



DEPARTMENT OF PUBLIC HEALTH (DPH)

REQUEST FOR APPLICATIONS (RFA)

FOR

**TRANSPORTATION SERVICES FOR ELIGIBLE RYAN WHITE
PROGRAM CLIENTS IN LOS ANGELES COUNTY**

RFA 2019-009

February 26, 2020

REQUEST FOR APPLICATIONS (RFA)
TRANSPORTATION SERVICES FOR ELIGIBLE RYAN WHITE PROGRAM CLIENTS
IN LOS ANGELES COUNTY
TABLE OF CONTENTS

| <u>SECTION</u> | <u>PAGE</u> |
|--|--------------------|
| 1.0 INTRODUCTION | 1 |
| 1.1 Purpose | 1 |
| 1.2 Background..... | 3 |
| 1.3 Overview of Solicitation Document..... | 3 |
| 1.4 Terms and Definitions | 4 |
| 1.5 Applicant's Minimum Mandatory Requirements..... | 4 |
| 1.6 Anticipated Contract Term..... | 5 |
| 1.7 Funding..... | 5 |
| 1.8 County Rights and Responsibilities | 6 |
| 1.9 Contact with County Personnel | 6 |
| 1.10 Mandatory Requirement to Register on County's WebVen..... | 6 |
| 1.11 County Option to Reject Applications or Cancel RFA..... | 7 |
| 1.12 Protest Policy Review Process..... | 7 |
| 1.13 Notice to Applicant's Regarding Public Records Act..... | 8 |
| 1.14 Indemnification and Insurance | 8 |
| 1.15 Injury and Illness Prevention Program (IIPP)..... | 8 |
| 1.16 Background and Security Investigations..... | 9 |
| 1.17 Confidentiality and Independent Contractor Status | 9 |
| 1.18 Conflict of Interest | 9 |
| 1.19 Determination of Applicant Responsibility | 9 |
| 1.20 Applicant Debarment..... | 10 |
| 1.21 Applicant's Adherence to County Child Support Compliance Program..... | 12 |
| 1.22 Gratuities | 12 |
| 1.23 Notice to Applicants Regarding the County Lobbyist Ordinance..... | 13 |
| 1.24 Federal Earned Income Credit | 13 |
| 1.25 Consideration of GAIN/GROW Participants for Employment..... | 13 |
| 1.26 County's Quality Assurance Plan | 14 |
| 1.27 Recycled Bond Paper | 14 |

| <u>SECTION</u> | <u>PAGE</u> |
|--|--------------------|
| 1.28 Safely Surrendered Baby Law..... | 14 |
| 1.29 Jury Service Program..... | 14 |
| 1.30 Overview of County’s Preference Programs..... | 16 |
| 1.31 Local Small Business Enterprise (LSBE) Preference Program (Intentionally Omitted)..... | 16 |
| 1.32 Local Small Business Enterprise (LSBE) Prompt Payment Program..... | 16 |
| 1.33 Social Enterprise (SE) Preference Program (Intentionally Omitted)..... | 17 |
| 1.34 Disabled Veteran Business Enterprise (DVBE) Preference Program (Intentionally Omitted)..... | 17 |
| 1.35 Notification to County of Pending Acquisitions/Mergers by Proposing Company...17 | |
| 1.36 Inadvertent Access Under the Health Insurance Portability and Accountability Act of 1996..... | 17 |
| 1.37 Contractor’s Charitable Contributions Compliance | 17 |
| 1.38 Defaulted Property Tax Reduction Program..... | 18 |
| 1.39 Time off for Voting..... | 19 |
| 1.40 Applicant’s Acknowledgement of County’s Commitment to Zero Tolerance Policy on Human Trafficking..... | 19 |
| 1.41 Protection of Electronic County Information..... | 19 |
| 1.42 Default Method of Payment: Direct Deposit or Electronic Fund Transfer..... | 21 |
| 1.43 Applicant’s Acknowledgement of County’s Commitment to Fair Chance Employment Hiring Practices..... | 21 |
| | |
| 2.0 INSTRUCTIONS TO APPLICANTS | 23 |
| 2.1 County Responsibility..... | 23 |
| 2.2 Truth and Accuracy of Representations | 23 |
| 2.3 RFA Timetable | 23 |
| 2.4 Solicitation Requirements Review | 23 |
| 2.5 Applicants’ Questions | 24 |
| 2.6 Preparation and Format of the Application | 24 |
| 2.7 Application Submission | 26 |
| 2.8 Acceptance of Terms and Conditions of Contract | 27 |

| <u>SECTION</u> | <u>PAGE</u> |
|--|--------------------|
| 3.0 APPLICATION REVIEW/SELECTION PROCESS..... | 29 |
| 3.1 Review Process | 29 |
| 3.2 Disqualification Review | 29 |
| 3.3 Contract Award | 30 |

APPENDICES:

| | |
|------------|--|
| Appendix A | Required Forms |
| Appendix B | Statement of Work |
| Appendix C | Budget Worksheet |
| Appendix D | RFA Transmittal Form to Request a Solicitation Requirements Review |
| Appendix E | County of Los Angeles Policy on Doing Business with Small Business |
| Appendix F | Jury Service Ordinance |
| Appendix G | Listing of Contractors Debarred in Los Angeles County |
| Appendix H | IRS Notice 1015 |
| Appendix I | Background and Resources: California Charities Regulation |
| Appendix J | Defaulted Property Tax Reduction Program |
| Appendix K | Sample Contract |
| Appendix L | Application Transmittal Form |

1.0 INTRODUCTION

1.1 Purpose

The County of Los Angeles (County) Department of Public Health (DPH) is issuing this Request for Applications (RFA) to solicit applications from existing DPH Division of HIV and STD Programs (DHSP)-contracted providers serving eligible RWP clients in Los Angeles County (LAC) to provide Transportation Services for clients accessing Ryan White Program (RWP) services with the goal of addressing and eliminating barriers to health care, prevention, and social services. Applicant must ensure transportation services are client-centered; allowing clients access to needed RWP services in a timely, cost efficient, respectful, and culturally and linguistically appropriate manner. Eligible agencies may apply for funding in the following:

- 1) **Transportation:** Transporting eligible RWP clients to and from non-emergency medical and support service appointments via various transportation modalities*. (Units of transportation services described below)
- 2) **Transportation Coordination:** Arranging and managing transportation for RWP clients (e.g. scheduling rides, disbursement of Transit Access Pass (TAP) cards, invoicing, and data reporting to DHSP).

Unit of Transportation: A unit of transportation is defined as a one-way trip via one of the DHSP approved transportation modalities*.

*Unless otherwise pre-approved by DHSP, Transportation modalities are limited to:

- Municipal Transit (e.g., city buses, etc.);
- Local van/shuttle services;
- Taxi services;
- Ridesharing services;
- Rail services (including trains and commuter and light rail); and
- Existing DHSP-funded vehicles currently in use by DHSP contractors for transportation of eligible Ryan White Program clients.

Transportation modality as coordinated by the agency will be determined by documented client level of need, benefit of respective modality to the client, and cost effectiveness.

Note: Transportation services are strictly limited to non-emergency medical and support services and shall not be utilized for medical

emergency, recreational and/or entertainment purposes.

1.1.1 Eligibility Requirements for Funding of Transportation Coordination

Proposers with DHSP funded Benefit Specialty Services (BSS) contracts:

Proposers who have an existing Benefit Specialty Services (BSS) contract with DHSP will **NOT** be eligible to receive Transportation Coordination funding through this RFA; rather these agencies will be reimbursed for transportation coordination staff time through their existing BSS contract. Existing DHSP-funded Benefits Specialists will incorporate transportation coordination as part of their regular BSS duties, which will be outlined in renewed contracts effective March/April 2020. BSS providers are eligible to apply to be reimbursed for costs of transporting clients (as outlined above in number 1).

Proposers who do not have DHSP funded Benefit Specialty Services (BSS) contracts:

Proposers who do not have an existing BSS contract with DHSP **ARE** eligible to be reimbursed for transportation coordination services through this RFA. These Providers will be reimbursed for the cost of the units of transportation (as outlined above in number 1) and can request up to an additional 20% of the justifiable costs of these units of transportation/rides to cover staff transportation coordination activities.

Transportation Services are primarily limited to eligible RWP clients with incomes at 200% or less of the federal poverty level (FPL)**. For unique cases where RWP clients with incomes above 200% FPL have a documented need for transportation, providers may consult with DHSP's Transportation Services Program Manager and request a waiver of this requirement.

**<https://aspe.hhs.gov/poverty-guidelines>

For further transportation services requirements, please see the Statement of Work, Appendix B.

Interested and qualified agencies may submit a maximum of one (1) application under this RFA. This RFA establishes guidelines, criteria, and procedures for submitting applications for the required services.

1.2 Background

DHSP works closely and collaboratively with various partners, including community-based organizations, clinics, other governmental offices, advocates, and People Living with HIV (PLWH), as it seeks to control and prevent the spread of HIV and Sexually Transmitted Diseases (STDs), monitor HIV/AIDS and STD morbidity and mortality, increase access to care for those in need, and eliminate HIV and STD-related health inequities.

Transportation is a basic and necessary service to ensure ongoing health care and social service access for PLWH. Chronic disease care requires clinician visits, medication access, and visits to other RWP funded services such as oral health care, food assistance programs, and legal services. Transportation limitations are often cited as barriers to whole person care and health care access, leading to rescheduled or missed appointments, delayed care, and missed or delayed medication use. Limited health care access can lead to poorer health outcomes and a higher risk of HIV transmission resulting in lower viral load suppression.

1.3 Overview of Solicitation Document

This RFA is composed of the following parts:

- **GENERAL INFORMATION:** Specifies the Applicant's minimum mandatory requirements and provides information regarding some of the requirements of the Contract and the solicitation process.
- **INSTRUCTIONS TO APPLICANTS:** Contains instructions to Applicants on how to prepare and submit their application.
- **APPLICATION REVIEW/SELECTION PROCESS:** Explains how the application will be reviewed, selected, and qualified.
- **APPENDICES:**
 - A - **Required Forms:** Forms contained in this section must be completed and included in the application.
 - B - **Statement of Work**
 - C - **Budget Worksheet:** Application Budget Worksheet
 - D - **Transmittal Form to Request a Solicitation Requirements Review:** Transmittal sent to DPH requesting a Solicitation Requirements Review.
 - E - **County of Los Angeles Policy of Doing Business with Small Business:** County Code.

- F - Jury Service Ordinance:** County Code Sections 2.203.010 through 2.203.090.
- 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 - 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.
- J - Defaulted Property Tax Reduction Program:** County Code.
- K - Sample Contract:** The Sample Contract used for this solicitation.
- L - Application Transmittal Form**

1.4 Terms and Definitions (Please refer to Section 2.0 of Appendix B, Statement of Work (SOW), Transportation Services for Eligible Ryan White Program Clients in Los Angeles County)

1.5 Applicant’s Minimum Mandatory Requirements

Interested and qualified Applicants that can demonstrate their ability to successfully provide the required services outlined in Appendix B, Statement of Work (SOW), Transportation Services for Eligible Ryan White Program Clients in Los Angeles County, of this RFA are invited to submit an application provided they meet the following minimum mandatory requirements by the date on which applications are due, as described in Section 2.3 of this RFA:

1.5.1 Ryan White Program Service Provider in Los Angeles County:

Applicant must be an existing DHSP-funded service provider serving Ryan White Program eligible clients in Los Angeles County.

1.5.2 Unresolved Disallowed Costs

If Applicant’s compliance with a County contract has been reviewed by the Department of the Auditor-Controller within the last ten (10) years, Applicant must not have unresolved questioned costs identified by the Auditor-Controller, in an amount over \$100,000, that are confirmed to be disallowed costs by the contracting County department and remain unpaid for six

months or more from the date of disallowance, unless such disallowed costs are the subject of current good faith negotiations to resolve the disallowed costs, in the opinion of the County.

County will verify that Applicant does not have unresolved disallowed costs.

Note: Subcontractors may not be used to meet any of the Applicant's Minimum Mandatory Requirements.

1.6 Anticipated Contract Term

The Contract term shall be effective upon date of execution and shall continue for a period of three (3) years, unless sooner terminated or extended in whole or in part, as specified in Appendix K, Sample Contract.

The County shall have the sole option to extend the Contract term for up to two (2) additional one (1) year terms. Each such option shall be exercised at the sole discretion of the Department Head or designee as authorized by the Board of Supervisors, subject to Contractor performance and availability of funds.

1.7 Funding

The County anticipates awarding a total annual amount not to exceed \$980,000, effective upon date of contract execution. The available funds are subject to change. The County reserves the right to adjust the number of contracts/awards and the funding allocations.

Funding allocations will be based on:

- Estimated number of RWP eligible clients Applicant plans to serve;
- Estimated number of units of transportation service it plans to provide;
- Total number of Applicants to this RFA;
- Geographic areas of need in LAC; and
- DHSP data to verify number of Ryan White Program eligible clients Applicant serves.

Furthermore, to ensure adequate distribution of resources across all RWP providers, amounts requested by applicants in their budget may not be fully allocated. The amount of funding available to support these services is subject to the availability of funds from local, State, federal, and/or other resources as applicable. In all cases, the County reserves the right to make an award when it is determined to be in the best interests of the County.

1.8 County Rights and Responsibilities

The County has the right to amend this RFA 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 Applicants on the following websites:

Los Angeles County Department of Public Health
Contracts and Grants Division

<http://publichealth.lacounty.gov/cg/index.htm>

Los Angeles County – Doing Business With Us

<http://camisvr.co.la.ca.us/lacobids/BidLookUp/BidOpenStart.asp>

It is the Applicant's responsibility to check the above referenced websites regularly. Should an addendum require additional information not previously requested, failure to address the requirements of such addendum may result in the application 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.

The County shall in no way be liable or responsible to an Applicant or any third party for any costs incurred in connection with the preparation or submission of any application, the modification of any of the Applicant's operations in responding to this RFA, an Applicant's protest of the contract award process, and/or the contract negotiation process.

1.9 Contact with County Personnel

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

José Cueva, Contract Analyst
County of Los Angeles, Department of Public Health
E-mail: jcueva@ph.lacounty.gov

If it is discovered that Applicant 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 application from further consideration.

1.10 Mandatory Requirement to Register on County's WebVen

Prior to Contract award, all potential Contractors **must register** in the County's vendor registration website (WebVen) if not already registered. 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://camisvr.co.la.ca.us/webven/>.

1.11 County Option to Reject Applications and/or Cancel RFA

The County may, at its sole discretion, reject any or all applications submitted in response to this solicitation. In addition, the RFA process may be canceled at any time if the Director determines, at her sole discretion, that a cancellation is in the best interest of the County. The County shall not be liable for any costs incurred by an Applicant in connection with the preparation and submittal of any application. The County, in its sole discretion, may elect to waive any error or informalities in the form of an application or any other disparity, if, as a whole, the application substantially complies with the RFA's requirements.

1.12 Protest Policy Review Process

1.12.1 Under Board Policy No. 5.055 (Services Contract Solicitation Protest), any prospective Applicant may request a review of the requirements under a solicitation for a Board-approved services contract, as described in Section 1.12.3 below. Additionally, any actual Applicant may request a review of a disqualification or of a proposed contract award under such a solicitation, as described respectively in the Sections below. It is the responsibility of the Applicant challenging the decision of a County department to demonstrate that the department committed a sufficiently material error in the solicitation process to justify invalidation of a proposed contract award.

1.12.2 Throughout the review process, the County has no obligation to delay or otherwise postpone an award of contract based on an Applicant 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.

1.12.3 Department Levels of Review

Unless State or federal statutes or regulations otherwise provide, the levels of review as provided for under the protest policy is as follows:

- Solicitation Requirements Review (Reference Section 2.4 in the Instructions to Applicants section)
- Disqualification Review (Reference Section 3.2 in the Application Review/Selection section)

1.13 Notice to Applicants Regarding the Public Records Act

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

Notwithstanding the above, absent extraordinary circumstances, all applications will become a matter of public record when the DPH's Applicant recommendation appears on the Board agenda.

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

1.13.2 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 application as confidential shall not be deemed sufficient notice of exception. The Applicant must specifically label only those provisions of their respective application which are "Trade Secrets," "Confidential," or "Proprietary" in nature.

1.14 Indemnification and Insurance

Contractor shall be required to comply with the indemnification provisions contained in Appendix K – Sample Contract, Paragraph 11. Applicant shall procure, maintain, and provide to the County proof of insurance coverage for all the programs of insurance along with associated amounts specified in Appendix K – Sample Contract, Paragraphs 12 and 13.

1.15 Injury and Illness Prevention Program (IIPP)

Contractor shall be required to comply with the State of California's Cal OSHA's regulations. Section 3203 of Title 8 in the California Code of Regulations requires all California employers to have a written, effective Injury and Illness Prevention Program (IIPP) that addresses hazards pertaining to the particular workplace covered by the program.

1.16 Background and Security Investigations

Background and security investigations of contractor's staff shall be required as a condition of beginning and continuing work under any resulting contract, pursuant to Appendix K – Sample Contract, Paragraph 23, Sub-paragraph D. The cost of background checks is the responsibility of the Applicant.

1.17 Confidentiality and Independent Contractor Status

As appropriate, the Contractor shall be required to comply with the Confidentiality provision contained in Appendix K - Sample Contract, Paragraphs 9, and the Independent Contractor Status provision contained in Appendix K – Sample Contract, Paragraph 50.

1.18 Conflict of Interest

No County employee whose position in the County enables him/her to influence the selection of a contractor for this RFA, or any competing RFA, nor any spouse or economic dependent of such employees, shall be employed in any capacity by an Applicant or have any other direct or indirect financial interest in the selection of a contractor. Applicant shall certify that he/she is aware of and has read Section 2.180.010 of the Los Angeles County Code as stated in Appendix A - Required Forms, Exhibit 3 - Certification of No Conflict of Interest.

1.19 Determination of Applicant Responsibility

1.19.1 A responsible Applicant is an Applicant 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 Applicants.

1.19.2 Applicants are hereby notified that, in accordance with Chapter 2.202 of the County Code, the County may determine whether the Applicant is responsible based on a review of the Applicant'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 Applicant against public entities. Labor law violations which are the fault of the subcontractors, and of which the Applicant had no knowledge, shall not be the basis of a determination that the Applicant is not responsible.

1.19.3 The County may declare an Applicant to be non-responsible for purposes of this Contract if the Board of Supervisors, in its discretion, finds that the Applicant 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 Applicant'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.

- 1.19.4 If there is evidence that the Applicant may not be responsible, DPH shall notify the Applicant in writing of the evidence relating to the Applicant's responsibility, and its intention to recommend to the Board of Supervisors that the Applicant be found not responsible. DPH shall provide the Applicant and/or the Applicant's representative with an opportunity to present evidence as to why the Applicant should be found to be responsible and to rebut evidence which is the basis for DPH's recommendation.
- 1.19.5 If the Applicant presents evidence in rebuttal to DPH, DPH shall evaluate the merits of such evidence, and based on that evaluation, make a recommendation to the Board. The final decision concerning the responsibility of the Applicant shall reside with the Board.
- 1.19.6 These terms shall also apply to proposed subcontractors of Applicants on County contracts.

1.20 Applicant Debarment

- 1.20.1 Applicants are hereby notified that, in accordance with Chapter 2.202 of the County Code, the County may debar an Applicant 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 Applicant's existing contracts with County, if the Board finds, in its discretion, that the Applicant 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 Applicant'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.
- 1.20.2 If there is evidence that the apparent highest-ranked Applicant may be subject to debarment, DPH shall notify the Applicant in writing of

the evidence which is the basis for the proposed debarment and shall advise the Applicant of the scheduled date for a debarment hearing before the Contractor Hearing Board.

- 1.20.3 The Contractor Hearing Board shall conduct a hearing where evidence on the proposed debarment is presented. The Applicant and/or Applicant'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 Applicant should be debarred, and, if so, the appropriate length of time of the debarment. The Applicant and DPH shall be provided an opportunity to object to the tentative proposed decision prior to its presentation to the Board of Supervisors.
- 1.20.4 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.
- 1.20.5 If an Applicant has been debarred for a period longer than five (5) years, that Applicant 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 Applicant 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.
- 1.20.6 The Contractor Hearing Board will consider requests for review of a debarment determination only where (1) the Applicant 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.

- 1.20.7 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.
- 1.20.8 These terms shall also apply to proposed subcontractors of Applicants on County contracts.
- 1.20.9 Appendix G – Listing of Contractors Debarred in Los Angeles County 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.

1.21 Adherence to County's Child Support Compliance Program

Applicants 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).

1.22 Gratuities

1.22.1 Attempt to Secure Favorable Treatment

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

1.22.2 Applicant Notification to County

An Applicant 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 or <http://fraud.lacounty.gov/>. Failure to report such a solicitation may result in the Applicant's submission being eliminated from consideration.

1.22.3 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.

1.23 Notice to Applicants Regarding the County Lobbyist Ordinance

The Board 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 Applicant to review the ordinance independently as the text of said ordinance is not contained within this RFA. 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 Applicant is in full compliance with Chapter 2.160 of the Los Angeles County Code by completing and submitting the Familiarity with the County Lobbyist Ordinance Certification form, as set forth in Appendix A - Required Forms Exhibit 5, as part of their application.

1.24 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 Appendix H - The Internal Revenue Service (IRS) Notice No. 1015.

1.25 Consideration of GAIN/GROW Participants for Employment

As a threshold requirement for consideration of a contract award, Applicants shall demonstrate a proven record of hiring participants in the County's Department of Public Social Services Greater Avenues for Independence (GAIN) or General Relief Opportunity for Work (GROW) Programs or shall attest to a willingness to consider

GAIN/GROW participants for any future employment openings if the participants meet the minimum requirements for that opening. Applicants shall attest to a willingness to provide employed GAIN/GROW participants access to the Applicant's employee mentoring program, if available, to assist these individuals in obtaining permanent employment and/or promotional opportunities. Applicants who are unable to meet this requirement shall not be considered for a contract award. Applicants shall complete and return the Attestation of Willingness to Consider GAIN/GROW Participants form (Appendix A - Required Forms, Exhibit 6), as part of their application.

1.26 County's Quality Assurance Plan

After contract award, the County or its agent will monitor the contractor's performance under the contract on a periodic basis. Such monitoring will include assessing Contractor's compliance with all terms and conditions in the contract and performance standards identified in the Appendix B - SOW. Contractor's deficiencies which the County determines are significant or continuing and that may jeopardize performance of the contract will be reported to the Board. The report will include improvement/corrective action measures taken by the County and the contractor. If improvement does not occur consistent with the corrective action measures, the County may terminate the contract in whole or in part, or impose other penalties as specified in the contract.

1.27 Recycled Bond Paper

Applicant shall be required to comply with the County's policy on recycled bond paper as specified in Appendix K – Sample Contract, Paragraph 65.

1.28 Safely Surrendered Baby Law

Contractor shall notify and provide to its employees and shall require each subcontractor to notify and provide to its employees, information regarding the Safely Surrendered Baby Law, its implementation in Los Angeles County, and where and how to safely surrender a baby. The information is available at www.babysafela.org.

1.29 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 the Jury Service Ordinance, Appendix F, and the pertinent jury service provisions of the Appendix K, Sample Contract, Paragraph 31, both of which are incorporated by reference into and made a part of this RFA. The Jury Service Program applies to both Contractors and their Subcontractors. Applications that fail to comply with the

requirements of the Jury Service Program will be considered non-responsive and excluded from further consideration.

- 1.29.1 The Jury Service Program requires contractors and their subcontractors to have and adhere to a written policy that provides that its employees shall receive from the contractor, on an annual basis, no less than five days of regular pay for actual jury service. The policy may provide that employees deposit any fees received for such jury service with the contractor or that the contractor deducts from the employee's regular pay the fees received for jury service. For purposes of the Jury Service Program, "employee" means any California resident who is a full-time employee of a contractor and "full-time" means 40 hours or more worked per week, or a lesser number of hours if: 1) the lesser number is a recognized industry standard as determined by the County, or 2) the contractor has a long-standing practice that defines the lesser number of hours as full-time. Therefore, the Jury Service Program applies to all of a contractor's full-time California employees, even those not working specifically on the County project. Full-time employees providing short-term, temporary services of 90 days or less within a 12-month period are not considered full-time for purposes of the Jury Service Program.
- 1.29.2 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 or 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; and, 2) annual gross revenues in the preceding twelve months which, if added to the annual amount of this contract is less than \$500,000, and, 3) is not an "affiliate or subsidiary of a business dominant in its field of operation". The second exception applies to contractors that possess a collective bargaining contract 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 contract.
- 1.29.3 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 Jury Service Program Certification Form and Application for Exception, as set forth in Appendix A - Required Forms Exhibit 7, 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.

1.30 Overview of County's Preference Programs

- 1.30.1 The County has three preference programs: The Local Small Business Enterprise (LSBE), Disabled Veterans Business Enterprise (DVBE), and Social Enterprise (SE). The Board encourages business participation in the County's contracting process by continually streamlining and simplifying our selection process and expanding opportunities for these businesses to compete for County opportunities.
- 1.30.2 The Preference Programs (LSBE, DVBE, and SE) require a business to complete certification prior to requesting a preference in a solicitation.
- 1.30.3 In no case shall the preference programs (LSBE, DVBE, and SE) price or scoring preference be combined with any other County preference program to exceed fifteen percent (15%) in response to any County solicitation.
- 1.30.4 Sanctions and financial penalties may apply to a business that knowingly, and with intent to defraud, seeks to obtain or maintain certification as a certified LSBE, DVBE, or SE when not qualified.
- 1.30.5 The County has a Policy on Doing Business with Small Business that is stated in Appendix E.

Note: Cost is not a determining factor in this solicitation process; as such, no preference will be applied. However, LSBE Applicants are encouraged to apply for certification to take advantage of the LSBE Prompt Payment Program further identified in this RFA, Section 1.32 Local Small Business Enterprise Prompt Payment Program.

1.31 Local Small Business Enterprise (LSBE) Preference Program (Intentionally Omitted)

1.32 Local Small Business Enterprise (LSBE) Prompt Payment Program

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

1.33 Social Enterprise (SE) Preference Program (Intentionally Omitted)

1.34 Disabled Veteran Business Enterprise (DVBE) Preference Program (Intentionally Omitted)

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

The Applicant shall notify the County of any pending acquisitions/mergers of its company unless otherwise legally prohibited from doing so. If the Applicant is legally restricted from notifying the County of pending acquisitions/mergers, then it should notify the County of the actual acquisitions/mergers as soon as the law allows and provide to the County the legal framework that restricted it from notifying the County prior to the actual acquisition/merger. This information shall be provided by the Applicant on Required Form - Exhibit 2 - Applicant's Organization Questionnaire/Affidavit and Community Business Enterprise (CBE) Information. Failure of the Applicant to provide this information may eliminate its application from any further consideration.

1.36 Inadvertent Access Under the Health Insurance Portability and Accountability Act of 1996 (HIPAA)

Contractor shall be required to comply with the Administrative Simplification requirements of the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) as in effect and as may be amended, as contained in Appendix K, Sample Contract, Exhibit H.

1.37 Contractor'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 should carefully read the Background and Resources: California Charities Regulations, Appendix I. 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 form (Exhibit

8 of Appendix A - Required Forms). The Charitable Contributions Certification form is a required part of any agreement with the County.

1.37.3 In the Charitable Contributions Certification, 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 contractors that do not complete the Charitable Contributions Certification form 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 Property Tax Reduction Program, Appendix J, and the pertinent provisions of the Sample Contract, Appendix K, Paragraphs 81 and 82, both of which are incorporated by reference into and made a part of this solicitation. The Defaulted Tax Program applies to both contractors and their subcontractors.

Applicants shall 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 the Certification of Compliance with The County's Defaulted Property Tax Reduction Program (Exhibit 9 of Appendix A – 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-compliance contractor (Los Angeles County Code, Chapter 2.202).

Applications that fail to comply with the certification requirements of the Defaulted

Tax Program will be considered non-responsive and excluded from further consideration.

1.39 Time Off for Voting

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

1.40 Applicant's Acknowledgement of County's Commitment to the Zero Tolerance Policy on Human Trafficking

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

Contractors are required to complete the Zero Tolerance Policy on Human Trafficking Certification (Exhibit 10 of Appendix A – Required Forms), certifying that they are in full compliance with the County's Zero Tolerance Policy on Human Trafficking provision as defined in Paragraph 32 - Compliance with County's Zero Tolerance Policy on Human Trafficking of Appendix K - Sample Contract. Further, contractors are required to comply with the requirements under said provision for the term of any contract awarded pursuant to this solicitation.

1.41 Protection of Electronic County Information

1.41.1 Protection of Electronic County Personal Information (PI), Protected Health Information (PHI) and Medical Information (MI) — Data Encryption Standard

1.41.1.1 The prospective contract is subject to the encryption requirements set forth below (collectively, the "Encryption Standards"). Contractors shall become familiar with the Encryption Standards and the pertinent provisions of the Appendix K – Sample Contract, Paragraph 43 both of which are incorporated by reference into and made a part of this solicitation.

1.41.1.2 Applicants shall be required to complete the Vendor's Compliance with Encryption Requirements form (Exhibit 11 of Appendix A - Required Forms) providing information about their

encryption practices and certifying that they will be in compliance with the Encryption Standards at the commencement of the contract and during the term of any contract that may be awarded pursuant to this solicitation. Contractors that fail to comply with the certification requirements of this provision will be considered non-responsive and excluded from further consideration.

- 1.41.1.3 Contractors' use of remote servers (e.g. cloud storage, Software-as-a-Service or SaaS) for storage of County PI, PHI and/or MI shall be disclosed by contractors in Exhibit 11 and shall be subject to written pre-approval by the County's Chief Executive Office. Any use of remote servers may subject the contractor to additional encryption requirements for such remote servers.

1.41.2 Encryption Standards:

1.41.2.1 Stored Data:

Contractors' and subcontractors' workstations and portable devices (e.g., mobile, wearables, tablets, thumb drives, external hard drives) require encryption (i.e. software and/or hardware) in accordance with:

- a) Federal Information Processing Standard Publication (FIPS) 140-2;
- b) National Institute of Standards and Technology (NIST) Special Publication 800-57 Recommendation for Key Management — Part 1: General (Revision 3);
- c) NIST Special Publication 800-57 Recommendation for Key Management – Part 2. Best Practices for Key Management Organization; and
- d) NIST Special Publication 800-111 Guide to Storage Encryption Technologies for End User Devices.

Advanced Encryption Standard (AES) with cipher strength of 256-bit is minimally required.

1.41.2.2 Transmitted Data:

All transmitted (e.g. network) County PI, PHI and/or MI require encryption in accordance with:

-
- a) NIST Special Publication 800-52 Guidelines for the Selection and Use of Transport Layer Security Implementations; and
 - b) NIST Special Publication 800-57 Recommendation for Key Management – Part 3: Application-Specific Key Management Guidance.

Secure Sockets Layer (SSL) is minimally required with minimum cipher strength of 128-bit.

1.42 Default Method of Payment: Direct Deposit or Electronic Fund Transfer

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

1.43 Applicant's Acknowledgement of County's Commitment to Fair Chance Employment Hiring Practices

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

Contractors are required to complete the Compliance with Fair Chance Employment Hiring Practices Certification form (Exhibit 12 of Appendix A - Required Forms), certifying that they are in full compliance with Government Code

Section 12952, as indicated in Appendix K – Sample Contract, Paragraph 83. Further, contractors are required to comply with the requirements under Government Code Section 12952 for the term of any contract awarded pursuant to this solicitation.

2.0 INSTRUCTIONS TO APPLICANTS

This Section contains key project dates and activities as well as instructions to Applicants in how to prepare and submit their application.

2.1 County Responsibility

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

2.2 Truth and Accuracy of Representations

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

2.3 RFA Timetable

| | |
|---|-------------------|
| Release of RFA | February 26, 2020 |
| Request for a Solicitation Requirements Review Due by 3:00 pm | March 4, 2020 |
| Applicants' Written Questions Due by 3:00 pm | March 4, 2020 |
| Questions and Answers Released | March 11, 2020 |
| Application Initial due date by 3:00 pm | March 24, 2020 |

All times listed above and throughout this RFA are Pacific Time (PT).

2.4 Solicitation Requirements Review

Any person or entity may seek a Solicitation Requirements Review by submitting Appendix D - Transmittal Form to Request a Solicitation Requirements Review to the contact person identified in Section 1.9, Contact with County Personnel. A request for a Solicitation Requirements Review may be denied, in DPH's sole discretion, if the request does not satisfy all of the following criteria:

1. The request is made by the date provided in Section 2.3, RFA Timetable, to the address and contact person identified in RFA, Section 1.9, Contact with County Personnel;

2. The request includes documentation (e.g. letterhead, business card, etc.), which identifies the underlying authority of the person or entity to submit an application;
3. The request itemizes in appropriate detail, each matter contested and factual reasons for the requested review; and
4. The request asserts either that:
 - a. application of the minimum requirements, evaluation criteria and/or business requirements unfairly disadvantages the person or entity; or,
 - b. due to unclear instructions, the process may result in the County not receiving the best possible responses from the prospective contractor.

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

2.5 Applicants' Questions

Applicants may submit written questions regarding this RFA by **e-mail** with a subject line of "RFA #2019-009 Applicant's Questions" by the deadline specified in Section 2.3, RFA Timetable, to the contact person identified in Section 1.9, Contact with County Personnel.

All questions, without identifying the submitting company, will be compiled with the appropriate answers and issued as an addendum to the RFA. When submitting questions, please specify the RFA section number, paragraph number, page number, and quote the passage that prompted the question to ensure that the question can be quickly found in the RFA. County reserves the right to group similar questions when providing answers.

2.6 Preparation and Format of the Application

All applications must be unbound, SINGLE-SIDED, and submitted in the prescribed format, including all required attachments and forms with original signatures. Any application that deviates from this format may be rejected without review at the County's sole discretion.

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

- Application Transmittal Form (Appendix L)
 - Required Forms (Appendix A)
 - Budget Worksheet (Appendix C)
-

2.6.1 Application Transmittal Form

Applicant must complete and include the Application Transmittal Form, Appendix L, describing the Applicant's legal name, address, authorized representative, and contact information.

2.6.2 Applicant must complete and include the Required Forms (attach any required documents), and the Budget Worksheet, as identified in this section as follows:

2.6.2.1 Required Forms

Appendix A – Required Forms and any required documents for each form, if applicable.

- Exhibit 1 Application Checklist
- Exhibit 2 Vendor's Organization Questionnaire/Affidavit and CBE Information
- Exhibit 3 Certification of No Conflict of Interest
- Exhibit 4 Vendor's EEO Certification
- Exhibit 5 Familiarity with the County Lobbyist Ordinance Certification
- Exhibit 6 Attestation of Willingness to Consider GAIN/GROW Participants
- Exhibit 7 County of Los Angeles Contractor Employee Jury Service Program Certification Form and Application for Exception
- Exhibit 8 Charitable Contributions Certification
- Exhibit 9 Certification of Compliance with the County's Defaulted Property Tax Reduction Program
- Exhibit 10 Zero Tolerance Policy on Human Trafficking Certification
- Exhibit 11 Vendor's Compliance with Encryption Requirements
- Exhibit 12 Compliance with Fair Chance Employment Hiring Practices Certification

Exhibit 13 Acceptance of Terms and Conditions Affirmation

2.6.2.2 Proposed Budget

Applicants must submit a budget that reflects the following:

- 1) Estimated number of eligible RWP clients Applicant plans to serve (please note eligibility requirements for Transportation Services in Section 1.1.1 of this RFA);
- 2) Estimated annual costs for Transportation services; and
- 3) Estimated annual costs for Transportation Coordination. Please refer below to see how and if an agency qualifies for transportation coordination funding.

Proposers who do **NOT** have an existing BSS contract with DHSP will be reimbursed for the cost of the units of transportation, as outlined in Section 1.1 Purpose, and can request up to an additional 20% of the justifiable costs of these units of transportation/rides for transportation coordination activities.

Proposers who have an existing BSS contract with DHSP will **NOT** be eligible to receive transportation coordination funding; rather these agencies will instead be reimbursed for transportation coordination staff time through their existing BSS contract. Existing DHSP-funded Benefits Specialists will incorporate transportation coordination as part of their regular BSS duties, which will be outlined in renewed contracts effective May/June 2020.

Unit of Transportation: A unit of transportation is defined as a one-way trip via one of the DHSP approved transportation modalities.

Applicant shall refer to Appendix C, Budget Worksheet, to prepare its budget.

APPLICANTS RECOMMENDED FOR FUNDING MAY BE REQUIRED TO MODIFY THEIR PROPOSED BUDGET.

2.7 Application Submission

The original Application shall be enclosed in a sealed envelope, plainly marked in the upper left-hand corner with the name and address of the Applicant and bear the words:

**“APPLICATION FOR TRANSPORTATION SERVICES FOR ELIGIBLE RYAN
WHITE PROGRAM CLIENTS IN LOS ANGELES COUNTY”**

The application must be hand-delivered or sent by a delivery service (excluding United States Postal Service) and received by the deadline specified in Section 2.3, RFA Timetable, to:

**José Cueva, Contract Analyst
County of Los Angeles, Department of Public Health
Contracts and Grants Division
1000 South Fremont Avenue, Building A-9 East, 5th Floor
Alhambra, California 91803**

Timely hand-delivered applications are acceptable. It is the sole responsibility of the submitting Applicant to ensure that its application is received before the initial submission deadline. Submitting Applicants shall bear all risks associated with delays in delivery by any person or entity.

This RFA has an initial due date (see **Section 2.3 RFA Timetable**) for applicants to submit their applications but will remain open/continuous and the County may continue accepting applications beyond the initial due date and, depending on service needs, select vendors from this RFA process until the service needs are met or the County chooses to close the RFA.

Until the application submission deadline, errors in applications may be corrected by a request in writing to withdraw the application and by submission of another application with the mistakes corrected.

2.8 Acceptance of Terms and Conditions of Contract

1. It is the duty of every Applicant to thoroughly review the Sample Contract (Appendix K) and Statement of Work (Appendix B) to ensure compliance with all terms, conditions and requirements. It is the County’s expectation that in submitting an application the Applicant will accept, as stated, the County’s terms and conditions in the Sample Contract. However, the Applicants are provided the opportunity to take exceptions to the County’s terms, conditions, and requirements.
2. Applicant’s response must include:
 - a. Submission of completed required form Exhibit 13 (Acceptance of Terms and Conditions Affirmation Form) in Appendix A (Required Forms), offering the Applicant’s acceptance of **all** terms and conditions listed in Appendix K (Sample Contract) and Appendix B (Statement of Work).

OR

- b. A statement listing the Applicant's exceptions to terms and conditions listed in Appendix K (Sample Contract) or Appendix B (Statement of Work). For each exception, the Applicant shall provide:
 - i. An explanation of the reason(s) for the exception; and
 - ii. A 'red-lined' version of the Sample Contract and/or Appendix B (Statement of Work), indicating all exceptions and proposed alternative language. **The County relies on this procedure and any Applicant who fails to make timely exceptions as required herein, may be barred, at the County's sole discretion, from later making such exceptions.**
3. The County reserves the right to determine if Applicant's exceptions are material enough to deem the proposal non-responsive and not subject to further evaluation.
4. The County reserves the right to make changes to the Sample Contract and its appendices and Exhibits at its sole discretion.

3.0 APPLICATION REVIEW/SELECTION PROCESS

3.1 Review Process

Applications will be subject to a detailed review by qualified County staff. The review process will include the following steps:

3.1.1 Adherence to Minimum Mandatory Requirements

County shall review the completed Application Checklist, Exhibit 1, and Vendor's Organization Questionnaire/Affidavit and CBE Information, Exhibit 2, and determine if the Applicant meets the Minimum Mandatory Requirements as outlined in Section 1.5 of this RFA. Exhibit 2 will serve as an Affidavit that vendor attests that it meets the minimum mandatory requirements for the required services.

Applicant must "Pass" each of the Minimum Mandatory Requirements outlined in the RFA. Applications that "Fail" this section of the review shall be deemed non-responsive and shall be disqualified from further consideration.

3.1.2 Required Forms

All forms as listed in Sub-section 2.6.2.1 of this RFA, must be included.

3.1.3 Budget Worksheet

The Budget will be reviewed to ensure it is completed accurately and completely. Applicant must follow the instructions provided in Appendix C – Budget Worksheet. DHSP data will be used to verify number of Ryan White Program eligible clients Applicant's agency serves.

3.2 Disqualification Review

An application may be disqualified from consideration if DPH determines it was a non-responsive application at any time during the review/evaluation process. If DPH determines that an application was non-responsive, DPH shall notify the Applicant in writing.

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

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

1. The request for a Disqualification Review is submitted timely (i.e., by the date

and time specified in the written determination notice); and

2. The request for a Disqualification Review asserts that DPH'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 Applicant, in writing, prior to the conclusion of the evaluation process.

3.3 Contract Award

Applicants who are notified by DPH that they appear to have the necessary requirements and experience (i.e., they are qualified) may still not be recommended for a contract if other requirements necessary for award have not been met. Other requirements may include acceptance of the terms and conditions of the contract, and/or satisfactory documentation that required insurance will be obtained. Only when all such matters have been demonstrated to DPH's satisfaction can Applicant, which is otherwise deemed qualified, be regarded as "selected" for recommendation of a contract.

DPH will execute Board authorized Contracts with each selected Applicant. All Applicants will be informed of the final selections. The execution of a contract does not guarantee any minimum or maximum utilization of services.