requested by the County on either electronic or hard copy forms, along with their application form and three (3) most recent annual tax returns to the Department with their proposal response to the contracting solicitation for which they are competing; 2) has been in operation for at least one (1) year providing transitional job and the related supportive services to program participants; and 3) provide a profile of their program with a description of their program components designed to assist program participants, number of past program participants, and any other information requested by a contracting Department.

1.35.2 Transitional Job Opportunities vendors must request the preference in their solicitation response and may not receive the preference until their certification has been affirmed by the applicable Department. County must verify the Transitional Job Opportunity vendor certification prior to applying the preference. Sanctions and financial penalties may apply to a Proposer that knowingly and with intent to defraud seeks to obtain or maintain certification as a Transitional Job Opportunities vendor.

1.35.3 To request the Transitional Job Opportunities Preference, Proposer must complete the Transitional Job Opportunities Preference Application Exhibit 12 in Appendix D – Required Forms and submit it along with all supporting documentation with their proposal.

1.36 Contractor's Obligations as an "Inadvertent Medical Record Access" Under the Health Insurance Portability and Accountability Act of 1996 and the Health Information Technology for Economic and Clinical Health Act

Contractor shall be required to comply with the Administrative Simplification requirements of the federal HIPAA as in effect and as may be amended, and with applicable provision of the HITECH Act, as contained in Appendix A, Consultant Agreement (Sample), Paragraph 40.

1.37 Proposer's Charitable Contributions Compliance

1.37.1 California's "Supervision of Trustees and Fundraisers for Charitable Purposes Act" regulates receiving and raising charitable contributions. Among other requirements, those subject to the Charitable Purposes Act must register. The 2004 Nonprofit Integrity Act (SB 1262, Chapter 919) increased Charitable Purposes Act requirements. Prospective Contractors shall read carefully the Background and Resources: California Charities Regulation, Appendix K. New rules cover California public benefit corporations, unincorporated associations, and trustee entities and may include similar foreign corporations doing business or holding property in California. Key Nonprofit Integrity Act requirements affect executive compensation, fund-raising practices and documentation. Charities with over $2 million of revenues (excluding funds that must be accounted for to a governmental entity) have new audit requirements.

1.37.2 All prospective contractors must determine if they receive or raise charitable contributions which subject them to the Charitable Purposes Act and complete the Charitable Contributions Certification, Exhibit 11 as set forth in Appendix D - Required Forms. A completed Exhibit 11 is a required part of any agreement with the County.

1.37.3 In Exhibit 11, prospective contractors certify either that:

- they have determined that they do not now receive or raise charitable contributions regulated under the California

Charitable Purposes Act, (including the Nonprofit Integrity Act) but will comply if they become subject to coverage of those laws during the term of a County agreement,

– OR –

- they are currently complying with their obligations under the Charitable Purposes Act, attaching a copy of their most recent filing with the Registry of Charitable Trusts.

1.37.4 Prospective County contractors that do not complete Exhibit 11 as part of the solicitation process may, in the County's sole discretion, be disqualified from contract award. A County contractor that fails to comply with its obligations under the Charitable Purposes Act is subject to either contract termination or debarment proceedings or both. (County Code Chapter 2.202).

1.38 Defaulted Property Tax Reduction Program

The prospective contract is subject to the requirements of the County's defaulted Property Tax Reduction Program ("Defaulted Tax Program") (Los Angeles County Code, Chapter 2.206). Prospective Contractors should carefully read the Defaulted Tax Program Ordinance, Appendix L, and the pertinent provision of the Consultant Agreement (Sample)-Appendix A, Paragraph 51, which is incorporated by reference into and made a part of this solicitation. The Defaulted Tax Program applies to both Contractors and their Subcontractors.

Proposers shall be required to certify that they are in full compliance with the provisions of the Defaulted Tax Program and shall maintain compliance during the term of any contract that may be awarded pursuant to this solicitation or shall certify that they are exempt from the Defaulted Tax Program by completing Certification of Compliance with the County's Defaulted Property Tax Reduction Program, Exhibit 13 in Appendix D - Required Forms. Failure to maintain compliance, or to timely cure defects, may be cause for termination of a contract or initiation of debarment proceedings against the non-compliant contractor (Los Angeles County Code, Chapter 2.202).

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

2.0 PROPOSAL SUBMISSION REQUIREMENTS

2.1 County Rights and Responsibilities

2.1.1 The County is not responsible for representations made by any of its officers or employees prior to the execution of the Contract, unless such understanding or representation is included in this RFP or any written addenda to this RFP.

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

2.2 Department Options to Reject Proposal Packages

The Director of DMH, at his sole discretion, may reject any or all Proposal Packages submitted in response to this solicitation. DMH shall not be liable for any cost incurred by a Proposer in connection with preparation and submittal of any Proposal Package.

2.3 Truth and Accuracy of Representations

False, misleading, incomplete, or deceptively unresponsive statements in connection with a Proposal Package shall be sufficient cause for rejection of the Proposal Package. The evaluation and determination in this area shall be at the Director's sole judgment and his judgment shall be final.

2.4 RFP Timetable

The following timeline represents DMH's best estimate of the schedule that shall be followed. DMH reserves the right, at its sole discretion, to adjust this schedule as it deems necessary.

Release of RFP ……**Sept. 14, 2012**
Deadline to Submit the Transmittal form to Request a RFP Solicitation Requirements Review (Appendix E) ……....**Sept. 28, 2012**
Mandatory Proposers' Conference ……..…**Oct. 2, 2012**
Mandatory Letter of Intent……**Oct. 12, 2012**

Deadline for Proposal Package Submission at or before 5:00 P.M., P.S.T., Tuesday, October 23, 2012 No Exceptions

2.5 Solicitation Requirements Review

Any person or entity may seek a Solicitation Requirements Review by submitting Appendix E - Transmittal Form to Request a Solicitation Requirements Review to the Department conducting the solicitation as described in this Section. A request for a Solicitation Requirements Review may be denied, in the Department's sole discretion, if the request does not satisfy all of the following criteria:

a. The request for a Solicitation Requirements Review is made within ten (10) business days of the issuance of the solicitation document;

b. The request for a Solicitation Requirements Review includes documentation, which demonstrates the underlying ability of the person or entity to submit a proposal.

c. The request for a Solicitation Requirements Review itemizes in appropriate detail, each matter contested and factual reasons for the requested review; and

d. The request for a Solicitation Requirements Review asserts either that:

   1. Application of the minimum requirements, evaluation criteria and/or business requirements unfairly disadvantages the person or entity; or,

   2. Due to unclear instructions, the process may result in the County not receiving the best possible responses from prospective Proposers.

The Solicitation Requirements Review shall be completed and the Department's determination shall be provided to the requesting person or entity, in writing, within a reasonable time prior to the proposal due date.

2.6 Mandatory Proposers' Conference

A mandatory Proposers' Conference will be held to discuss the RFP. County staff will respond to questions from potential Proposers. All potential Proposers must attend this conference and sign in the attendance sheet legibly. Participation in the Proposers' Conference

shall be mandatory for any Proposer submitting a Proposal. The Mandatory Proposers' Conference will be held:

Tuesday, October 2, 2012
8:00 a.m. (Registration)
8:30 a.m. to 11:30 a.m.
Superior Court Building
600 S. Commonwealth Ave., 2nd Floor, Suite 201, Room 113
Los Angeles, CA 90005
(323) 738-2054

****Please bring your copy of the RFP to the Proposers' Conference.**

2.7 Mandatory Letter of Intent

2.7.1 Proposers shall submit a Mandatory Letter of Intent on agency's letterhead with original signature in order to be qualified to submit a proposal for this RFP. An original hard copy of the Mandatory Letter of Intent must be delivered to and received by DMH, Contracts Development and Administration Division, 5th floor (as specified below) at or before 5 p.m. (P.S.T.) on Friday, October 12, 2012, which is seven (7) days (excluding holidays) after the Proposers' Conference. The Mandatory Letter of Intent does not obligate an agency to submit a Proposal. The Mandatory Letter of Intent must be addressed to:

County of Los Angeles – Department of Mental Health
Contracts Development and Administration Division
550 South Vermont Avenue, 5th Floor Room 500
Los Angeles, CA 90020

Please note: No facsimile (fax) or electronic mail (e-mail) copy will be accepted.

2.7.2 Proposer shall complete the Mandatory Letter of Intent, which must include the following information:

1. Name of Agency
2. Address of Agency
3. Name(s) of Proposed Subcontractor(s), if applicable
4. Service(s) to be provided
5. Contact Person

2.8 Proposers' Questions

2.8.1 Proposers may verbally ask questions at the Proposers' Conference on **Tuesday, October 2, 2012**, during the question and answer session. All questions will be answered during the Proposers' Conference or responded to in writing after the Proposers' Conference. A recording of the Proposers' Conference that includes the question and answer session and the written responses, if any, will be mailed to all Proposers that attend the Proposers' Conference.

2.8.2 When asking questions, please specify the RFP section number, paragraph number, page number and quote the passage that prompted the question. This will ensure that the passage can be quickly found in the RFP.

2.8.3 Questions may address, among other things, concerns that the application of minimum requirements, evaluation criteria and/or business requirements would unfairly disadvantage Proposers or, due to unclear instructions, may result in the County not receiving the best possible responses from Proposer.

2.8.4 Questions, either written or oral, about the RFP or its SOW, will not be accepted prior to or after the Proposers' Conference.

2.9 Submission of Proposal Package

2.9.1 The Proposer's Proposal Package and any related information shall consist of the following items:

- One (1) original Proposal
- Eight (8) Proposal copies
- One (1) Compact Disk shall include all of the files and related information pertaining to Proposer's Proposal Package.

Proposal Package must be typewritten, double spaced, securely bound, identified by the RFP title, and submitted in a sealed package, plainly marked in the upper left hand corner with the name and address of Proposer, addressed to:

County of Los Angeles – Department of Mental Health
Contracts Development and Administration Division (CDAD)
550 South Vermont Avenue, 5th Floor Room 500
Los Angeles, CA 90020

2.9.2 It is the sole responsibility of each Proposer to assure that its Proposal Package is delivered to the address shown above before the submission deadline. Proposers shall bear all risks associated with the use of mail or other delivery service. No facsimile (fax) or electronic mail (e-mail) of the Proposer's Package will be accepted. **The deadline for submitting the Proposal Package is:**

Tuesday, October 23, 2012 at or before 5:00 P.M., P.S.T

2.9.3 Any Proposal Package received after the submission deadline shall be returned, unopened to the sender and shall not be evaluated.

2.9.4 Until the Proposal Package submission deadline, the Proposal Package may be withdrawn or errors in Proposal Packages may be corrected. The Proposal Package may be withdrawn by submitting a request in writing to withdraw the Proposal Package. The Proposal Package may be corrected by submitting a request in writing to withdraw the Proposal Package accompanied by the corrected Proposal Package. Corrections will not be accepted once the deadline for submission of Proposal Packages has passed. Requests to withdraw the Proposal should be addressed to:

County of Los Angeles – Department of Mental Health
Contracts Development and Administration Division
550 South Vermont Avenue, 5th Floor Room 500
Los Angeles, CA 90020

2.10 Preparation of the Proposal

2.10.1 Formatting Requirements

Objective of Proposal Package Submission
The objective of the Proposal Package submission is for DMH to ascertain the Proposer's ability to provide or exceed the required service level.

Proposal Package Submission Format
All Proposal Packages must be submitted in the prescribed format. Any Proposal Package that deviates from this format may be rejected without review at the County's sole discretion. In preparing the written Proposal Package, the Proposer shall ensure the following:

2.10.1.1 Font

- The font size must be an Arial or Univers typeface, and a font size of 12 points and in black ink. No other font size or smaller point size may be used in the Proposal Narrative.

- Type density, including characters and spaces, must be no more than 15 characters per inch.

- Print must be clear and legible.

- Black ink that can be clearly copied must be used.

2.10.1.2 Page Margins

- Pages must be standard size (8 ½" x 11") sheets of paper.
- Margins are at least one inch each (left, right, top, and bottom).

2.10.1.3 Page Numbering

- The Proposal must be single-sided and double-spaced.

- Pages must be numbered consecutively from beginning to end so that information can be located easily during review of the RFP proposal. Do not use suffixes (e.g., 5a, 5b).

- Appendices shall be labeled and separated from the Proposal Narrative and Budget sections, and the pages shall be numbered to continue the sequence.

- Do not include unnumbered pages.

- The cover page shall be page 1, the transmittal letter page 2, minimum mandatory requirements page 4, etc. See sequence format below in Section 2.11 Proposal Format.

2.10.1.4 Tables, charts, figures, graphs, diagrams, and footnotes, if on a separate page, that page shall be numbered to continue the sequence.

- Type size in charts, tables, graphs, and footnotes will not be considered in determining compliance with font size.

- A smaller type size may be used, but it must be in black ink, readily legible, and follow the font typeface requirement.

2.10.1.5 Binding

- Proposals shall be bound in standard, locking 3-ring notebooks. D-Ring notebooks are not acceptable.

- All parts of the Proposal, including the Proposal Narrative, Budget, and all other required forms shall fit in one binder.

- Odd-sized and oversized attachments such as posters will not be copied or sent to reviewers. Do not include videotapes, audiotapes, or other electronic format.

2.10.1.6 The Executive Summary shall be completed and included in the Proposal Package, Section A.

2.10.1.7 Transmittal letter shall be included in the Proposal Package.

2.10.1.8 The Proposal Package **may not be longer than (35) pages**. (applicable to Sections A, B, C, D, E, and H only)

2.10.1.9 In preparing the written Proposal Package, the Proposer shall do so in its own words and not copy the language in the RFP. The Proposer shall ensure that the Proposal Package responds completely and thoroughly to all requirements set forth in this RFP. The objective of the Proposal Package submission is for the County to ascertain the Proposer's ability to meet or exceed the required service level. In addition, specific information is requested from all Proposers to ensure that the Proposal Packages can be fairly compared and evaluated in a standard manner.

2.10.1.10 Proposer must respond to this RFP in accordance with the specifications for content and sequence set forth in the Proposal Package Format herein below. Failure to adhere to these specifications may be cause for rejection of the Proposal Package. No correction or re-submission shall be accepted after the Proposal Package deadline.

2.10.1.11 Only information that is contained in the written Proposal Package will be evaluated. The County reserves the right to waive any irregularity in a submitted Proposal Package.

Questions, either written or oral, about the RFP and its SOW, will not be accepted prior to or after the Proposers' Conference.

2.11 Proposal Format

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

- Cover Page
- Transmittal Letter
- Minimum Mandatory Requirements
- Table of Contents
- Executive Summary (Section A)
- Proposer's Qualifications (Section B)
- Proposer's Approach to Providing Required Services (Section C)
- Staffing, Oversight, and Service Delivery Plan (Section D)
- Administrative Tasks and Quality Assurance (Section E)
- Budget Narrative and Justification (Section F)
- Financial Viability based on Audited Financial Statements (Section G)
- Green Initiatives (Section H)
- Terms and Conditions in Consultant Agreement (Sample), and Requirements of the SOW Acceptance of / or Exceptions to (Section I)
- Proposal Required Forms (Section J)

2.11.1 Cover Page

The cover page shall, at a minimum, identify the document as a Proposal Package stating the exact name of the RFP, Proposal Package submission date, and the Proposer's name.

2.11.2 Transmittal Letter

The transmittal letter must be on the Proposer's stationery, transmitting the Proposal Package. The transmittal letter must include the Proposer's name, address, telephone, and facsimile

numbers of the person or persons to be used for contact and who will be authorized to represent the Proposer. The transmittal letter must bear the signature of the person authorized to sign on behalf of the Proposer and to bind the applicant in a Contract.

2.11.3 Minimum Mandatory Requirements (MMR)

Proposer must demonstrate they meet the minimum mandatory requirements described in Part 1.0 Section 1.4 of this RFP in a concise manner.

2.11.4 Proposer's Organization Questionnaire/Affidavit and Required Support Documentation

The Proposer shall complete, sign, and date the Proposer's Organization Questionnaire/Affidavit Exhibit 1 in Appendix D – Required Forms. The person signing the form must be authorized to sign on behalf of the Proposer and to bind the applicant in a Contract.

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

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

Required Support Documents:

Corporations or Limited Liability Company (LLC):

The Proposer must submit the following documentation with the Proposal:

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

Limited Partnership:

The Proposer must submit a conformed copy of the Certificate of Limited Partnership or Application for Registration of Foreign

Limited Partnership as filed with the California Secretary of State, and any amendments.

2.11.5 Table of Contents

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

2.11.6 Executive Summary (Section A) (limit 2 pages)

Proposer shall provide a brief description of the following:

A.1 Proposer shall provide a brief description of their qualifications, experience, staffing, and approach to meet the primary objectives as described in the RFP and SOW.

A.2 Proposer shall describe their Mission Statement and how it relates to this RFP.

A.3. Proposer shall clearly describe an overview of current services offered.

A.4 Proposer shall submit an Organizational Chart, with a description of the organizational structure to include the role of its management and Board of Directors.

2.11.7 Proposer's Qualifications (Section B) (limit 6 pages)

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

B.1 Proposer's Background and Experience (Section B.1)

Provide a summary of relevant background information based on requirements described in Part 1.0, Section 1.4 Minimum Mandatory Requirement(s) and Part 2.0, Section 2.11.9 Staffing, Oversight, and Service Delivery Plan, both within this RFP, to validate the ability of the Proposer to perform the required services as a corporation or other entity. (Referenced in the Appendix B, SOW.) Additionally, include the following in the brief Proposer summary:

B.1.1 Describe at least two projects where the Proposer mentored another individual in the BCP development process.

B.1.2 Describe a minimum of four (4) characteristics of your mentoring model (e.g.: relationship expectations, instruction of the process).

B.1.3 Proposer shall describe their experience and knowledge developing a comprehensive Continuity

Plan both with and without specialized software such as LDRPS for a jurisdiction with a population greater than 250,000 or an entity greater than 2,500 employees.

B.1.4 Proposer shall describe their experience and knowledge developing the BIA and Risk Assessment (including the Risk Vulnerability Analysis) for a comprehensive Continuity Plan both with and without specialized software such as LDRPS.

B.1.5 Proposer must provide a brief summary of the Project Manager's last four (4) projects to include whether the finished project included: (1) in budget, (2) on schedule, and (3) within scope, by project name. The identified Project Manager must match the name listed within the staffing structure and budget schedule.

B.2 Proposer's References

Proposer must complete Appendix D, Exhibit 2 Prospective Contractor References and also submit three (3) signed letters of reference, including references from contracts or business arrangements where the required or substantially similar scope of services were provided that substantiate Proposer's ability to provide BCP services. If Proposer has any such contracts or business arrangements with other County departments, these departments must be included in these references.

DMH shall not be listed as a reference. References are not limited to those who have/had an actual contract with the Proposer. Other non-contract business arrangements may be reported but must be explained in a manner satisfactory to the County. DMH shall contact and verify the references to assess a Proposer's performance history. It is the Proposer's sole responsibility to ensure that the firm's name and point of contact's name, title, and phone number for each reference is accurate. The same references may be listed on both forms - Exhibits 2 and 3 in Appendix D – Required Forms.

County may disqualify a Proposer if:

1. References fail to substantiate Proposer's description of the services provided; or
2. References fail to support that Proposer has a continuing pattern of providing capable, productive

and skilled personnel; or

3. The Department is unable to reach the point of contact with reasonable effort. It is the Proposer's responsibility to inform the point of contact of normal working hours.

The Proposer must complete and include Exhibits 2, 3, and 4 in Appendix D - Required Forms.

1. Prospective Contractor References, Exhibit 2
   Proposer must provide three (3) references where the same or similar scope of services was provided. If Proposer has any such contracts or business arrangements with other County departments, these departments must be included in these references.

2. Prospective Contractor List of Contracts, Exhibit 3
   The listing must include all Public Entities contracts for the <u>last three (3) years</u>. Use additional sheets if necessary.

3. Prospective Contractor List of Terminated Contracts, Exhibit 4 Listing must include contracts terminated within the past three (3) years with a reason for termination.

2.11.8 Proposer's Approach to Providing Required Services (Section C) (limit 20 pages)

Present a description of the methodology the Proposer will use to meet to meet the intent of Appendix B SOW, Section 3.0, Services to be Provided.

C. Task 1 Develop Project Control Document (PCD)

C.1.1 Proposer shall describe how they will develop the initial PCD comprised of project tasks, deliverables, dependencies, activities, and responsibilities. (as referenced in SOW, Section 3.1, Task 1).

C. Task 2 Provide Project Management Assistance and Monitoring

C. 2.1 Proposer shall describe how they will provide on-going support, management assistance, and BCP mentoring to the DMH Project Manager through the final delivery of DMH BCP.

C. 2.2 Proposer shall describe their knowledge and experience using LDRPS v.10 to develop a continuity plan for a large, complex organization whereby providing the basis for the Proposer to make recommendations pertaining to the usage of the software during this project.

C. Task 3 Participate with the DMH Project Manager in Countywide BCP LDRPS program roll-out

C. 3.1 Proposer shall describe how they will participate, monitor, and ensure the DMH COOP planning process is compliant with the direction and intended usage of LDRPS v.10 planning tools provided through Los Angeles County while ensuring FEMA COOP and California guidance is consistent.

C.3.2 Proposer shall develop a matrix that will include a list of the guidance provided and describe how it will be applied and implemented to ensure accountability and completion of the Countywide directives.

C. Task 4 Develop and conduct BCP and LDRPS v10 training department wide as approved by the DMH Project Manager

C.4.1 Proposer shall describe how they will provide a training program to DMH employees on the usage of LDRPS v.10 software based on training direction and materials provided by Los Angeles County. (as referenced in SOW, Section 3.1, Task 4).

C. Task 5 Assist the DMH Project Manager to initiate COOP Planning Process

C. 5.1 Proposer shall assist DMH Project Manager to initiate the DMH COOP planning process by providing direction and leadership, implementing DMH methodology and assisting with department plan progress and monitoring. The DMH planning tactic will closely follow the concepts of FEMA Continuity of Operations plan development for non-federal entities as well as the State of California Continuity of Operations planning guidance.

C. Task 6 Conduct Department Wide Risk Analysis

C. 6.1 Proposer shall describe how they will develop a brief, accurate, and concise Risk Analysis to include a Vulnerability Assessment that will include all DMH sites both directly operated and co-located. (as referenced in SOW, Section 3.1, Task 6).

C. 6.2 Proposer shall describe how the results of the Risk Analysis and Vulnerability Assessment influence the development of the continuity planning documents. (as referenced in SOW, Section 3.1, Task 6).

C. Task 7 Essential and Essential Support Functions

C. 7.1 Proposer shall describe in detail their process to identify essential and essential support functions for a large, complex organization.

C. Task 8 Conduct Business Impact Analysis *(*BIA*)* Utilizing LDRPS

C. 8.1 Proposer shall describe their experience using LDRPS v.10 and LDRPS v.10 BIA Professional software. (as referenced in SOW, Section 3.1, Task 8).

C.8.2 Proposer shall describe their experience developing a comprehensive BIA both with and without the use of specialized software or LDRPS v.10. (as referenced in SOW, Section 3.1, Task 8).

C. Task 9 Coordinate with DMH Project Manager to Design Plan

C.9.1 Proposer shall describe how they will coordinate with the DMH Project Manager to design a Continuity of Operations plan and approved supporting planning documents that will include the development of the Disaster Recovery Plan (DRP) both with and without utilizing LDRPS v.10 software while ensuring FEMA COOP and California guidance is considered. (as referenced in SOW, Section 3.1, Task 9).

C. Task 10 Develop COOP Plan utilizing LDRPS

C.10.1 Proposer shall describe their methodology to ensure OEM LDRPS v.10 technical guidance compliance while integrating planning concepts from FEMA COOP and the State of California Continuity Planning Guidance. (as referenced in SOW, Section 3.1, Task 10).

C.10.2 Proposer shall describe their experience developing a comprehensive Continuity Plan that integrates planning concepts from FEMA COOP and the State Continuity guidance without the use of the LDRPS v. 10 software tool. (as referenced in SOW, Section 3.1, Task 10).

C. Task 11 Test, Train, and Exercise the Plan

C. 11.1 Proposer shall describe how they will work with the DMH Project Manager to develop scenario, facilitate tabletop exercise, document appropriate changes, and make adjustments to planning documents. (as referenced in SOW, Section 3.1, Task 11).

C. Task 12 Plan Maintenance

C. 12.1 Proposer shall describe the Continuity Plan Maintenance component which includes a Multi-year Strategy, an Implementation outline, and the Program Management element. (as referenced in the SOW, Section 3.1, Task 12).

C. Task 13 Finalize and Distribute Plan

C. 13.1 Proposer shall describe their steps to finalize and distribute all approved continuity planning documents to include ensuring changes have been incorporated into the final planning document.

C. 13.2 Proposer shall describe their steps to support the DMH Project Manager to meet all grant requirements including the Public Participation requirement.

2.11.9 Staffing, Oversight, and Service Delivery Plan (Section D) (limit 3 pages)

Proposer will provide a comprehensive staffing plan to ensure that staff will provide quality BCP services and meet the requirements as stated in Appendix B, SOW, Section 4.0, Staffing, as well as ensure the following requirements are provided and documented:

D.1.1 The Proposer's staffing structure, at a minimum, will be as follows:

a. Project Manager: The Project Manager is responsible for ensuring that the Project Team completes the project. The Project Manager develops the Project Control Document with their team and manages the team's performance of project tasks. It is also the responsibility of the Project Manager to secure acceptance and approval of deliverables from DMH. The Project Manager is responsible for communication, including status reporting, risk management, escalation of issues that cannot be resolved in the team, and, in general, making sure the project is delivered in budget, on schedule, and within scope.

b. Senior Analyst: The Senior Analyst provides task and technical leadership as well as producing deliverables and executing tasks. The Senior Analyst may be responsible for a portion of the Project Control Document.

c. Planner: The Planner is responsible for executing tasks and producing deliverables as outlined in the Project Control Document and directed by the Project Manager, who will also define the Planner's level of effort and participation.

d. Administrative Assistant: The Administrative Assistant is responsible for billing, documentation, and administrative support to the Project Manager and assigned Project Team.

Additional staff may be included; however, for the Proposal to not have points deducted it must include at a minimum the above described four (4) positions.

D.1.2 The Proposer must ensure all assigned project staff have a strong understanding of BCP implementation practices

with proven experience and execution skills by ensuring the following specialized training and experience:

1. One member of Proposer planning staff must have completed CalEMA training MGT-331 Preparing the States: Implementing Continuity of Operations (COOP), revised December 2009.
2. At a minimum, two (2) individuals from the Proposer's team must hold a Professional BCP Certification, such as, but not limited to the following:

    a. Associate Business Continuity Professional (ABCP),
    b. Certified Functional Continuity Professional (CFCP),
    c. Certified Business Continuity Professional (CBCP),
    d. Master Business Continuity Professional (MBCP),
    e. FEMA, Master Continuity Practitioner.

3. Each assigned professional staff (Project Manager, Senior Analyst, and Planner) must have participated or managed in least two (2) separate projects within the last eight (8) years developing a comprehensive business continuity plan using SunGard web-based Business Continuity software. This experience must include defining business continuity process design, process mapping, risk assessment, business impact analysis, business continuity strategy development, and business continuity plan documentation, development, and testing for a large size public agency/entity which provides services to a minimum population of 250,000 or private sector entity with 2,500 or more employees with multiple business functions.

2.11.10 Administrative Tasks and Quality Assurance (Section E) (limit 3 pages)

Contractor must describe their steps to establish and utilize a comprehensive written Quality Assurance and Quality Control Plan including processes to ensure the required services are provided at a consistently high level of service as described in the SOW. (See SOW Section 7.0 Quality Management and Data Collection Plans)

2.11.11 Budget Narrative and Justification (Section F) (N/A to page limit)

Proposer shall use the Budget Instructions to complete Appendix D-Exhibit 10.

2.11.12 Financial Viability based on Audited Financial Statements (Section G) (N/A to page limit)

Provide a current and prior two (2) years compiled, reviewed or audited financial statements. The latest audited financial statements may not be older than 18 months at the time of submission of the RFP.

2.11.13 Green Initiatives (Section H) (limit 1 page)

Contractor shall use reasonable efforts to initiate "green" practices for environmental and energy conservation benefits. The Contractor shall present a brief description of the proposed plan. Contractor shall notify the DMH Project Manager of Contractor's "new" green initiatives prior to the contract commencement.

2.11.14 Terms and Conditions in Consultant Agreement (Sample), and Requirements of the SOW: Acceptance of / or Exceptions to (Section I) (N/A to page limit)

A. It is the duty of every Proposer to thoroughly review the Appendix A, Consultant Agreement (Sample), and Appendix B, SOW to ensure compliance with all terms, conditions and requirements. It is the County's expectation that in submitting a proposal the Proposers will accept, as stated, the County's terms and conditions in the Consultant Agreement (Sample) and the County's requirements in the SOW. However, the Proposers are provided the opportunity to take exceptions to the County's terms, conditions, and requirements.

B. Section I of Proposer's response must include:

1. A statement offering the Proposer's acceptance of or exceptions to all terms and conditions listed in Appendix A, Consultant Agreement (Sample).

2. A statement offering the Proposer's acceptance of or exceptions to all requirements listed in Appendix B, SOW; and

3. For each exception, the Proposer shall provide:

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

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

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

The County reserves the right to make changes to the Appendix A, Consultant Agreement (Sample), and its appendices and exhibits at its sole discretion.

2.11.15 Proposal Required Forms (Section J)

Include the following forms as provided in Appendix D - Required Forms. Complete all forms, and sign and date where applicable.

Exhibit 1 - Proposer's Organization Questionnaire/Affidavit
Exhibit 2 - Prospective Contractor References
Exhibit 3 - Prospective Contractor List of Contracts
Exhibit 4 - Prospective Contractor List of Terminated Contracts
Exhibit 5 - Certification of No Conflict of Interest
Exhibit 6 - Familiarity with the County Lobbyist Ordinance Certification
Exhibit 7 - Proposer's EEO Certification
Exhibit 8 - Attestation of Willingness to Consider GAIN/GROW Participants
Exhibit 9 - Contractor Employee Jury Service Program - Certification Form and Application for Exception
Exhibit 10 - Budget Narrative and Justification
Exhibit 11 - Charitable Contributions Certification
Exhibit 12 - Transitional Job Opportunities Preference Application Other Government Contracts
Exhibit 13 - Defaulted Property Tax Reduction Program

3.0 SELECTION PROCESS AND EVALUATION CRITERIA

3.1 Selection Process

The County reserves the sole right to judge the contents of the proposals submitted pursuant to this RFP and to review, evaluate, and select the successful proposal(s). The selection process will begin with receipt of the proposal on **Tuesday, October 23, 2012**.

Evaluation of the proposals will be made by an Evaluation Committee selected by the Department using The Informed Averaging method (Board of Supervisors Policy No. 5.054). The Committee will evaluate the proposals and will use the evaluation approach described herein to select the most qualified prospective Contractor.

All proposals will be evaluated based on the criteria listed below. All proposals will be scored and ranked in numerical sequence from high to low. The Evaluation Committee may utilize the services of appropriate experts to assist in this evaluation.

After a prospective Contractor has been selected, the County and the prospective Contractor will negotiate a Contract for submission to the Board of Supervisors for its consideration and possible approval. If a satisfactory Contract cannot be negotiated, the County may, at its sole discretion, begin contract negotiations with the next qualified Proposer who submitted a proposal, as determined by the County.

The recommendation to award a Contract will not bind the Board of Supervisors to award a Contract to the prospective Contractor.
The County retains the right to select a Proposal other than the Proposal receiving the highest number of points if County determines, in its sole discretion, another Proposal is the most overall qualified, cost-effective, responsive, responsible, and in the best interests of the County.

3.2 Adherence to Minimum Mandatory Requirements (Pass/Fail)

County shall review the Proposer's Organization Questionnaire/Affidavit - Exhibit 1 of Appendix D - Required Forms, and determine if the Proposer meets the minimum mandatory requirements as outlined in Part 1.0, Section 1.4 of this RFP. Failure of the Proposer to comply with the minimum mandatory requirements may eliminate its proposal from any further consideration.

3.3 Disqualification Review

A proposal may be disqualified from consideration because DMH determined it was non-responsive at any time during the review/evaluation process. If DMH determines that a proposal is disqualified due to non-

responsiveness, DMH shall notify the Proposer in writing.

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

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

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

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

3.4 Proposal Evaluation and Criteria (1000 points, 100%)

The total number of points that can be earned is 1000. Any reviews conducted during the evaluation of the proposal may result in a point reduction.

3.4.1 Executive Summary (40 points, 4%)

The Proposer will be evaluated on its description of Proposer's Executive Summary based on information provided in Section A of the proposal. (Referenced in 2.11.6)

3.4.2 Proposer's Qualifications (200 points, 20%)

1. Proposer will be evaluated on their experience and capacity as a corporation or other entity to perform the required BCP services based on information provided in Section B of the proposal. (Referenced in 2.11.7)

2. Proposer will be evaluated on the verification of references provided in Section B.2 of the RFP. In addition to the references provided, a review will include the County's Contract Database and Contractor Alert Reporting Database, if applicable, reflecting past performance history on County or

other contracts. This review may result in point deductions up to 100% of the total points awarded in this evaluation category. Additionally, a review of terminated contracts will be conducted which may result in point deductions (Referenced in RFP 2.11.7)

3.4.3 Proposer's Approach to Providing Required Services (410 points, 41%)

The Proposer will be evaluated on its description of the methodology to be used to meet the County's requirements based on information provided in Section C of the proposal. (Referenced in RFP 2.11.8)

3.4.4 Staffing, Oversight, and Service Delivery Plan (60 points, 6%)

The Proposer will be evaluated on its description of the processes for identifying, training and managing staff to provide BCP services throughout Los Angeles County based upon information in Section D of the proposal (Referenced in RFP 2.11.9)

3.4.5 Administrative Tasks and Quality Assurance (40 points, 4%)

The Proposer will be evaluated on its ability to establish and maintain a complete Quality Control Plan to ensure the requirements of this Contract are provided as specified. Evaluation of the Quality Control Plan shall cover the proposed monitoring systems for all services listed on the Performance Requirements Summary (PRS) based on the information provided in Section E of the proposal. (Referenced in RFP 2.11.10)

3.4.6 Budget Narrative and Justification (140 points, 14%)

The Proposer will be evaluated on the information provided in the completed budget narrative and justification (Appendix D, Exhibit 10) based upon the minimum expectations noted in Section F 2.11.11 of the proposal, including analysis of the formula/calculation for each item budget amount in the Budget. (Referenced in RFP 2.11.11)

3.4.7 Financial Viability based on Audited Financial Statements (100 points, 10%)

Proposer's Financial Statement, in accordance with Section G, Financial Viability of this proposal, will be evaluated

by DMH staff according to the following four (4) criteria (referenced in RFP 2.11.12):

1. Quick Ratio;
2. Current Ratio;
3. Expense to Income Ratio; and
4. Tangible Net Assets.

An overall rating will be given: Pass (no weak rating) or Fail (includes one (1) weak rating).

3.4.8 Green Initiatives (10 points, 1%)

Proposer will be required to describe its ability to comply with the green requirements as indicated in Section 2.11.13 of this RFP. Proposer must demonstrate in Section H of the proposal its implementation of Executive order 13423 "Strengthening Federal Environmental, Energy and Transportation Management" by utilizing environmentally preferable products and services and its compliance with Natural Resources Defense Council's Green Business Guides.

3.4.9 Transitional Job Opportunities Preference

Eight percent (8%) of the lowest cost proposed will be calculated and that amount will be deducted from the Cost submitted by all Proposers who requested and were granted the Transitional Job Opportunities Preference.

3.4.10 Exceptions to Terms and Conditions of Consultant Agreement (Sample) and/or Requirements of the SOW

Proposer will be required to demonstrate their willingness to accept the Terms and Conditions outlined in Appendix A - Consultant Agreement (Sample), and Appendix B – SOW and Section I of the proposal. The County may deduct rating points or disqualify the proposal in its entirety if the exceptions are material enough to deem the proposal non-responsive. (Referenced in RFP 2.11.14)

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

3.4.11 Scoring Criteria

Proposals will be scored using the criteria below. The maximum scored points for this RFP is 1,000.

Scoring Category	Maximum Points	
	Maximum Points	% of points
A. Executive Summary (2 pages)	40	4%
B. Proposer Qualifications (6 pages)	200	20%
• Background and Experience – 125 Points		
• Proposer's References – 75 Points		
C. Approach to Provide Required Services (20 pages)	410	41%
D. Staffing, Oversight, and Service Delivery Plan (3 pages)	60	6%
E. Administrative Tasks and Quality Assurance (3 pages)	40	4%
F. Budget Schedule (N/A to page limit)	140	14%
▪ Budget Worksheets – 100 Points		
▪ Budget Narrative and Justification – 40 Points		
G. Financial Viability based on Audited Financial Statements (N/A to page limit)	100	10%
H. Green Initiatives (1 page)	10	1%
Total	1,000	100%

3.5 Department's Proposed Contractor Selection Review

3.5.1 Departmental Debriefing Process

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

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

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

3.5.2 Proposed Contractor Selection Review

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

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

1. The person or entity requesting a Proposed Contractor Selection Review is a Proposer;
2. The request for a Proposed Contractor Selection Review is submitted timely (i.e., by the date and time specified by the Department);
3. The person or entity requesting a Proposed Contractor Selection Review asserts in appropriate detail with factual reasons one or more of the following grounds for review:

    a. The Department materially failed to follow procedures specified in its solicitation document. This includes:

        i. Failure to correctly apply the standards for reviewing the proposal format requirements.
        ii. Failure to correctly apply the standards, and/or follow the prescribed methods, for evaluating the proposals as specified in the solicitation document.
        iii. Use of evaluation criteria that were different from the evaluation criteria disclosed in the solicitation document.

    b. The Department made identifiable mathematical or other errors in evaluating proposals, resulting in the Proposer receiving an incorrect score and not being selected as the recommended contractor.
    c. A member of the Evaluation Committee demonstrated

bias in the conduct of the evaluation.

d. Another basis for review as provided by state or federal law; and

4. The request for a Proposed Contractor Selection Review sets forth sufficient detail to demonstrate that, but for the Department's alleged failure, the Proposer would have been the lowest cost, responsive and responsible bid or the highest-scored proposal, as the case may be.

Upon completing the Proposed Contractor Selection Review, the Department representative shall issue a written decision to the Proposer within a reasonable time following receipt of the request for a Proposed Contractor Selection Review, and always before the date the contract award recommendation is to be heard by the Board. The written decision shall additionally instruct the Proposer of the manner and timeframe for requesting a review by a County Review Panel (see Section 3.6 below).

3.6 County Review Panel Process

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

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

1. The person or entity requesting review by a County Review Panel is a Proposer;
2. The request for a review by a County Review Panel is submitted timely (i.e., by the date and time specified by the Department); and
3. The person or entity requesting review by a County Review Panel has limited the request to items raised in the Proposed Contractor Selection Review and new items that (a) arise from the Department's written decision and (b) are of appropriate grounds for requesting a Proposed Contractor Selection Review as listed in Section 3.5.2 above.

Upon completion of the County Review Panel's review, the Panel will forward its report to the Department, which will provide a copy to the Proposer.