RESOLUTION AUTHORIZING THE PRESIDENT AND CEO, OR DESIGNEE, TO SUBMIT AN APPLICATION TO THE CITY OF LOS ANGELES IN RESPONSE TO ITS REQUEST FOR PROPOSALS FOR PROPOSITION K FUNDS AND TO EXECUTE AND SUBMIT ALL NECESSARY DOCUMENTS, INCLUDING ANY AGREEMENTS, AS REQUIRED

_________________________ ________________________________
Douglas Guthrie Marisela Ocampo
President & Chief Executive Officer Director of Housing Services

Purpose: To authorize the President & CEO of the Housing Authority of the City of Los Angeles (“HACLA”) to submit an application to the City of Los Angeles’ ("City") L.A. for Kids Steering Committee in response to its Request for Proposals ("RFP") for Proposition K ("Prop K") funds to install outdoor lighting at Alvarez Park, located in the Ramona Gardens public housing community. The City requires a resolution from the Board of Commissioners, as HACLA’s governing body, authorizing the submission of the application and execution of all necessary documents required should funds be awarded.

Issues: On February 25, 2021, the City’s L.A. For Kids Steering Committee issued a Request for Proposals for $17,376,209 in Prop K funds for the 10th Competitive Funding Cycle, covering fiscal years 2022-2023, 2023-2024, and 2024-2025. The passage of Prop K in 1996 created a City-wide assessment district that generates annual funds for the acquisition, improvement, construction and maintenance of parks and recreational and community facilities through an annual assessment on all real property in the City for 30 years. Funding is provided for capital improvements and for acquisition of land for parks, recreational, or open-space purposes.

The primary purpose of funding allocated through the RFP is to combat the lack and decay of the City’s recreational infrastructure for youth, which has resulted in serious unmet needs for park, recreation, child-care, and community facilities serving youth. Eligible projects under this year’s five (5) funding categories must enhance the recreational opportunities for City residents, especially the City's youth and their families, by providing safe neighborhood parks and facilities. The five (5) categories are: Youth/Schools/Recreational Projects, Aquatic Upgrades, Urban Greening, Acquisition of Parks/Natural Lands, and Unrestricted Funding.

HACLA proposes to submit an application to install outdoor lighting at Ramona Gardens’ Alvarez Park, as it is an open outdoor space with limited exterior lighting. Alvarez Park is used by residents when travelling on foot into and out of Ramona Gardens to various neighborhood services such as Murchison Street Elementary School, churches,
laundromats, and convenience stores. The Ramona Gardens Boys and Girls Club also uses Alvarez Park for its programs. Due to the need for various upgrades, HACLA’s community partners such as Legacy LA and North East Trees applied for and received various grant funds for improvements of park facilities. Legacy LA, through the LA84 Foundation in partnership with the Los Angeles Lakers, received funds to refurbish the basketball court at Alvarez Park. The refurbishment was completed during the first quarter of 2021. North East Trees, through the California Natural Resources Agency, received funds for the Ramona Gardens Green Connections project which will allow the planting of 65 trees at Alvarez Park to improve air quality and esthetics of the park, the installation of raingardens, bioswales, an accessible ramp, irrigation system, walking path, benches, and educational interpretive signs. The Ramona Gardens Green Connections project is in the final stages of the permitting process, with work expected to begin in the coming months. Both projects by Legacy LA and North East Trees are very beneficial to the Ramona Gardens community. However, the lack of lighting continues to render Alvarez Park usable only during daylight hours.

Although $2,070,100 is available under Proposition K’s Unrestricted Funding category, for which the Alvarez Park lighting project would qualify, the feasibility of submitting an application is yet to be finalized. Examining the feasibility includes, but not limited to, completing an initial site investigation for hazardous materials, methane, lead, and asbestos, submitting California Environmental Quality Act compliance information, and receiving letters of support from the Council District, community partners and residents. Additionally, a photometric light analysis will be needed to ensure the type and quantity of fixtures needed. The analysis will also be critical in determining the project budget and site plan. Nevertheless, HACLA is requesting the Board of Commissioners to approve the submission of the application by the due date of May 27, 2021 and to execute the required documents, should it be determined that the project is feasible and it is in the best interest of HACLA to apply and accept an award. Successful Prop K applicants will be notified of their awards by July 2022.

**Vision Plan:** PEOPLE Strategy No. 12: Increase Opportunities for use of common/open space.

Ramona Gardens and its environs are surrounded and crisscrossed by five freeways, including a heavily used freight transport corridor connecting the Port to downtown Los Angeles; both passenger and freight rail lines; and a major intermodal railroad yard. The installation of exterior lighting at Alvarez Park will provide a usable park oasis, improve the community’s esthetics, and allow Ramona Gardens’ residents and the adjacent community more flexibility to use the open space during the day and at night.

**Funding:** *Budget Impact:* As delineated in the RFP, the Prop K funding, if awarded, may fund the project fully (except for HACLA staffing costs) or partially. HACLA staffing costs, including administrative salaries, are not eligible expenses. However, non-HACLA professional project management expenses may be an eligible expense, subject to the final grant award. Matching funds are not required for the submittal of the grant application.
Source of Funds: As noted HACLA staffing costs are not eligible grant expenses. Before the grant is submitted, the Chief Administrative Officer will determine the amount of leverage funding needed and the appropriate source of funds.

Environmental Review: Should Prop K funds be awarded, work will be performed in compliance with the California Environmental Quality Act (Public Resources Code, §21000, et seq.) (“CEQA”).

Section 3: All contracts associated with this project will be subject to HACLA’s Section 3 requirements. Each bidder will be required to submit a Section 3 Economic Opportunity Plan in conformity with the agency’s Section 3 Guide and Compliance Plan and provide employment or other economic opportunities to Section 3 Residents. Specific goals and targets will be agreed upon during each contract review process.

Attachments:
1. Resolution
2. Proposition K - Request for Proposals, 10th Competitive Funding Cycle
RESOLUTION NO.______________

RESOLUTION AUTHORIZING THE PRESIDENT AND CEO, OR DESIGNEE, TO SUBMIT AN APPLICATION TO THE CITY OF LOS ANGELES IN RESPONSE TO ITS REQUEST FOR PROPOSALS FOR PROPOSITION K FUNDS AND TO EXECUTE AND SUBMIT ALL NECESSARY DOCUMENTS, INCLUDING ANY AGREEMENTS, AS REQUIRED

WHEREAS, on February 25, 2021, the City of Los Angeles’ L.A. For Kids Steering Committee issued a Request for Proposals for $17,376,209 in Proposition K funds for the 10th Competitive Funding Cycle, covering fiscal years 2022-2023, 2023-2024, and 2024-2025;

WHEREAS, Proposition K funds are provided for capital improvements and for acquisition of land for parks, recreational, or open-space purposes;

WHEREAS, the Housing Authority of the City of Los Angeles (“HACLA”) desires to submit an application to the City of Los Angeles for Proposition K funds to install outdoor lights at Alvarez Park, located in the Ramona Gardens public housing community;

WHEREAS, the City of Los Angeles requires a resolution from the Board of Commissioners, as HACLA’s governing body, authorizing the submission of the application and execution of all grant documents required should funds be awarded;

WHEREAS, the President and CEO shall ensure compliance with applicable requirements (including reporting requirements), provisions and restrictions set forth in the grant documents and will ensure such grant aligns with the mission of HACLA; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby authorizes the President and CEO, or designee, to submit an application to the City of Los Angeles’ L.A. For Kids Steering Committee in response to the Request for Proposals dated February 25, 2021 for Proposition K funding in furtherance of improvements at Alvarez Park in the Ramona Gardens public housing community, and take any actions and execute any related documents, certifications, contracts, or agreements necessary to submit the application and, if applicable, to accept the funds, as authorized and consistent with this Resolution and the accompanying Board Report, and as approved by legal counsel.

BE IT FURTHER RESOLVED that the undersigned Chairperson of the Board of Commissioners does hereby attest and certify that the foregoing is a true and full copy of a resolution of the governing body adopted at a duly convened meeting on the date above-mentioned, and that the Resolution has not been altered, amended or repealed; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

APPROVED AS TO FORM

HOUSING AUTHORITY OF THE
CITY OF LOS ANGELES

By: __________________________   By: ___________________________
   James Johnson, General Counsel          Ben Besley, Chairperson

DATE ADOPTED: _____________________
CITY OF LOS ANGELES

L.A. FOR KIDS PROGRAM

L.A. FOR KIDS STEERING COMMITTEE
REQUEST FOR PROPOSALS (RFP)

10th Competitive Funding Cycle:

- Proposition K Funds; and
- Health Alternatives to Smoking (HATS) Trust Fund

Fiscal Years 2022-23; 2023-24; 2024-25
Issued: February 25, 2021

DEADLINES TO SUBMIT PROPOSALS IS:
THURSDAY, May 27, 2021, 3:00 p.m.
(Carefully read Instructions on how to submit proposals on Page 3)
Dear Proposer:

As a prelude to this RFP booklet, it is important that you pay close attention to the following information:

Funding for this RFP will only be available for the following funding sources/categories:

Part One - **Proposition K Funds: $16,145,276 (Page 9)**

I. Restricted Funds - Available only for FOUR Funding Categories

   a. Youth Schools/Recreation Projects (recreation as related to schools only): $10,650,619
   
   b. Aquatic Upgrades: $500,000
   
   c. Urban Greening: $195,823
   
   d. Acquisition of Parks/Natural Lands: $2,728,734

II. Unrestricted Funds - Available for all EIGHT Funding Categories


Part Two - **Health Alternatives to Smoking (HATS) Trust Fund: $1,230,933 - (Page 14)**

Note: Your proposal can be for one or a combination of multiple funds from any of the two (2) funding sources/categories listed above.
If you choose to submit a proposal for multiple funding sources/categories (i.e. a combination of more than one funding source/category) please be sure to include separate budget sheets and detailed scope(s) descriptions for each funding source/category.

i.e.: If you submit a proposal with Proposition K funds and HATS funds, separate budget sheets should be provided for each funding source.

**Example:** Under Proposition K - $500 K for acquisition and $1M for HATS, then separate budget sheets should be provided for each funding source.

**Example:** If you wish to submit a proposal with multiple Proposition K funding categories, such as aquatic upgrades, urban greening, etc. again separate budget sheets should be provided for each funding category with the requested amount(s).

Proposals that fail to do so, will be deemed unresponsive.

All proposers are encouraged to register through the City of Los Angeles Business Assistance Virtual Network (BAVN) at [www.labavn.org](http://www.labavn.org), if you have not already done so. This will help you upload some of the required forms, etc.

**Note:**

*You will need to provide the name, telephone number, and email of a qualified person in the proposing agency/organization responsible for the proposal.*

*Prop K staff should be able to contact this person in case of any question(s) related to the submitted proposal.*
City of Los Angeles
L.A. for KIDS PROGRAM
REQUEST FOR PROPOSALS

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Technical Assistance Seminars (TAS)

Due to the technical nature of required materials for the Proposition K and Health Alternatives to Smoking (HATS) Trust Funds, it is mandatory that potential proposers attend one of these FOUR (4) virtual Technical Assistance Seminars (TAS). Potential proposers who do not attend a TAS are NOT eligible to submit a proposal for any of the sources/categories.

Please RSVP via e-mail at engpropkrfp@lacity.org at least three working days prior to the seminar date the proposer wishes to attend. Provide the TAS date you will attend and name of the potential proposer entity. Please make sure that the attendee signs in at the TAS, so that your agency receives credit for attendance at one of the 4 sessions.

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<tr>
<th>Date</th>
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<tbody>
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<td>10:30 am – 12:30 pm</td>
<td><a href="https://meet.google.com/eic-fsbc-gdi">https://meet.google.com/eic-fsbc-gdi</a></td>
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<tr>
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<td>Wednesday, April 14, 2021</td>
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</tr>
</tbody>
</table>

* Dates are subject to change.

Reasonable accommodations as well as information in alternative formats are available upon request. As covered under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services, and activities. Sign Language Interpreters, assistive listening devices, other auxiliary aids, and/or services can be provided upon request. To ensure availability of services, please make your request no later than three working days (72 hours) prior to the seminar by contacting Proposition K staff as noted above.
The City of Los Angeles ("City") will conduct four (4) Technical Assistance Seminars (TAS) for potential proposers prior to the Request for Proposals (RFP) due date. Questions regarding the RFP process and requirements, environmental assessment procedures, and City contracting procedures will be discussed at the TAS. If you have any questions or concerns regarding any of the topics discussed at any of the TAS, please email engpropkrfp@lacity.org. See prior page of this RFP for dates, times, and locations of the TAS. It is mandatory that potential proposers attend one of the four virtual Technical Assistance Seminars (TAS). Potential proposers who do not attend a TAS, and/or sign-in at any one of the virtual seminars roster sheets will not be eligible to submit a proposal.

OVERVIEW

The City is announcing the tenth (10th) open and competitive grant process ("10th Funding Cycle"), to identify eligible proposers and projects for grants to be awarded under the following:

Part One - Proposition K:

I. Approximate Available Restricted Funding by Category:
   
   a. Category 3 - Youth Schools/Recreational Projects: $10,650,619
   
   b. Category 4 - Aquatic Upgrades: $500,000
   
   c. Category 7 - Urban Greening: $195,823
   
   d. Category 8 - Acquisition of Parks/Natural Lands: $2,728,734

II. Approximate Available Unrestricted Funding


Part Two - Health Alternatives to Smoking (HATS) Trust Fund ($1,230,933, pages 13 - 15): Funding for design and construction of youth facilities, located in the HATS eligible Census Tracts. (See Map on page 14 of this RFP)

Link to the HATS Census Tracts Map:
https://ladcp.maps.arcgis.com/apps/webappviewer/index.html?id=2541142a257244198e39df862c7c596f
A total of approximately $17,376,209 will be made available from the two funding sources, (Proposition K & HATS) for projects throughout the City. Eligible proposers may submit separate proposals for an unlimited number of capital improvements and/or acquisition projects within each available funding source or category. **However, proposers must submit each project proposal separately and each proposal must stand alone.**

**Exception:** If the proposer has multiple projects with similar scopes at multiple locations, the proposer can submit all projects under one proposal. An individual budget should be included for each location.

**Note:** One proposal may be submitted for a project that is eligible for multiple funding sources, but the proposal must clearly identify the funding sources that the project should be considered for, and it must meet the submittal requirements for the funding sources identified.

Also, if you choose to submit a proposal for multiple funding sources/categories (i.e. a combination of more than one funding source/category) please be sure to include separate budget sheets and detailed scope(s) descriptions for each funding source/category. SEE PAGE iii above. Proposals that fail to do so, will be deemed unresponsive.

The City reserves the right to fund one, multiple, all or none of the locations/proposals.
INSTRUCTIONS FOR SUBMITTING PROPOSALS ELECTRONICALLY

For the safety of all parties involved during the current COVID-19 Pandemic, proposals will be received ELECTRONICALLY ONLY VIA EMAIL. No hard copy proposals will be accepted. Proposals must be sent via email to engpropkrfp@lacity.org and received no later than 3:00 p.m. on Thursday, May 27, 2021.

NOTE: Each submission file size must be 20 megabytes (MB) or smaller or broken up into multiple files not to exceed 20 MB each. The email subject line should state: Prop K 10th Cycle Proposal – Agency Name – Project Title

If one agency is submitting multiple project proposals, each project proposal should be submitted separately.

Proposals and all required documents are due on or before 3:00 p.m. on Thursday, May 27, 2021.

Proposals received after this time will be deemed non-responsive and ineligible for Prop K and/or HATS funding.
A. **Proposal Conditions**

1. All costs of the proposal preparation, including site visits if applicable, shall be borne by the proposer’s agency. The City shall not, in any event, be liable for any pre-contractual expenses incurred by the proposer in the preparation or submission of the proposal. The proposer shall not include any such expense as part of the budget in the proposal.

2. The proposal must set forth full, accurate, and complete information as required by this RFP.

3. Proposers may submit more than one project proposal package; however, each proposal package must be complete and must stand on its own.

4. Proposals may be withdrawn by the applicant by written request at any time up to the time of the funding/grant award, if any.

B. **Authority to Proceed**

1. Implementation of the proposed activities will proceed only after the City has signed and executed a Grant Agreement with the selected proposer. Any project activity or cost associated therewith which takes place prior to contract execution will be at the financial risk of the proposer.

2. A sample standard agreement for a Proposition K Grant and/or HATS is available at [http://propk.lacity.org](http://propk.lacity.org). Click the menu item entitled Competitive Grants at the left side of the webpage and then click on Standard Grant Agreement. **All proposers will be required to sign a similar grant agreement if awarded a grant. Hence, it is strongly recommended that proposers and their legal counsel review the sample Standard Grant Agreement prior to submitting a proposal.** This sample grant agreement is subject to change and should not be construed as the final agreement between the City and the grantee. Interested parties should contact City staff via e-mail at engpropkrfp@lacity.org with any questions about the Standard Grant Agreement.

C. **General City Reservations**

1. The City reserves the right to retain all submitted proposals. Proposals and the information contained therein shall become the property of the City of Los Angeles. Selection or rejection of a proposal does not affect these rights.

2. The City reserves the right to reject any and all proposals and to waive any informality in the proposal when to do so would be in the best interest of the City.

3. The City reserves the right to reject the proposal of any proposer who has previously failed to timely or satisfactorily perform any contract with the City.

4. The City reserves the right to extend the RFP submission deadline should such action be in the best interest of the City.
5. The City reserves the right to reject any or all proposals received in response to this RFP if deemed not feasible or incomplete or not in the best interest of the City.

6. The City reserves the right to reject any or all proposals wherein the City has determined that the proposer is not capable of financing its proposed project without assistance from the City.

7. The City reserves the right to withdraw this RFP at any time without prior notice. Further, the City makes no representations that any contract will be awarded to any proposer responding to this RFP.

8. The City reserves the right to refuse to fund any agency with outstanding disallowed costs with the City, regardless of the merits of the proposal submitted.

9. The City reserves the right to maintain site control of all funded projects. In the instance of City-owned property used for project purposes that is not under the control of RAP, the City Council will adopt a motion indicating that the Council will make the property available for purposes of the project and its related programs and services.

10. The City reserves the right to waive any provision(s) of this RFP to the extent that waiver of such provision(s) allows for the intent of Proposition K or HATS to be implemented.
PURPOSE

This Request for Proposals (RFP) for the 10th Funding Cycle will cover the following fiscal years:

2022 - 2023, 2023 - 2024, and 2024 - 2025

Any funding awarded under this RFP will not be available until after July 1, 2022. Because of the three-year funding cycle, some projects that are ultimately approved for funding, may not receive any funding until after July 1, 2024.

Part One - Proposition K:

I. Available Restricted Funding Categories
   a. Category 3 - Youth Schools/Recreational Projects: $10,650,619
   b. Category 4 - Aquatic Upgrades: $500,000
   c. Category 7 - Urban Greening: $195,823
   d. Category 8 - Acquisition of Parks/Natural Lands: $2,728,734

II. Available Unrestricted Funding

Part Two - Health Alternatives to Smoking (HATS) Trust Fund

I. Funding available for design and construction of youth facilities, located according to HATS eligible Census Tract: $1,230,933 (See Map on page 14 of this RFP)

II. HATS funding may only be used for the acquisition of park land and recreation improvements in eligible under-served census tract areas. The under-served areas are census tracts that meet all the following criteria based on the latest available census data:

   a. Above average youth in poverty (greater than 36%);
   b. Above average persons 18 and under (greater than 26%);
   c. Below average acreage in parks (less than 2%); and
   d. Not adjacent to major parks or national forest land.
III. Award of the HATS funding will follow the same policies, procedures, guidelines, content and formatting as proposals submitted for Proposition K funding. See Part Two, page 13 of this RFP for additional details.
PART ONE - PROPOSITION K

I. BACKGROUND

The passage of Proposition K in 1996 created a Citywide assessment district that generates $25,000,000 each year in funds for the acquisition, improvement, construction and maintenance of parks and recreational and community facilities through an annual assessment on all real property in the City for 30 years. Funding is provided for capital improvements and for acquisition of land for parks, recreational, or open-space purposes. The primary purpose of funding allocated through this RFP will be to combat the inadequacies and decay of the City’s recreational infrastructure for youth, which has resulted in serious unmet needs for park, recreation, child-care, and community facilities serving youth in particular.

Under Proposition K, approximately $298,850,000 of the total amount to be generated over 30 years has been allocated to the City for 183 projects specified in the ballot measure. Proposition K also requires the allocation of at least $143,650,000 of the total amount generated over the 30-year life of the Proposition K Program, through an open and competitive process for eligible governmental agencies, nonprofit organizations and City departments.

City Proposition K staff, including representatives from the Mayor’s Office, the Offices of the City Administrative Officer, the Chief Legislative Analyst, and the Department of Public Works - Bureau of Engineering, will administer the competitive grant process. Successful proposals will be funded during a three-year funding cycle, commencing July 1, 2022, and ending June 30, 2025.

The City seeks projects that propose to improve the quality of life for local residents, specifically youth in the neighborhoods where they live. Eligible projects must enhance the recreational opportunities for City residents, especially the City's youth and their families, by providing safe neighborhood parks and facilities.

II. ELIGIBLE PROPOSERS/PROJECTS

This RFP competitive grant process invites eligible governmental entities, non-profit organizations, and City departments to submit proposals for viable capital improvements and/or acquisition projects that meet the eligibility and other requirements of the Proposition K Program as described in this RFP.

The Proposition K competitive grant process includes a multi-tiered review and scoring process, which begins upon submission of proposals and ends by June 2022, when the City Council makes the final awards. Success at any tier of the competitive grant process is not a guarantee of success, until recommendations are finally approved by the City Council.

The 10th Funding Cycle is for three years, commencing July 1, 2022, and ending June 30, 2025. All Grant Agreements will provide for a three-year term for completion of acquisition (if applicable), and design and construction of the project. This three-year term will begin from the date the City Clerk attests the Grant Agreement. The overall term of the Grant Agreement
will include the services and maintenance repayment period, which will depend upon the amount of the grant awarded (See Part Four - Contract Requirements, page 26).

This RFP seeks proposals under the restricted funds for the following four Proposition K funding categories: Category 3. Youth Schools/Recreational Projects, Category 4. Aquatic Upgrades, Category 7. Urban Greening, and Category 8. Acquisition of Parks/Natural Land. This RFP seeks proposals also under the unrestricted funds for all eight Proposition K funding categories: 1. Regional Recreation/Education Facilities, 2. Neighborhood At-Risk Youth Recreation Facilities, 3. Youth Schools/Recreational Projects, 4. Aquatic Upgrades, 5. Athletic Fields, 6. Lighting, 7. Urban Greening, 8. Acquisition of Parks/Natural Land, and also the HATS funding.

Information on the Proposition K funding categories is found in Section IV, on pages 10 through 11 of this RFP, including the full description and amounts available for each of the funding categories. Information on HATS funding is found in Part Two, pages 13 -15.

Eligible proposers for Prop K and HATS funding include:

- **Government Entities**: Any public agency that has among its purposes the provision of parks, recreation or community services or facilities serving the general community, providing services to youth, or gang prevention and intervention services, or any public or private school.

- **Non-profit organizations**: Any charitable organization authorized under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, which has among its purposes the provision of parks and/or recreation services or facilities serving the general community, youth, or gang prevention and intervention services.

- **City Departments**: Any department of the City of Los Angeles which has among its purposes the provision of parks and/or recreation services or facilities serving the general community, youth, or gang prevention and intervention services.

**NOTE**: Funding is not available for operational expenses. Proposers must demonstrate in their proposal that all services are to be provided at the proposer's expense. Proposers are required to provide proof of adequate funding and staffing for the proposed services over the entire Proposition K required services and maintenance period, which is from five to 20 years or more, depending on the grant amount awarded. See Part Four - Contract Requirements of this RFP, page 26.

**III. INELIGIBLE CAPITAL IMPROVEMENT PROJECTS**

Under the different funding categories, the following are **not** eligible for funding:

1. Municipal auditoriums or halls, or similar public facilities for the indoor presentation of performances, shows, productions, fairs, conventions, exhibitions, pageants, meetings, parties or other group events, activities or functions.

2. Improvements for employment, education, or counseling programs.
3. Staffing costs associated with any program or facility. Grant funds cannot be used to pay for administrative salaries of any department, organization, or non-profit entity.

4. Project proposals that are not for new or additional improvements, such as refinancing of property or facilities.

5. Maintenance of a non-Proposition K - L.A. for Kids Program funded portion of the facility; (A separate annual competitive grant process will be conducted for the allocation of Proposition K maintenance funds for Proposition K funded capital projects).

6. Operational costs associated with either an existing or proposed facility.

7. Acquisition of personal property, fixtures, furnishings or equipment.

8. Projects that are not accessible to the public.

9. Projects and related programming that will be used for religious purposes.

10. Additional examples of projects found to be ineligible under the Proposition K - L.A. for Kids Program grant funds include, but are not limited to: classrooms, computer rooms, theaters, auditoriums, meeting rooms (lacking recreational components), trailhead signage, sports equipment and other equipment, personal property, and libraries.

IV. OVERVIEW OF FUNDING CATEGORIES

1. **Regional Recreation/Educational Facilities (Category 1)** - Projects include capital improvements at regional recreational facilities for youth. Proposed projects may draw users from more than one City Council District and are thereby regional in nature. Proposed projects include, but are not limited to, construction of skateboard parks, renovation of existing facilities at a regional-use park camp, such as cabins, and the building of a new gymnasium.

2. **Neighborhood At-Risk Youth Facilities (Category 2)** - Projects include but are not limited to capital improvements at neighborhood, at-risk, recreation, or child-care facilities. Projects may include, but are not limited to, constructing a roller hockey rink, renovating a child-care facility, renovating a recreational facility, and providing lighting or air-conditioning at sports facilities such as basketball gyms/courts or boxing rings.

3. **Youth Schools/Recreation Projects (Category 3)** - Projects include recreational improvements at schools under joint-use agreements with City’s Department of Recreation and Parks.

4. **Aquatic Upgrades (Category 4)** - Projects include, but are not limited to, upgrading or expanding pool facilities, water playgrounds and slides, and installing water slides for parks.

5. **Athletic Fields (Category 5)** - Projects include, but are not limited to, the improvement of athletic fields and courts. Proposed projects may include creating sports fields at neighborhood parks and developing baseball fields at local recreation centers.
6. **Lighting (Category 6)** - Projects include, but are not limited to, lighting for sports fields, stadiums, tennis complexes, and baseball diamonds.

7. **Urban Greening (Category 7)** - Projects include, but are not limited to, greenery for graffiti prevention, tree planting, and establishing community gardens.

8. **Acquisition of Parks/Natural Lands (Category 8)** - Projects include the acquisition of land for the development of parks, including pocket parks. The acquisition of land is allowable only for open spaces such as parks or athletic fields. Proposition K - L.A. for Kids Program grant funds may not be used to acquire land for the sole purpose of building a new structure or building, such as a recreation or multi-purpose facility. **The City shall own all real property acquired using Proposition K funds.**

9. **Health Alternatives for Smoking (HATS) Trust Fund** category found on pages 13-15 of this RFP.

   **NOTE:** The City reserves the right to determine to what extent, or whether the proposed projects will be eligible to receive grant funds from the various funding categories.

The table below lists all eight funding categories identified in the Proposition K ballot measure and the original ballot measure allocation per category. The City has already met the minimum funding requirements for four of the categories (Category 1 - Regional Recreation/Educational Facilities; Category 2 - Neighborhood At-Risk Youth Recreational Facilities; Category 5 - Athletic Fields; and Category 6 - Outdoor Lighting). There is **$14,075,176** in competitive grant funding available to be awarded through the 10th Funding Cycle RFP for projects in the remaining four Proposition K funding categories in order to meet the ballot measure minimum funding requirements. These four categories (3, 4, 7, and 8) and the balance remaining for Proposition K are shown in bold text in the table below.

There is also an additional **$2,070,100** that can be applied in any of the eight categories. Approximately **$16,145,276** will be made available for Proposition K competitive grants through this RFP. Projects that are not selected as part of the RFP will be placed on an alternates list (C-List) and can potentially receive funding if awarded projects are later withdrawn or deemed infeasible.

<table>
<thead>
<tr>
<th>Project Funding Categories Proposition K</th>
<th>Original Ballot Measure Allocation Per Category</th>
<th>Approximate Remaining Funds Per Category As of FY2021-22</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Regional Recreation/Educational Facilities</td>
<td>$20,000,000</td>
<td>$0</td>
</tr>
<tr>
<td>2. Neighborhood At-Risk Youth Recreational Facilities</td>
<td>$20,000,000</td>
<td>$0</td>
</tr>
<tr>
<td>3. Youth Schools/ Recreation Projects</td>
<td>$20,000,000</td>
<td><strong>$10,650,619</strong></td>
</tr>
<tr>
<td>Project</td>
<td>Restricted Funds</td>
<td>Unrestricted Funds</td>
</tr>
<tr>
<td>----------------------------------------</td>
<td>------------------</td>
<td>--------------------</td>
</tr>
<tr>
<td>4. Aquatic Upgrades</td>
<td>$16,000,000</td>
<td>$500,000</td>
</tr>
<tr>
<td>5. Athletic Fields</td>
<td>$16,650,000</td>
<td>$0</td>
</tr>
<tr>
<td>6. Lighting</td>
<td>$16,000,000</td>
<td>$0</td>
</tr>
<tr>
<td>7. Urban Greening</td>
<td>$15,000,000</td>
<td>$195,823</td>
</tr>
<tr>
<td>8. Acquisition of Parks / Natural Lands</td>
<td>$20,000,000</td>
<td>$1,728,734</td>
</tr>
</tbody>
</table>

**Restricted Funds Subtotal:** $14,075,176

**Unrestricted Funds Subtotal:** $2,070,100

**Total:** $16,145,276

In the event the full amount requested in the project proposal is not awarded, proposals must discuss valid contingency funding options in the Fiscal and Budgetary Review section of the proposal. (See Part Three, Section C, Subsection C.3, Number 2, page 21 - Fiscal and Budgetary Review of this RFP). The proposer must be able to put these contingencies into place if the amount awarded is less than the amount requested.

Proposals must describe how the proposer would do the following if it is awarded less than the requested amount of funding:

a. Supply additional funds, and/or;

b. Reduce the scope of the proposed project.

Each proposal must specify the project funding category that best describes the project in the appropriate section. All proposers must review, sign and submit with the proposal the Attachment A - Title Page and Assurances.

In addition to Proposition K funding, there is also $1,230,933 from the Health Alternatives for Smoking (HATS) Trust Fund (see PART TWO on pages 13-15).
PART TWO - HEALTH ALTERNATIVES TO SMOKING (HATS) TRUST FUND

I. OVERVIEW

In July 1999, the Los Angeles City Council approved the Health Alternatives to Smoking (HATS) Trust Fund (Ordinance No. 172727). The HATS Trust Fund was created to disburse monies collected from the National Tobacco Settlement. Monies from the fund may only be used for the acquisition of park land and recreation improvements in under-served areas.

Approximately $1,230,933 will be made available under the HATS Program. Under-served areas are census tracts that meet all of the following criteria based on the latest available census (See map and census tract on pages 14 and 15):

- Above average youth in poverty (greater than 36 percent);
- Above average persons 18 and under (greater than 26 percent);
- Below average acreage in parks (less than 2 percent); and
- Not adjacent to major parks or national forest land.

Proposals submitted for HATS funding must follow all of the same policies, procedures, guidelines, content and formatting as proposals submitted for Proposition K funding. The selection process will be the same as the Proposition K process identified in Part Three. Eligible projects will be scored and evaluated using the same procedures and criteria as Proposition K (see Part Three, Section C), but will also include an initial review of whether the project meets the HATS requirements as indicated above. A proposal for a HATS grant must indicate how it meets the above criteria. Inclusion in the pool of recommended projects is not an indication of success in this competitive grant process. The recommended list of projects is subject to change until the City Council approves the final list of projects.

Any proposal for HATS funding may also be submitted for Proposition K funding if eligible. The proposal must clearly identify the funding sources (i.e., Proposition K and/or HATS) that the proposal is to be considered for. The proposal must meet the submittal requirements for the funding sources identified.

Below is the link to the interactive HATS map:

https://ladcp.maps.arcgis.com/apps/webappviewer/index.html?id=2541142a257244198e39df862c7c596f
II. HEALTHY ALTERNATIVES TO SMOKING (HATS) CENSUS TRACTS MAP

Selection Criteria:
Above average youth in poverty (>36%) and
Above average persons 18 and under (>26%) and
Below average acreage in parks (<2%) and
Not adjacent to major parks or National Forest land

- Eligible Census Tracts
- Parks
- Census Tracts

0 5 10 Miles
### CENSUS TRACT for the Healthy Alternatives Smoking Trust Fund

| 106604 | 123204 | 209104 | 229420 | 239701 |
| 113233 | 127103 | 209401 | 231210 | 239702 |
| 115302 | 127520 | 209520 | 231710 | 239801 |
| 117201 | 127920 | 209820 | 231720 | 239802 |
| 117405 | 128210 | 212204 | 232110 | 240010 |
| 117407 | 128303 | 212305 | 234901 | 240401 |
| 117408 | 134521 | 219020 | 237101 | 240402 |
| 117510 | 134522 | 221601 | 237102 | 241001 |
| 117530 | 134710 | 221602 | 237401 | 241120 |
| 119320 | 183520 | 224310 | 237710 | 241202 |
| 119340 | 191410 | 224320 | 237720 | 291120 |
| 120030 | 203710 | 226001 | 238310 | 291210 |
| 120103 | 203720 | 226420 | 238320 | 294120 |
| 120105 | 204410 | 227010 | 239201 | 294510 |
| 120105 | 204420 | 227020 | 239202 | 294520 |
| 120106 | 204910 | 228210 | 239310 | 294701 |
| 120107 | 204920 | 228220 | 239320 | 294810 |
| 121222 | 205120 | 228310 | 239330 | 294820 |
| 122410 | 208301 | 228420 | 239502 | 296220 |
| 123010 | 208902 | 228710 | 239601 | 297110 |
| 123203 | 209103 | 228720 | 239602 |          |
PART THREE – PROPOSAL REVIEW AND EVALUATION

I. COMPETITIVE GRANT PROCESS

A. Proposal Review and Award Process Summary

FOR PROPOSITION K AND HATS

1. Four Technical Assistance Seminars (TAS) will be conducted virtually. (See TAS Schedule Page VII of this RFP).

2. Upon receipt of proposals through e-submittal only, City staff will conduct an initial eligibility review of submissions for compliance with the RFP requirements (see Part Three, Section C, Subsection C.1, on page 19).

3. City staff will conduct site visits to evaluate project feasibility.

4. Once proposals are reviewed by City staff for eligibility, responsiveness, and feasibility, applicants will be notified of initial eligibility recommendations. Any agency whose proposal is determined by City staff not to be eligible may submit a written request to have the L.A. for Kids Steering Committee review the determination of ineligibility.

5. City staff will convene scoring panels, which will score the eligible proposals that passed the initial review based on criteria discussed in Part Three, Section C, Subsection C.2 on page 20.

6. City staff will prepare a preliminary list of projects recommended for funding using the results from the scoring panels and additional factors such as: Citywide distribution of funds; location of the project in relation to the Council Districts; the appropriate mix of large or small projects; the variety of types of projects to be funded; the availability of funding, and such other factors that are in the best interest of the City. City staff will create a Preliminary Funding Recommendation Report and present it to the Steering Committee for consideration, who will then forward it to the Regional Volunteer Neighborhood Oversight Committees (RVNOCs).

There are three RVNOCs, one representing each region of the City (Valley, Central, and Southern). The RVNOCs advise the City on funding recommendations for proposals submitted in response to the RFP.

7. Following receipt of the Preliminary Funding Recommendation Report, each RVNOC will review the project proposals within its region and make funding recommendations for projects within its region. This recommendation may or may not be consistent with the Preliminary Funding Recommendation Report presented by the City staff.

8. City staff will present the staff's Preliminary Funding Recommendations and the RVNOC Recommendations to the L.A. for Kids Steering Committee for review.
9. The L.A. for Kids Steering Committee will take into consideration the Preliminary Funding Recommendations, the RVNOC recommendations, and any additional input received from proposers or members of the public and will develop its recommendations that will be transmitted to the City Council. The City Council may refer the Steering Committee’s recommendation to City Council Committee(s) for consideration before finally approving the funding for this cycle. The Steering Committee’s recommendations will cover the entire three-year period. Funding for any one project may be spread throughout any or all of the three years. Final approval by the City Council will occur sometime during May or June 2022.

10. The complete grant process includes a multi-tiered review and scoring process, which begins upon submission of proposals and ends when the City Council makes final awards. Success at any tier of the competitive grant process is not a guarantee of selection for award.

11. Grant award letters will be mailed and contract negotiations with the selected agencies will begin shortly after July 1, 2022. All required documentation pertaining to federal, state, and local requirements including but not limited to, proof of required insurance, must be on file with the City before the contract can be executed. Funding that is granted for fiscal year 2022-23 pursuant to award in this funding cycle will not be available before July 1, 2022.

All successful non-City grantees will be required to execute a Grant Agreement. A sample grant agreement is available on the Bureau of Engineering’s - Proposition K website at http://propk.lacity.org. Click on the menu item entitled Competitive Grants at the left side of the webpage. Note that grant agreements executed as a result of this RFP will have a three-year period for completion of design and construction and a services and maintenance performance period commensurate with the amount of grant awarded that commences upon completion of construction. (See Part Four Section A of this RFP on page 26). The City reserves the right to revise the sample grant agreement, to reflect any changes to the City’s contracting requirements.

All RVNOC, L.A. for Kids Steering Committee, Council Committee, and City Council meetings are open to the public and meeting notices will be posted on the City’s website at: http://www.lacity.org. Click on the menu item entitled City Calendar and click on the City Government box. Proposers are encouraged to visit the website frequently for current information, or proposers may obtain information about the meetings via e-mail at engpropkrfp@lacity.org.
B. Grant Project Selection Process Chart

All Regional Volunteer Neighborhood Oversight Committee (RVNOC), LA for Kids Steering Committee, and City Council Meetings are open to the public and meeting notices will be posted on the City’s website at: http://www.lacity.org/ Click on the menu item entitled City Calendar, and click on the City Government box.

Proposers are encouraged to visit the website frequently for current information or proposers may obtain information about the meetings via email: engpropkrfp@lacity.org.

1. City staff conducts eligibility review.
2. City staff may conduct site visits to evaluate project feasibility.
3. City staff notifies non-eligible proposers.
4. Determinations of non-eligible proposal packages reviewed by Steering Committee upon request by proposer.

Scoring panels score the eligible proposals based on specified criteria.

City staff will prepare a Preliminary Funding Recommendation report using the results from the scoring panels and considering factors such as Citywide distribution of funds, location of the project in relation to the Council Districts, the appropriate mix of large or small projects, the variety of types of projects to be funded, the availability of funding within the project categories, and other such factors that are in the best interest of the City. This report will be presented to the L.A. for Kids Steering Committee. After consideration of any appeals, L.A. for Kids Steering Committee will forward the recommendations to the RVNOCs.

Following receipt of the Preliminary Funding Recommendation Report, each RVNOC will review the proposals and projects within its region. The RVNOC may or may not utilize the Preliminary Funding Recommendation Report. The RVNOC recommendations will be reviewed by Steering Committee.

L.A. for Kids Steering Committee staff will present the RVNOC funding recommendations to the Steering Committee for review. RVNOC determinations will be reviewed by Steering Committee upon request of the proposer. The Steering Committee, based on adjustments to the recommendations, will forward its own Committee recommendations to Council. The City Council may refer the Steering Committee’s recommendation to City Council Committee(s) for evaluation and recommendation before finally approving the funding for this 10th Competitive Cycle. Final approval of projects selected for award of grants will take place by June 30, 2022.
C. Proposal Evaluation Procedures and Criteria

C.1 Initial Review

Proposals will be screened initially by City staff to ensure, at a minimum, compliance with the following:

a. Timeliness of submission (Deadline for Submission: Thursday, May 27, 2021, by 3:00 p.m.)

b. Completeness of proposal. Make sure the project scope is completely described, succinct and clear. Include any and all dimensions if needed to describe the project scope. **Be sure to provide a clear and legible colored Site Plan of the project as an attachment with Site Control documents.**

c. If the proposer is a non-profit organization, proof that the organization has been incorporated in the State of California for a minimum of one year and is currently in good standing.

d. A valid City of Los Angeles Business Tax Registration Certificate (BTRC). In order to obtain the required BTRC, contact the Office of Finance, at (844) 663-4411. If the proposer is an LLC or a Corporation, the same legal name as what is on file with the California Secretary of State must be used when submitting the proposal.

e. The project is located within the Assessment District boundary (i.e. legal boundaries of the City of Los Angeles).

f. Adequate documentation of site control is provided (grant deed, escrow instructions, letters of intent (for those eligible), or lease for appropriate duration, etc.).

Proposals that do not include appropriate evidence of site control, will be deemed non-responsive and will be rejected (see Part Four, Section D for Site Control requirements, page 27).

g. Land acquisition projects must submit the following:

- Letter from proposer identifying a single project site.
- Letter from the property owner indicating willingness to negotiate in good faith for the sale of the property.
- Letter from: (a) the Board of Recreation and Park Commissioners regarding the willingness of the Department to own the property and lease it back to proposer for development, operation and maintenance; or (b) if the proposed site will not be under the control of the Department of Recreation and Parks, then the proposal must contain a copy of a City Council motion regarding the willingness of the City to own the property and lease it back to proposer for development, operation and maintenance.
• Preliminary title report.
• A Class “C” appraisal.
• An Acquisition Schedule.

See Part Four, Section D of this RFP for more information about the required site control documents. **Note: The City shall own all property acquired using Proposition K funds.**

h. Proposer and project are eligible for funding as defined in this RFP.

If an agency’s proposal does not satisfy the initial screening process outlined above, including evidence of site control, the proposal will be deemed non-responsive, will be disqualified and will not be reviewed further. Proposers will be made aware of such disqualification by written, mailed notice, approximately three weeks after the proposal submission deadline.

C.2. Scoring

City staff will convene a panel of individuals with the appropriate expertise and professional experience to score proposals. Each proposal will receive a score based on the quality of the responses.

A maximum of 100 points is possible. Each proposal will be rated on the criteria listed below.

<table>
<thead>
<tr>
<th>EVALUATION CRITERIA</th>
<th>MAXIMUM POINTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. PROJECT DESCRIPTION AND MANAGEMENT</td>
<td>20</td>
</tr>
<tr>
<td>2. FISCAL AND BUDGETARY REVIEW</td>
<td>25</td>
</tr>
<tr>
<td>3. PROJECT READINESS</td>
<td>25</td>
</tr>
<tr>
<td>4. SERVICE CAPABILITY</td>
<td>20</td>
</tr>
<tr>
<td>5. BONUS POINT CRITERIA X 2.0 PTS</td>
<td>10</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

After the review panels score the proposals, City staff will further evaluate the proposals using the results of the Scoring Panels and additional factors such as Citywide distribution of funds; location of the project in relation to the Council Districts; the appropriate mix of large or small projects; the variety of types of projects to be funded; the availability of funding; and such other factors that are in the best interest of the City. City Staff will then make recommendations to the L.A. for Kids Steering Committee in a Preliminary Funding Recommendation Report. **City staff is not bound by the proposal rankings scores assigned by the scoring panels.**

C.3. Evaluation Criteria

The Scoring Panels will evaluate and score qualified proposals based on the criteria described below. Proposers must adhere to the page maximums listed below for each section of their proposal and to the requirements listed under the Proposal Content Guidelines in Part Six on page 38.
1. **Project Description and Management (20 points; 3 pages maximum)**

Proposals that do not address the following requirements will be disqualified and will not be reviewed further.

i. Provide a complete description of the proposed capital improvement and/or acquisition of land for parks, recreational, or open-space purposes project. The project description should discuss the project's design, location, style, type, and approximate size and should provide as much detail as possible.

ii. The project description should give a detailed description of the project, its size (dimensions, square footage, etc.), hours of operation, how many youths they plan to serve daily, monthly and yearly. The proposal should also provide a detailed description of the recreational activities planned to be provided at the site, specifically activities for youth.

iii. Provide a detailed narrative history of the agency/organization’s previous experience with capital improvement projects (including project management) and results of that involvement.

iv. Identify a qualified person responsible for managing the proposed capital improvement project and provide that person’s previous experience in the management of similar projects. Provide the name, telephone number, and e-mail address for said person.

2. **Fiscal and Budgetary Review (25 points; 3 pages maximum)**

Proposals that do not address the following requirements will be disqualified and will not be reviewed further. Proposals must demonstrate how the project is cost effective and how the proposing agency/organization is financially capable of implementing the project.

Proposers must use only the forms provided in this RFP for the Fiscal and Budgetary Review (See Attachment E - Project Budget Forms, Attachment F - Project Information Summary and Attachment J - Sample Construction and Expenditure Milestones Schedule).

i. Provide a narrative discussion of the estimated acquisition cost (if applicable) and the estimated cost of the proposed Capital Improvement Project (based on current costs for construction), and the organization’s plan for staffing the proposed project. The narrative must reflect the proposer's ability to acquire the site (if applicable) and develop the project on a cost-reimbursement basis. The narrative must address the proposed project's impact on the organization's cash flow. The City reserves the right, in its discretion, to adjust for inflation if appropriate and desirable.

ii. Using the Project Budget Forms and Project Information Summary, completely fill in all line items in the forms (See Attachment E and Attachment F). These attachments are not included in the RFP. If proposing under more than one funding category or source, provide a budget form for each funding category or
source. Different components of the project may fall under different categories therefore separate budget forms will be necessary for project components per funding category. **Note:** Funds may not be used to pay for the proposers’ employee salaries or for consultant service fees if the consultant is an officer or member of the organization’s governing board.

iii. Provide a copy of the proposer’s most recent audited financial statements for the last two years (unless incorporated for less than two years), signed by a Certified Public Accountant (CPA). These attachments are not included in the page limit.

iv. Provide the name, telephone number, and email of a qualified person in the proposing agency/organization responsible for financial matters and describe that person’s experience in managing the financial aspects of grant funding, acquisition and design and construction projects in the past three years.

v. Describe how the project is feasible and viable within the funding limitations of the detailed budget submitted. Demonstrate how it can be acquired (if applicable) and be built within the proposed budget. Explain whether the proposer has secured all the other funds necessary so that the project would be fully funded assuming the requested funds were awarded. If not fully funded with the requested grant, describe what steps are necessary to secure full funding for the project and the timeline for such fundraising.

vi. As part of this RFP process, proposers will be required to describe how the agency/organization would do the following, if it is awarded less than what was requested in funding:

   a. Secure additional funds to make up the difference to complete the project timely; and/or

   b. Reduce the scope of the proposed project.

vii. Provide a Construction and Expenditure Milestones Schedule.

   **Note:** This is not a Project Budget. See Attachment J for sample schedule. Proposers must prepare a schedule that is customized and realistic for their project.

3. *Project Readiness (25 points; 3 pages maximum)*

Proposals that do not address the following requirements will be disqualified and will not be reviewed further. Proposals must demonstrate how far along the proposing agency/organization is toward having a project that is ready to proceed to implementation if funds are awarded. Scoring for these criteria will reflect how close the project is to starting construction or being acquired.

i. Implementation Schedule - Provide a schedule and narrative that explains the proposed project’s start-up and completion, including milestones which describe the various phases of completion. Provide at least the milestones indicated below:
- Securing all non-Proposition K funds necessary to implement the project (provide time frame when funds will be made available)
- Architect selection
- Plan check completion
- Bid & Award process
- Construction timeline
- Start of construction
- Completion date of construction

ii. Discuss the proposing agency/organizations understanding of the process to secure the services of a licensed contractor via a sealed competitive bid process. Assume for the purposes of the schedule that the earliest that any Proposition K funds would be received by a successful project is July 1, 2022.

iii. Describe how the project is consistent with existing zoning requirements and provide a complete description of seismic and/or Los Angeles Building and Safety requirements. Describe how the agency would complete plan check. Identify the current use and type of occupancy permit and the proposed use and type of occupancy permit.

iv. Describe the proposer’s current or proposed site control. Identify the existing site size, and proposed project floor area.

v. Discuss the proposed project site’s ownership status, current use and current occupancy status. Describe the process by which the agency would obtain a Notice of Completion, Certificate of Occupancy, or Temporary Certificate of Occupancy upon completion of the proposed Proposition K and/or HATS project.

vi. Describe the likely environmental documents (California Environmental Quality Act (CEQA), Lead Paint, Asbestos, Methane, and Hazardous Material Surveys) that will be required for the project. Describe the steps, if any, the agency/organization will take to meet the above requirements and how this would affect the proposed timeline and milestones.

4. Service Capability (20 points; 3 pages maximum)

Proposals that do not address the following requirements will be disqualified and will not be reviewed further. Proposals must demonstrate the need for the project in the community it will serve, and the proposing agency/organization’s capability to sustain the project and provide the services and maintenance for the requisite service repayment period.

i. Describe the specific recreational programs that the proposer will offer for youth at the project site, including the schedule and frequency of the programs.
describe the benefits that the proposed project and programming will provide to
the City’s youth and general population. Note: Grantee will be required to provide
recreational programming/services throughout the term of service repayment as
specified in Part Four - Contract Requirements of this RFP on page 26.

ii. Describe the agency/organization’s qualitative and quantitative goals and
objectives in terms of providing recreational services to our City’s youth and
general population; indicate how agency/organization has sustained these goals.

iii. Provide information on youth population currently being served by the proposer
and youth programs offered over the past two years.

iv. Estimate how many additional youths will be served with the proposed expanded
services over the life of the capital improvement project. How will the
agency/organization ensure expansion of services to youth? How will the
agency/organization manage the increase in staffing needs and services? Note:
Proposer will be required to provide services throughout the term of service
repayment as specified in Part Four - Contract Requirements of this RFP on page
26.

v. Discuss how the proposed project will create or enhance the existing capacity of
recreation and leisure facilities available to local youth and residents and the
method(s) used to reach that conclusion. Discuss the involvement of local residents
in developing the proposed project. Identify the census tract number, address, and
zip code of the location of the project. Discuss why and how this project meets local
needs and program requirements, especially with respect to youth.

vi. Include information about the proposing agency/organization’s percentage of
operating funds allocated to administrative costs, program/service delivery costs
and project maintenance costs.

5. Bonus Points Discussions (10 points; 5 pages maximum) for Proposition K Funding

Two (2) bonus points will be awarded for appropriate documentation of EACH of the
following proposal components. Components i. through v. below are mandated by
City Ordinance and are areas of high priority for Proposition K Program funding:

i. Project includes an at-risk youth component, either by including training and
employment of at-risk youth to implement the project or by providing facilities to
serve at-risk youth;

ii. Project serves an area without similar services or facilities. Provide maps or
other documentation or data which support discussion (e.g., census tract data
providing population figures);
iii. Project **demonstrates community support** (may include letters or petitions of support, not included in page limit);

iv. Project **demonstrates high cost-effectiveness** (should include information about percentage of operating funds allocated to administrative cost and program delivery);

v. Project **sustainability**: (should include information about the organization’s financial stability, demonstrating the ability to provide service payback requirements).
PART FOUR - CONTRACT REQUIREMENTS
(PROPOSITION K AND HATS)

A. Services and Maintenance Obligation

All selected proposers will be required to sign a grant agreement requiring them to use and operate the project funded by Proposition K and HATS Programs to provide recreational services to area youth for a specified period. The grant agreement will also require the grant recipients to maintain all capital improvements and acquisitions of land for parks, recreational, or open-space funded by their respective funds for a specific period. Grant recipients will be required to provide Services and Maintenance for the time periods set forth below based on the amount of grant funds awarded. Services and Maintenance period commences upon completion of construction as evidenced by a Certificate of Occupancy, Notice of Completion, or Certificate of Completion issued by the Bureau of Engineering.

SERVICES AND MAINTENANCE PERFORMANCE SCHEDULE

<table>
<thead>
<tr>
<th>Number of Years Required to Provide Services and Maintenance</th>
<th>Amount of Grant</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 years</td>
<td>$1.00 - $100,000</td>
</tr>
<tr>
<td>10 years</td>
<td>$100,001 - $500,000</td>
</tr>
<tr>
<td>7 years</td>
<td>Synthetic Sports Fields and Tracks</td>
</tr>
<tr>
<td>15 years minimum (beyond 15 years to be set on case by case basis)</td>
<td>$500,001 - $1,000,000</td>
</tr>
<tr>
<td>20 years minimum (beyond 20 years to be set on case by case basis)</td>
<td>$1,000,001 and above</td>
</tr>
</tbody>
</table>

In addition, grant recipients will be required to comply with all of the City’s general contracting requirements as contained in Part Six - Proposal Content Guidelines on page 38 of this RFP and attachments to this RFP.

A copy of the sample standard Grant Agreement is located on the internet at [http://propk.lacity.org](http://propk.lacity.org). Selected proposers will be required to sign a similar agreement. Failure to fulfill the obligations under the grant agreement, such as providing the specified services and maintenance for the requisite number of years, may result in the termination of the grantee’s agreement with the City. Termination of a Grant Agreement will trigger various remedies as set forth in the Standard Grant Agreement, including but not limited to, requiring the grant recipient to repay the City the cash equivalent of the unexpired portion of the grant agreement.

B. Performance Security and Site Security Instruments

Successful non-City proposers will be required to enter into Performance Security and Site Security instruments for the Project site to ensure that the project will be completed, and the services will be provided for the requisite Services and Maintenance Performance period. Performance Security and Site Security instruments may include one or more of the...
following: Deed of Trust, Promissory Note, Option to Lease, Lease-Leaseback Agreement or Sublease of Leaseback Agreement and Use of Restriction Covenant.

Successful proposers leasing City property must amend their leases to include a cross-default provision specifying that a default on the grant agreement constitutes a default under the lease.

C. **Reimbursements**

To be eligible for reimbursements, the grantee must use a competitive bid process to select the construction contractor and a competitive bid or proposal process to select other services (such as design or project management services). The City reserves the right to deny reimbursement to the grant recipient for services contracted by the grantee if a competitive bid or selection process was not used. The L.A. for Kids Steering Committee may authorize the grant recipient to contract on a sole source basis for specific services if justified. The grant recipient must submit a written request for sole source service authorization to the L.A. for Kids Steering Committee in advance of contracting or incurring expenses for such services on a sole source basis.

D. **Site Control Documents**

The City will conduct four technical assistance seminars (TAS) (see page vii) for potential proposers prior to the due date for proposals, at which time questions regarding site control document procedures and City contracting practices will be discussed.

Proposers must review the following requirements and submit appropriate documents as part of the proposal. **Proposals that do not include the appropriate evidence of site control, when applicable, will be deemed non-responsive and rejected.** The City reserves the right to maintain site control of all Proposition K funded projects.

If a proposer leases the project site and is awarded a Proposition K and/or HATS grant, the term of the lease may have to be extended beyond the 20 years as specified below, depending on the amount of the grant awarded and consistent with the length of terms described in the Services and Maintenance Performance Schedule.

1. **For Proposed Capital Improvement Projects:**

   The following information and documentation must be submitted with the proposal unless otherwise noted herein.

   a. City projects on City owned property:

      i. Proof of ownership of the land (project site) in the form of a grant deed or title report.

      ii. If the proposer is the City’s Department of Recreation and Parks (RAP), the proposal must include a resolution from the Board of Recreation and Park Commissioners authorizing submittal of the proposal and committing to make the property available for purposes of the project and its related programs and services.
iii. If the proposer is a City entity other than the RAP, the proposal must include a motion by the City Council committing to make the property available for purposes of the project and its related programs and services.

b. Non-City agency on City owned property:

i. Non-City’s agency’s lease with the City with a remaining term of 20 years or less, depending on the amount of funding sought and the associated services and maintenance performance period listed in this RFP and the grant agreement to be entered after funding approval by City Council.

AND

ii. If the project site is on City property controlled by the Department of Recreation and Parks, the proposal must contain a letter from the Board of Recreation and Park Commissioners authorizing the construction and operation of the project on the site by the lessee and authorizing any necessary amendments to the lease. If the project site is not on City property controlled by the Department of Recreation and Parks, the proposal must include a City Council motion authorizing the construction and operation of the proposed project improvements on the site by the lessee and authorizing any necessary amendments to the lease.

iii. Under certain circumstances, at the discretion of the City, a joint-use agreement or operating agreement between the agency and the City, or other equivalent proof of site control, will be accepted in lieu of a lease.

c. Non-City agency on non-City owned property:

i. Proof of Non-City agency’s ownership of the land in the form of either a grant deed or title report;

OR

ii. Non-City agency’s lease from the property owner (lessor) with a minimum remaining term of 20 years or less, depending on the amount of funding sought and the associated service and maintenance performance period listed in this RFP; and a letter from the lessor authorizing the construction and operation of the improvements on the site.

d. Projects proposed under Category 3 - Youth Schools/Recreational Projects and projects on LAUSD property or on proposer’s own school property require a joint-use agreement with the Department of Recreation and Parks and all other documents indicated below.
i. Proof of ownership of the land in the form of a grant deed or title report.

AND

ii. Executed Master Joint-Use Agreement (JUA) and Project/ Site Specific Joint-Use Agreement with the City Department of Recreation and Parks as further described below.

iii. If a potential proposer’s proposal package does not have an executed Master JUA and executed Project/Site-Specific JUA in place on or before Thursday, May 27, 2021, by 3:00 p.m., proposer must submit with their proposal a Letter of Commitment and subsequently the JUAs as specified below.

(a) Letter(s) of Commitment to Enter into Good Faith Negotiations from each party (executed by authorized representatives of the Youth School and the Department of Recreation and Parks), outlining the subject areas for which project-specific terms and conditions will need to be negotiated to formulate “joint use”, including, but not limited to:

- Maintenance protocols
- Public access requirements and hours available for public use
- Operational costs and procedures for cost allocation
- Specific areas of the campus that are subject to joint use
- Allocation formula for utilities costs
- Length of official “joint use” term (keyed to amount of grant award)
- Parking
- Security
- Indemnification and “Risk Management” requirements

Letter(s) of Commitment to Enter into Good Faith Negotiations from interested parties as described above must be submitted as part of the proposal.

(b) Joint Use Agreements after Deadline for Submittal of Proposals - Where a proposer has submitted Letter(s) of Commitment to Enter into Good Faith Negotiations as part of its proposal, in order to continue to be eligible for consideration for a grant award, the proposer must submit the applicable executed Master JUA and Project/Site Specific JUA, as further described below, on or before Thursday, July 22, 2021, by 3:00 p.m. Executed Master JUAs and Project/Site Specific JUAs must be submitted on or before this deadline to the Bureau of Engineering Recreational and Cultural Facilities Program, via email at engpropkrfp@lacity.org. Failure to submit executed JUAs by this deadline may result in the proposal being disqualified from further evaluation and consideration for award of a grant.

iv. Master Joint Use Agreements - All proposers seeking funding for more than one site requiring a JUA must execute a Master JUA between the proposer and the City of Los Angeles Department of Recreation and Parks. The Master JUA will include all terms and conditions applicable to all sites requiring a JUA potentially funded in the current funding cycle. Master JUAs should address as many of the terms and conditions as possible that are listed above for
Letters of Commitment. The Master JUA must identify each Youth School/Recreational Project that will be subject to the Master JUA. Only projects determined to be responsive to Proposition K submittal requirements and which are under consideration for funding in the current funding cycle will be included in the Master JUA.

Executed Master Joint Use Agreements must be submitted either with the proposal on or before the deadline for submitting proposals, or if the proposal included a Letter of Commitment to Negotiate in Good Faith, the executed Master JUA must be submitted on or before Thursday, July 22, 2021, by 3:00 p.m., as specified above, via email to engpropkrfp@lacity.org and mail a hard copy to the Bureau of Engineering Recreational and Cultural Facilities 1149 S. Broadway, 8th Floor, Los Angeles, CA 90015.

v. Project/Site Specific Joint Use Agreements - All proposers seeking funding for a site requiring a JUA must submit an executed Project/Site Specific JUA for each site. Each Project/Site Specific JUA should address as many of the terms and conditions as possible that are listed above for Letters of Commitment. Only Project/Site Specific JUAs for projects that have satisfied initial threshold Proposition K submittal requirements, and which are under consideration for funding in the current funding cycle, may be submitted.

Executed Project/Site Specific Joint Use Agreements must be submitted either with the proposal on or before the deadline for submitting proposals, or if the proposal included a Letter of Commitment to Negotiate in Good Faith, the executed Project/Site Specific JUA must be submitted on or before Thursday, July 22, 2021, by 3:00 p.m., via email, and a hard copy as specified above, to the Bureau of Engineering Recreational and Cultural Facilities Program, 1149 S. Broadway, 8th Floor, Los Angeles, CA 90015.

vi. Each of these Master JUAs and Project/Site Specific JUAs must contain the following paragraph:

“The LAUSD [or other Youth School] and the Department of Recreation and Parks recognize and acknowledge that, prior to undertaking the activities set forth in the Joint Use Agreement, one or both of the parties must perform, complete and certify the adequacy of environmental review in accordance with the California Environmental Quality Act (“CEQA”). The parties further recognize that, as a result of the information obtained by means of the CEQA process, the parties may decide to modify, condition, or disapprove the activities set forth in the Joint Use Agreement. Nothing in the Joint Use Agreement shall limit or hinder the parties’ exercise of their independent judgment and discretion with respect to these activities. In particular, the parties’ obligations under the Joint Use Agreement are subject to, and shall not arise until after, completion of the CEQA process and Proposition K grant approval by the Los Angeles City Council.”

vii. The JUAs are contingent on CEQA approval and grant approval by the Los Angeles City Council. JUAs must be executed and submitted by the deadlines
set forth above, but the JUAs will not become effective until after the Proposition K grant agreement is executed.

Viii. For inquiries regarding Letter(s) of Commitment and JUAs, contact Cid Macaraeg, City of Los Angeles, Department of Recreation and Parks at (213) 202-2608, or Joel Alvarez @ (213) 202-5600. Proposers must initiate seeking a Letter of Commitment and JUAs as early as possible in preparing their proposal to allow for sufficient time for negotiating and processing approval of those documents through the Board of Recreation and Park Commissioners.

2. For Proposed Acquisition Projects:

All of the following information and documentation must be included with the proposal for acquisition projects.

a. A letter from proposer identifying a single project site;

b. A letter from the property owner indicating their willingness to negotiate in good faith for the sale of the property acknowledging that the City will be the owner of the property;

c. If the proposer is a non-City entity:

   i. If the proposed site will be under the control of the Department of Recreation and Parks, the proposal must contain a letter from the Board of Recreation and Park Commissioners confirming the Department’s willingness to collaborate with the proposer to effectuate the purchase and development of the property with the title to be held by the City/Department.

   ii. If the proposed site will not be under the control of the Department of Recreation and Parks, the proposal must contain a copy of a City Council motion directing the Department of General Services to collaborate with the proposer to effectuate the purchase and development of the property with the title to be held by the City.

   iii. The letter from the Department of Recreation and Parks or the City Council Motion must also explain the anticipated roles and responsibilities of the proposer and the City entity during the negotiation and acquisition and development after the acquisition (if applicable), including the City’s willingness to lease the site back to the grantee for development, operation and maintenance.

d. A preliminary title report;

e. A Class “C” appraisal; and

f. An acquisition schedule (See Attachment G – Sample Schedule).
PART FIVE - ENVIRONMENTAL ASSESSMENT PROCEDURES
(PROPOSITION K AND HATS TRUST FUND)

Proposers must complete and submit with their proposal all of the following environmental assessment documents:

1. Initial Site Investigation for Hazardous Materials (also known as a “Phase I Environmental Assessment”)
2. Lead Paint Study
3. Asbestos Study
4. Methane Study
5. Required CEQA information

Additional information on Environmental Assessment Procedures can be obtained by attending one of the Technical Assistance Seminars. See Page VII of this RFP for a schedule of the TAS seminars.

A. Initial Site Investigation for Hazardous Materials

The proposal must include an Initial Site Investigation for Hazardous Materials (“Phase I Environmental Assessment”).

1. For non-City projects, located on private property, the investigation should be done by a private consultant registered as a qualified Environmental Assessor by the State of California or equivalent.

2. For non-City projects, located on City-owned property, the proposer must check with the City Department with which they have a lease for the subject property, to determine whether an Initial Site Investigation for Hazardous Materials already exists. The Phase I shall not be older than 1 year. If not, the proposer must coordinate with staff of the responsible City Department regarding preparation of the Initial Site Investigation.

3. The investigation must include the following at a minimum:

   a. A determination of the likelihood of presence of hazardous materials within and/or nearby, the project site, and the types of contaminants likely to be present.

   b. Current and historic uses of the property.

   c. Likely nearby or on-site current and historical potential sources of contamination.
d. Any enforcement actions, site cleanups or other known related public agency actions with respect to hazardous materials contamination on or nearby to the proposed project site.

e. Recommendations for further site assessment (e.g., Phase II soil study, soil borings to determine actual types and concentration of contaminants present) and/or recommendations for removal, mitigation or abatement of any identified or likely contaminants hazardous materials on-site.

f. Estimated costs for any such studies recommended and/or estimated cost for removal, mitigation or abatement of identified or likely contaminants or hazardous materials on site.

B. Lead Paint Study

1. The proposal must include a Lead Based Paint study of all painted surfaces within the proposed project site. The study must comply with all current requirements for Lead Based Paint studies, and include:
   a. The results of samples of a representative number of painted surfaces from the proposed project site.
   b. If no painted surfaces are present on/within the project site, the proposer must submit a statement so stating.
   c. If lead based paint, or the likelihood thereof, is identified, the study must include recommendations for the abatement and/or mitigation of said lead-based paint, and an estimated cost for such abatement and/or mitigation.

2. For City projects, the lead study must be prepared by qualified City staff or private consultants.

3. For Non-City projects the lead study must be prepared by qualified City staff, licensed private consultants, or a licensed private testing lab.

C. Asbestos Study

1. The proposal must include an asbestos study that includes the following:
   a. A brief history of the construction and use of any building and/or structure proposed for acquisition, renovation and/or expansion.
   b. The likelihood of presence of asbestos containing materials (ACM), based upon the construction date of the structure(s) or building(s), type of construction materials, etc.
   c. If, based upon the historical review of the building, it is determined that there is a potential for/likelihood of, Asbestos Containing Materials (ACM) to be present within the project site, samples of any materials suspected to be ACM
must be taken and submitted for laboratory analysis, and the results of such analysis must be included in the asbestos study.

d. If the results of laboratory analysis determine the presence of ACMs, recommendations for abatement and/or mitigation of the ACMs must be included in the asbestos report, as well as an estimated cost for such abatement or mitigation.

2. For City projects, the asbestos study must be prepared by qualified City staff or private consultants.

3. For Non-City projects, the asbestos study must be prepared by qualified City staff, a licensed consultant, or a licensed private testing lab.

D. Methane Study

The proposal must include a Methane Study that determined whether or not the proposed project is located in a methane hazard area or other area likely to have high concentrations of methane. The study must identify the sources(s) consulted and must be prepared by qualified City staff or private consultants. If the project is found to be located in a methane hazard area or area likely to have high concentrations of methane, the Study must include recommendations for mitigation and an estimated cost for such mitigation, and the project budget should include adequate funding to implement such mitigation measures.

E. CEQA Information

1. All City proposers and non-City proposers (non-profit organizations and other governmental agencies) must submit with their proposal documentation regarding CEQA compliance as set forth below. Environmental documents must be prepared or approved by qualified City Staff or consultants.

2. As early as possible after release of this RFP all proposers must meet with the appropriate entity to process compliance with CEQA as follows:

   a. City Property Controlled by the Department of Recreation and Parks

       Proposers for projects located on property controlled by the Department of Recreation and Parks must meet with representatives of the Department.

   b. City Property Not Controlled by the Department of Recreation and Parks

       Proposers for projects to be located on property owned by the City, but not controlled by the Department of Recreation and Parks must meet with the Bureau of Engineering, Environmental Management Group at (213) 485-5730.

   c. Property Owned by Non-City Governmental Agency
Proposers for projects to be located on property owned by other non-City governmental agency must meet with representatives of that governmental agency.

d. Privately Owned Property

Proposers for projects to be located on privately owned property must meet with representatives of the City’s Planning Department, Environmental Impact Report (EIR) Section at (213) 978-1331 or (213) 978-1332. The representatives will help proposers determine the appropriate CEQA compliance method, and the documentation required to be submitted with the proposal.

3. All City and non-City proposers must submit the following information as part of the proposal:

a. If a Notice of Determination or Notice of Exemption has already been filed in connection with an earlier approval of the project, proposers must submit a copy of the filed Notice, and a copy of the Environmental Impact Report (“EIR”) or Negative Declaration, prepared for the project, if applicable.

b. Note that if the project being proposed has changed from whatever was previously analyzed (including any expansion of a previously approved project or change of location), a substantial amount of time has passed since CEQA analysis was completed (generally 3 years since approval of the project by the lead City agency), or other factors affect the accuracy of the previous CEQA analysis, proposers must submit an analysis of whether new environmental review will be needed.

c. If no Notice of Determination or Notice of Exemption has previously been filed, or if new environmental review is needed, proposers must submit one of the followings:

i. A draft Notice of Exemption, if the project is determined to qualify for the exemption;

ii. An Initial Study or Initial Endowment Assessment form and discussion of whether a Negative Declaration, Mitigated Negative Declaration, or EIR will be required; or

iii. An Initial Study and draft of the Negative Declaration, Mitigated Negative Declaration, or EIR.

F. CEQA Compliance Costs

1. CEQA Compliance Costs Incurred Prior to Submitting Proposal

a. A proposer may qualify to be reimbursed for CEQA compliance costs for the proposed project that were incurred prior to submitting the proposal. The City may reimburse successful proposers up to $500 for projects for which a
Notice of Exemption was prepared and up to $10,000 for projects for which a
Negative Declaration, Mitigated Negative Declaration, or an EIR was
prepared prior to submission of the proposal. Proposers must include a
request for reimbursement of those costs, and proof of monies spent, as part
of the proposal. If additional funds beyond the amount specified above are
requested, the proposer must provide bids from three environmental
consulting firms or an appropriate City Agency justifying the greater cost of
environmental compliance.

b. The City reserves the right to reimburse all, part or none of these CEQA
compliance costs, depending upon when and under what circumstances the
documents were prepared, the source of funds used for the original
preparation, and the justification of the costs.

c. Projects that are not chosen for funding will not be eligible for reimbursement
of CEQA compliance costs or other costs of preparation of the proposal.

2. CEQA Compliance Costs After Submitting Proposal

For projects requiring a Negative Declaration, Mitigated Negative Declaration, or an
EIR, that cannot be completed prior to the deadline for submitting proposals,
proposers may apply for funds to prepare the environmental documentation in the
first year of the grant cycle (July 1, 2022 - June 30, 2023).

a. The proposal must include a budget for both the CEQA compliance (including
cost for preliminary design for CEQA compliance) and the overall project
costs, including capital improvement costs.

b. Project design costs that can be funded in the first year of the funding cycle
includes only the design work necessary to complete CEQA documentation
(e.g., the cost to prepare a preliminary design sufficient to be able to
determine the likely environmental impacts and any required mitigation
measures of the proposed project).

c. The proposal must include cost estimates for preparation of the
environmental documents from three or more environmental consulting firms
or the appropriate City agency.

d. The proposal must include a timeline for completion of the environmental
documentation, and the overall project, assuming completion and approval of the
environmental documentation in the first year of the grant cycle (July 1, 2022 -
June 30, 2023).

e. If actual environmental compliance costs exceed the amount funded for year
one of the grant cycle, the additional cost will not be reimbursable and will be
the obligation of the grantee.

f. If environmental compliance costs are funded non-City proposers will be
required to execute a grant agreement specifically for the CEQA compliance
costs, which will require the proposer to repay the Proposition K Program any grant funds that were expended if the project is not implemented. Similarly, if grant funds are expended for CEQA compliance on a City project, the funds must be repaid to the Proposition K Program if the project is not implemented.

g. Approval of funding for CEQA compliance in the first year of the grant cycle does not constitute approval of the project for implementation and does not guarantee that the project will be approved for additional monies in future years. Additional funding will depend on the results of the environmental analysis and availability of funds for project implementation.
PART SIX - PROPOSAL CONTENT GUIDELINES

All submitted proposals must be complete. Contextual changes or additions to the proposal after it has been submitted will not be accepted. Failure to comply with legal or administrative submission requirements will lead to disqualification. Proposals must include the following:

A. **Title Page and Assurances (Attachment A)**

The Title Page and Assurances packet (Attachment A) must be submitted in the legal name of the corporation as stated in the Articles of Incorporation, if applicable, and must be signed by the person or persons (i.e. Chief Executive Officer, General Manager, Agency Director, Board Chair, etc.) who has legal authority to bind the corporation or public agency in a contract with the City.

The Title Page and Assurances will not be counted as a part of the 20-page maximum requirement. Required information includes the legal name of the organization submitting the proposal, street address, city, state, and zip code, daytime telephone number with area code, fax number with area code, and e-mail address. The Title Page and Assurances packet must also identify the individual(s) authorized to represent the proposer's organization in negotiating and executing an agreement with the City and information on how to contact them.

B. **City of Los Angeles Non-Collusion Affidavit, Lobbying Ordinance CEC Form 50, and Bidder Contributions (Measure H) CEC Form 55 (Attachments B, C and D)**

1. Non-Collusion Affidavit (Attachment B).

   All proposers must submit a completed Non-Collusion Affidavit with their proposal signed by the proposing entity’s authorized representative. **The signature on this Affidavit must be notarized.**

2. Lobbying Ordinance CEC Form 50 (Attachment C).

   All proposers must submit with their proposal a completed City Lobbying Ordinance CEC Form 50. Information regarding the City’s Municipal Lobbying Ordinance can be found at https://ethics.lacity.org/wp-content/uploads/Laws-Lobbying-MLO.pdf

3. Bidder Contributions (Measure H) CEC Form 55 (Attachment D).

   All proposers must submit with their proposal a completed Bidder Contributions (Measure H) CEC Form 55 under Charter Section 470(c)(12).

4. Failure to submit a completed CEC Form 50 and a completed CEC Form 55 will result in the proposer being deemed non-responsive and the proposal will be rejected. These requirements cannot be waived.
C. **Table of Contents**

An accurate Table of Contents listing required, and optional proposal components and related pages must be included. Proposers must ensure that each page of their proposal documentation is clearly numbered.

D. **Legal Entity Status**

Non-Profit Organization - Proof of Incorporation in the State of California and tax-exempt status under, Section 501(c)(3) of the Internal Revenue Code. Submit a copy of the letter from the State Franchise Tax Board and Internal Revenue Service that recognizes the organization's tax-exempt status and authority to operate and that the corporation is in good standing with the California Secretary of State.

Government Agency - Proof of status as a government entity.

E. **Articles of Incorporation**

Non-Profit Organization - Grantee’s Articles of Incorporation and all amendments thereto, as filed with the Secretary of State.

F. **By-Laws**

Non-Profit Organization - Proposer’s By-Laws, and all amendments thereto, as adopted by the proposing entity and properly attested.

G. **Corporate Board or Governing Body Authorization**

Resolutions or other corporate actions of the non-profit organizations Board of Directors or of the governmental agency’s governing body, properly attested or certified, which specify the name(s) of the person(s) authorized to submit the proposal and authorized to obligate the grantee and execute all contractual documents required of successful Proposition K and/or HATS grantees.

H. **City Business Tax Registration Certificate (BTRC)**

A current and valid BTRC to do business within the City or evidence of exemption. The legal name(s) on the BTRC must be identical to the legal name of the entity submitting the proposal and identical to the name(s) on the Proof of Incorporation from the State of California. Call Office of Finance phone nos. (213) 473-5901 for any questions about the BTRC or visit: https://finance.lacity.org/how-register-btrc.

I. **Taxpayer Identification**

The proposing entity’s Internal Revenue Service Taxpayer Identification Number.
J. Evaluation Criteria

Information regarding how the project meets the following evaluation criteria is more fully described in Part Four, Section C - Proposal Evaluation Procedures and Criteria.

1. Project Description and Management
2. Fiscal & Budgetary Review
3. Project Readiness
4. Service Capability
5. Bonus Points Discussions for Proposition K (if any)
   a. Project includes an at-risk youth component, either by including training and employment of at-risk youth to implement the project or by providing facilities to serve at-risk youth;
   b. Project serves an area without similar services or facilities;
   c. Project demonstrates community support;
   d. Project demonstrates high cost-effectiveness;
   e. Project sustainability

K. Site Control Documents

For All Proposed Capital Improvement Projects
See documents required in Part Four, Section D.1., pages 27 - 28

For Proposed Acquisition Projects
See documents required in Part Four, Section D.2., page 31

L. Project Related Documents

1. Conceptual Site Plans of the Proposed Project.
2. Site Map, documenting project site in relation to community, including project’s location relative to existing facilities.
3. Parcel Map (must include parcel number and site address).
4. Project Budget Forms (See Attachment E). Construction activities will be subject to all applicable Prevailing Wage Laws. Construction cost estimates included in the project budget submitted with the proposal must clearly demonstrate compliance with the Prevailing Wage Laws. For a copy of the
current Prevailing Wage Determination, please contact the Department of Public Works, Bureau of Contract Administration at 1149 S. Broadway, Suite 300, Los Angeles, CA 90015, (213) 847-2662.

5. Project Information Summary see (Attachment F).

6. Construction and Expenditure Milestones Schedule (See Attachment J for sample)

**M. Financial Documents**

1. Current audited financial statement for the past two years, signed by a Certified Public Accountant.

2. Itemized list of all current and proposed funding sources, including contact information.

**N. Environmental Assessment Documents**

Environmental Assessment Documentation

1. Initial Site Investigation for Hazardous Materials

2. Lead Paint study

3. Asbestos study

4. Methane study

5. CEQA documentation

**O. Compliance Documents – To Be Submitted with Proposal**

1. Certification of Compliance with Child Support Obligations (return with proposal) (Attachment K)

2. Certification regarding Americans with Disabilities Act (return with proposal) (Attachment L).

3. Living Wage Ordinance and Service Contract Worker Retention Requirements - (Living Wage and Service Contract Worker Retention documents (return with proposal) (Attachment M).

4. Compliance with Contractor Responsibility Ordinance, Contractor Responsibility Questionnaire (return with proposal) (Attachment O).

5. Compliance with Iran Contracting Act of 2010 (return with proposal) (Attachment Q).
P. **Compliance Documents - To Be Submitted through Business Assistance Virtual Network (BAVN) at www.labavn.org**

The following forms are to be completed and submitted through the City of Los Angeles Business Assistance Virtual Network (BAVN) at www.labavn.org prior to the deadline for submitting proposals in response to this RFP. Proposers must confirm they have completed the required forms by initialing and signing the 10th Cycle RFP Submittal Checklist found at the end of this RFP.

1. Equal Benefits Ordinance Compliance Forms Affidavit, Application for Reasonable Measures (if applicable), and Application for Provisional Compliance (if applicable) (Attachment H).


Q. **Compliance Documents – Post Award**

The following compliance documents will be required after final Council approval of a grant award and before the execution of the grant agreement with the City of Los Angeles.

1. Deed of Trust/Promissory Note/Option to Lease (grantee owned sites).

2. Sublease and Sublease Leaseback Agreement (grantee leased sites).


4. Insurance Requirements, and coverage levels as set by the City Risk Manager are specific to each project, based on total grant amount, type of project environmental document, acquisition, design and/or construction, etc., as well as total project cost. Requirements will likely include Workers Compensation, Automobile, Professional Liability, General Liability, and Property Insurance. See Attachment P - Required Insurance and Minimum Limits [Form Gen.146 (Rev 3/09] for a list of likely types of insurance that will be required for the grant agreement.

5. Required permits (land use, building and safety permits and approvals). Submit with proposal if available.

6. Restrictive use covenant to be executed at time of grant agreement.
PART SEVEN - PROPOSAL SUBMISSION GUIDELINES

For the safety of all parties involved during the current COVID-19 Pandemic, proposals will be received ELECTRONICALLY ONLY VIA E-MAIL. No hard copy proposals will be accepted. Proposals must be sent via email to engpropkrfp@lacity.org and received no later than 3:00 p.m. on Thursday, May 27, 2021.

Each submission file size must be 20 megabytes (MB) or smaller or broken up into multiple files not to exceed 20 MB each. The email subject line should state: Prop K 10th Cycle Proposal – Agency Name – Project Title

If one agency is submitting multiple project proposals, each project proposal should be submitted separately.

Proposals and all required documents are due on or before 3:00 p.m. on Thursday, May 27, 2021. Proposals received after this time will be deemed non-responsive and ineligible for Prop K and/or HATS funding.
### 10th Funding Cycle Request for Proposals
**Fiscal Years (2022-2023, 2023-2024 & 2024-2025)**

**RFP Implementation Calendar - *All dates subject to change***

<table>
<thead>
<tr>
<th>Event Description</th>
<th>Date(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Request for Proposals released</td>
<td>Thursday, February 25, 2021</td>
</tr>
<tr>
<td>Four Technical Assistance Seminars (attendance at one TAS is mandatory)</td>
<td>March – April 2021</td>
</tr>
<tr>
<td>Deadline to submit proposals</td>
<td>Thursday, May 27, 2021 before 3:00 p.m.</td>
</tr>
<tr>
<td>Initial Eligibility Review &amp; Initial Site Visits</td>
<td>Completed by early August 2021</td>
</tr>
<tr>
<td>Proposals reviewed and applicants notified of initial eligibility determinations</td>
<td>Mid-August 2021</td>
</tr>
<tr>
<td>Determinations of non-eligible proposal packages reviewed by the L.A. for Kids Steering Committee (SC) upon request of proposer</td>
<td>Late August 2021</td>
</tr>
<tr>
<td>Scoring panels administered</td>
<td>Early September 2021</td>
</tr>
<tr>
<td>BOE Proposition K staff review and prepare preliminary funding recommendations report</td>
<td>Mid-September 2021</td>
</tr>
<tr>
<td>BOE Proposition K staff preliminary funding recommendations considered by the SC and thereafter the SC transmits recommendations to RVNOCs</td>
<td>September 24, 2021</td>
</tr>
<tr>
<td>Deadline for submittal of executed master JUAs and agreements and Site Specific JUAs (where applicable)</td>
<td>Thursday, October 29, 2021</td>
</tr>
<tr>
<td>RVNOCs and Steering Committee review, prioritize proposed projects</td>
<td>Early January 2022</td>
</tr>
<tr>
<td>RVNOC determinations will be reviewed by Steering Committee upon request of Proposer</td>
<td>February 2022</td>
</tr>
<tr>
<td>SC reviews, prioritizes projects and submits recommendations to City Council</td>
<td>March – April 2022</td>
</tr>
<tr>
<td>City Council grant award hearings and final action</td>
<td>April – June 2022</td>
</tr>
<tr>
<td>Grant award notifications</td>
<td>June – July 2022</td>
</tr>
<tr>
<td></td>
<td>LIST OF ATTACHMENTS TO BE SUBMITTED WITH PROJECT PROPOSAL</td>
</tr>
<tr>
<td>---</td>
<td>----------------------------------------------------------</td>
</tr>
<tr>
<td>A</td>
<td>Title Page and Assurances</td>
</tr>
<tr>
<td>B</td>
<td>Non-Collusion Affidavit</td>
</tr>
<tr>
<td>C</td>
<td>Lobbying Ordinance, Bidder Certification, CEC Form 50</td>
</tr>
<tr>
<td>D</td>
<td>Bidder Contributions, Measure H, CEC Form 55</td>
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<tr>
<td>E</td>
<td>Project Budget Forms</td>
</tr>
<tr>
<td>F</td>
<td>Project Information Summary</td>
</tr>
<tr>
<td>G</td>
<td>Acquisition Schedule (Sample is provided; customized document must be prepared by proposer)</td>
</tr>
<tr>
<td>H*</td>
<td>Equal Benefits Ordinance - To be completed on BAVN</td>
</tr>
<tr>
<td>I*</td>
<td>Nondiscrimination, Equal Employment Practices, Affirmative Action Program To be completed on BAVN (2 forms)</td>
</tr>
<tr>
<td>J</td>
<td>Construction and Expenditure Milestones Schedule (Sample is provided; customized document to be prepared by proposer)</td>
</tr>
<tr>
<td>K</td>
<td>Certification of Compliance with Child Support Obligations</td>
</tr>
<tr>
<td>L</td>
<td>Certification Regarding Compliance with the American Disabilities Act</td>
</tr>
<tr>
<td>M</td>
<td>Living Wage Ordinance and Service Contract Worker Retention Ordinance</td>
</tr>
<tr>
<td>N*</td>
<td>Disclosures Ordinance Affidavit –To be completed on BAVN</td>
</tr>
<tr>
<td>O</td>
<td>Contractor Responsibility Ordinance</td>
</tr>
<tr>
<td>P</td>
<td>Insurance Requirements (Does not need to be submitted with RFP. Provided for informational purposes only)</td>
</tr>
<tr>
<td>Q</td>
<td>Iran Contacting Act of 2010 – 1 form</td>
</tr>
<tr>
<td>R</td>
<td>Proposal Submittal Authorization Form</td>
</tr>
</tbody>
</table>

Note: * All Bidders/Proposers must complete and upload, the forms marked with an (*) through the City of Los Angeles Business Assistance Virtual Network (BAVN) at www.labavn.org prior to the deadline for submitting.
## PROPOSAL SUBMITTAL CHECKLIST

Proposers must initial & sign this checklist certifying that the proposal as submitted contains the required information or documents and where applicable that the required documents have been completed through BAVN.

<table>
<thead>
<tr>
<th></th>
<th>RFP Page #</th>
<th>Initials</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Table of Contents: An accurate table of contents is required</td>
<td>39</td>
</tr>
<tr>
<td>2.</td>
<td>Title Page and Assurances (Attachment A)</td>
<td>38 A-1 to A-3</td>
</tr>
<tr>
<td>3.</td>
<td>City of Los Angeles Non-Collusion Affidavit (Attachment B)</td>
<td>38 B-1</td>
</tr>
<tr>
<td>4.</td>
<td>City Ethics Commission, CEC Form 50 (Attachment C)</td>
<td>38 C-1 and C-2</td>
</tr>
<tr>
<td>5.</td>
<td>City Ethics Commission, CEC Form 55 (Attachment D)</td>
<td>38 D-1 to D-3</td>
</tr>
<tr>
<td>6.</td>
<td>Proof of legal entity status and tax-exempt status</td>
<td>39</td>
</tr>
<tr>
<td>7.</td>
<td>Articles of Incorporation and By-Laws – Adopted by agency and properly attested</td>
<td>39</td>
</tr>
<tr>
<td>8.</td>
<td>Proof of corporate board or governing body action authorizing submission of proposal</td>
<td>39</td>
</tr>
<tr>
<td>9.</td>
<td>City of Los Angeles Business Tax Registration Certificate (BTRC) or Evidence of Exemption</td>
<td>39</td>
</tr>
<tr>
<td>10.</td>
<td>Documents for Proposed Acquisition Projects</td>
<td>19, 31, 40 G-1</td>
</tr>
<tr>
<td>11.</td>
<td>Site Control – Grant deed, Title Report, Lease,</td>
<td>27-31</td>
</tr>
<tr>
<td>12.</td>
<td>Conceptual Site Plans (For All Proposed Projects)</td>
<td>40</td>
</tr>
<tr>
<td>13.</td>
<td>Site Maps</td>
<td>40</td>
</tr>
<tr>
<td>14.</td>
<td>Parcel Map</td>
<td>40</td>
</tr>
<tr>
<td>15.</td>
<td>Project Budget Forms (Attachment E) (see page 26, note additional request for provisions of audited financial statements)</td>
<td>40 E-1 to E-4</td>
</tr>
<tr>
<td>16.</td>
<td>Project Information Summary (Attachment F)</td>
<td>41 F-1</td>
</tr>
<tr>
<td>17.</td>
<td>Construction and Expenditure Milestones Schedule (Attachment J) (Sample only)</td>
<td>41 J-1</td>
</tr>
<tr>
<td>18.</td>
<td>Project Description and Management</td>
<td>21</td>
</tr>
<tr>
<td>19.</td>
<td>Fiscal and Budgetary Review</td>
<td>21</td>
</tr>
<tr>
<td>20.</td>
<td>Project Readiness</td>
<td>22</td>
</tr>
<tr>
<td>21.</td>
<td>Service Capability</td>
<td>23</td>
</tr>
<tr>
<td>22.</td>
<td>Bonus Points (optional)</td>
<td>24</td>
</tr>
<tr>
<td>23.</td>
<td>Financial Documents</td>
<td>41</td>
</tr>
<tr>
<td>24.</td>
<td>List of all other Funding Sources</td>
<td>41</td>
</tr>
<tr>
<td>25.</td>
<td>Environmental Assessment Documents</td>
<td>41</td>
</tr>
<tr>
<td>27.</td>
<td>Certification regarding Compliance with the American Disabilities Act - (Attachment L)</td>
<td>41 L-1</td>
</tr>
<tr>
<td>28.</td>
<td>Living Wage and Service Contract Worker Retention Ordinance – (Attachment M) – LW 10 or LW 13</td>
<td>41 M-1 to M-7</td>
</tr>
<tr>
<td>29.</td>
<td>Contractor Responsibility Ordinance – (Attachment O)</td>
<td>41 O-1 to O-11</td>
</tr>
<tr>
<td>30.</td>
<td>Compliance with Iran Contracting Act of 2010 – (Attachment Q)</td>
<td>41 Q-1 to Q-3</td>
</tr>
<tr>
<td>31.</td>
<td>Equal Benefits Ordinance – (Attachment H) <strong>TO BE COMPLETED ON BAVN</strong></td>
<td>42 H-1 to H-3</td>
</tr>
<tr>
<td>32.</td>
<td>Non-discrimination, Equal Employment Practices, Affirmative Action Program, (Attachment I) <strong>TO BE COMPLETED ON BAVN</strong></td>
<td>42 I-1 to I-7</td>
</tr>
<tr>
<td>33.</td>
<td>Disclosure Ordinances Affidavit – (Attachment N) <strong>TO BE COMPLETED ON BAVN</strong></td>
<td>42 N-1 to N-2</td>
</tr>
<tr>
<td>34.</td>
<td>Proposal Submittal Guidelines (IMPORTANT) <strong>PLEASE FOLLOW THE DIRECTIONS</strong></td>
<td>43</td>
</tr>
</tbody>
</table>

Name of Proposing Entity: ____________________________________________________________

Signature: ___________________________________ Printed Name: ___________________________________

Title: ___________________________ Date: ___________________________

**(IT IS MANDATORY THAT YOU SUBMIT THIS CHECKLIST WITH YOUR PROPOSAL)**
# Title Page and Assurances

<table>
<thead>
<tr>
<th>Legal Name of Agency Submitting Proposal:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address (Street, City, State, Zip Code):</td>
</tr>
<tr>
<td>Phone #:</td>
</tr>
<tr>
<td>Agency’s Authorized Representative:</td>
</tr>
<tr>
<td>Project Name:</td>
</tr>
<tr>
<td>Project Location / Address: (Street, City, State, Zip Code):</td>
</tr>
<tr>
<td>Project Description:</td>
</tr>
</tbody>
</table>

Recreational Services to be provided for youth as repayment of Proposition K Grant:

<table>
<thead>
<tr>
<th>Los Angeles Business Tax Registration Certificate Number:</th>
<th>Federal Employer ID Number:</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Council District:</td>
<td>Census Tract Number:</td>
</tr>
<tr>
<td>Project Category:</td>
<td></td>
</tr>
</tbody>
</table>
ASSURANCES

1. It is understood and agreed by the undersigned that:
   a. The proposer states that no person who is presently employed by the City of Los Angeles has any personal, financial, or economic interest, direct or indirect, in any agreement resulting from this offer and will not have such interest for a period of one (1) year following their employment with the City of Los Angeles.
   b. Audit and Inspection of Records:
      The proposer will permit the authorized representatives of the City of Los Angeles to inspect and audit all data and records relating to its proposal and performance under the contract or grant award.
   c. Expenditure of Grant Funds:
      Funds granted as a result of this Request for Proposals are to be expended for the purpose set forth herein and in accordance with all applicable laws, regulations, policies, and procedures of the City of Los Angeles, and, where applicable, the State and Federal governments.

2. City of Los Angeles Prevailing Wage:
   Recipients of City grant funds must further comply with City, or State Prevailing Wages requirements.

3. City of Los Angeles Equal Benefits Ordinance:
   Recipients of City grant funds must further comply with Equal Benefits requirements.

4. City of Los Angeles Americans with Disabilities Act:
   Recipients of the City of Los Angeles grant funds under this Request for Proposals must ensure that their project will be designed in accordance with the requirements of the Americans with Disabilities Act, as amended.

5. City of Los Angeles Living Wage Ordinance/Service Contractor Worker Retention Ordinance requirements.
   Recipients of City grant funds must comply with Living Wage Ordinance/Service Contractor Worker Retention requirements.
6. **City of Los Angeles Affirmative Action Program Requirements:**

Recipients of City grant funds their contractors must comply with the Affirmative Action Program Requirements as provided for in Division 10, Chapter 1, and Article 1 of the Los Angeles Administrative Code.

_______________________________
Signature of Person Legally Authorized
To Sign for Agency

_______________________________
Type or Print Name

_______________________________
Title

_______________________________
Date

**Affix Corporate Seal**
Seal must bear the same title under which this application is being submitted (if the agency does not have a Corporate Seal, a current copy of the Articles of Incorporation must be attached).
ATTACHMENT B

NON-COLLUSION AFFIDAVIT
PROPOSITION K L.A. FOR KIDS PROGRAM
10th Cycle Request for Proposals

NON-COLLABRATION AFFIDAVIT

_____________________________________, being first duly sworn, deposes and says that he or she is
(name of person signing)
the __________________________________ of   _____________________________________________
(president, executive director, general manager, etc.)                               (the entity making the foregoing proposal)
and    that the proposal is not made in the interest of, or on behalf of, any undisclosed person, partnership,
company, association, organization, or corporation; that the proposal is genuine and not collusive or sham;
that the proposer has not directly or indirectly induced or solicited any other proposer to put in a false or
sham proposal, and has not directly or indirectly colluded, conspired, connived, or agreed with any
proposer or anyone else to put in a sham proposal, or that anyone shall refrain from proposing; that the
proposer has not in any manner, directly or indirectly, sought by agreement, communication, or conference
with anyone to fix the grant request amount of the proposer or any other proposer, or to fix any overhead,
profit or cost element of the grant request amount, or of that of any other proposer, or to secure any
advantage against the public body awarding the contract or anyone interested in the proposed grant or
contract; that all statements contained in the proposal are true; and further, that the proposer has not,
directly or indirectly submitted his or her proposed grant request amount or any breakdown hereof, or the
contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any
corporation, partnership, company association, organization, proposal depository, or to any member or
agent thereof to effectuate a collusive or sham proposal.

ALL SIGNATURES MUST
BE WITNESSED BY NOTARY

(Attach appropriate jurats)

Name of Proposing Entity

Signature of Proposer’s Authorized Representative

Date
PROPOSITION K: L.A. FOR KIDS PROGRAM
10TH CYCLE REQUEST FOR PROPOSALS

ATTACHMENT C

LOBBYING ORDINANCE CEC FORM 50
Bidder Certification

This form must be submitted with your bid or proposal to the City department that is awarding the contract noted below. If you have questions about this form, please contact the Ethics Commission at (213) 978-1960.

☐ Original Filing  ☐ Amendment: Date of Signed Original __________ Date of Last Amendment __________

<table>
<thead>
<tr>
<th>Reference Number (Bid, Contract, or BAVN)</th>
<th>Awarding Authority (Department awarding the contract)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bidder Name</td>
<td></td>
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<tr>
<td>Address</td>
<td></td>
</tr>
<tr>
<td>Email Address</td>
<td>Phone Number</td>
</tr>
</tbody>
</table>

Certification

I certify the following on my own behalf or on behalf of the entity named above, which I am authorized to represent:

A. I am applying for one of the following types of contracts with the City of Los Angeles:

   1. A goods or services contract with a value of more than $25,000 and a term of at least three months;

   2. A construction contract with any value and duration;

   3. A financial assistance contract, as defined in Los Angeles Administrative Code § 10.40.1(h), with a value of at least $100,000 and a term of any duration; or

   4. A public lease or license, as defined in Los Angeles Administrative Code § 10.40.1(i), with any value and duration.

B. I acknowledge and agree to comply with the disclosure requirements and prohibitions established in the Los Angeles Municipal Lobbying Ordinance if I qualify as a lobbying entity under Los Angeles Municipal Code § 48.02.

I certify under penalty of perjury under the laws of the City of Los Angeles and the state of California that the information in this form is true and complete.

Name

Signature

Title

Date
ATTACHMENT D

MEASURE H, CEC FORM 55
Charter Section 470(c)(12)
Prohibited Contributors
(Bidders)

This form must be completed in its entirety and submitted with your bid or proposal to the City department that is awarding the contract. Failure to submit a completed form may affect your bid or proposal. If you have questions about this form, please contact the Ethics Commission at (213) 978-1960.

☐ Original Filing  ☐ Amendment: Date of Signed Original ____________ Date of Last Amendment ____________

Reference Number (Bid, Contract, or BAVN): ____________________________ Date Bid Submitted: ____________________

Contract Description (Title of the RFP or City contract solicitation and description of the services to be provided):

__________________________________________________________________________

Awarding Authority (Department awarding the contract):

Bidder Name:

Bidder Address:

Bidder Email Address: ____________________________ Bidder Phone Number: ____________

Schedule Summary

Please complete all three of the following:

1. SCHEDULE A — Bidder's Principals (check one)
   The bidder has one or more PRINCIPALS, as defined in LAMC § 49.7.35(A)(6).
   At least one principal is required for entities. (If you check "Yes", Schedule A is required.)
   Yes ☐ No ☐

2. SCHEDULE B — Subcontractors and Their Principals (check one)
   The bidder has one or more SUBCONTRACTORS on this bid or proposal with
   subcontracts worth $100,000 or more. (If you check "Yes", Schedule B is required.)
   Yes ☐ No ☐

3. TOTAL NUMBER OF PAGES SUBMITTED (including this cover page): ______

Certification

I certify the following under penalty of perjury under the laws of the City of Los Angeles and the state of California:
A) I understand, will comply with, and have notified my principals and subcontractors of the requirements and restrictions in Los Angeles City Charter § 470(c)(12) and any related ordinances; B) I understand that I must amend this form within ten business days if any information changes; C) I am the bidder named above or I am authorized to represent the bidder named above, and my name appears below, and D) The information provided in this form is true and complete to the best of my knowledge and belief.

Name ____________________________

Signature ____________________________

Title ____________________________

Date ____________________________

Revised September 2019
**Schedule A - Bidder's Principals**

Please identify the names and titles of all the bidder's principals (attach additional sheets if necessary). Principals include a bidder's board chair, president, chief executive officer, chief operating officer, and individuals who serve in the functional equivalent of one or more of those positions. Principals also include individuals who hold an ownership interest in the bidder of at least 20 percent and employees of the bidder who are authorized by the bid or proposal to represent the bidder before the City.

<table>
<thead>
<tr>
<th>Name:</th>
<th>Title:</th>
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<td>Address:</td>
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☐ Check this box if additional Schedule A pages are attached.
Please identify all subcontractors whose subcontracts are worth $100,000 or more. Separate Schedule B pages are required for each subcontractor who meets the threshold.

<table>
<thead>
<tr>
<th>Subcontractor's Name</th>
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<table>
<thead>
<tr>
<th>Subcontractor's Address</th>
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</table>

Please check one of the following options:

This subcontractor has one or more principals.  
☐ Yes  ☐ No

* Each principal's name and title must be identified below. Attach additional sheets if necessary. Principals include a subcontractor's board chair, president, chief executive officer, chief operating officer, and individuals who serve in the functional equivalent of one or more of those positions. Principals also include individuals who hold an ownership interest in the subcontractor of at least 20 percent and employees of the subcontractor who are authorized by the bid or proposal to represent the subcontractor before the City.

| Name: ___________________ | Title: ___________________ |
| Address: ___________________ |

| Name: ___________________ | Title: ___________________ |
| Address: ___________________ |

| Name: ___________________ | Title: ___________________ |
| Address: ___________________ |

| Name: ___________________ | Title: ___________________ |
| Address: ___________________ |

| Name: ___________________ | Title: ___________________ |
| Address: ___________________ |

☐ Check this box if additional Schedule B pages are attached.

Revised September 2019

Los Angeles City Charter § 470(c)(12), Los Angeles Municipal Code §§ 49.7.35(b)(3), (4)

ethics.lacity.org
PROPOSITION K: L.A. FOR KIDS PROGRAM
10TH CYCLE REQUEST FOR PROPOSALS

ATTACHMENT E

PROJECT BUDGET FORMS
Contact information for the person who provided the cost estimate for this project: *(This person should be knowledgeable about the financial aspects of this project)*

**CONTACT NAME:** __________________________  **CONTACT TITLE:** __________________________

**TELEPHONE:** __________________________  **EMAIL:** __________________________

## I. CAPITAL IMPROVEMENTS BUDGETS:

Estimated capital improvements costs for proposed project (please attach bids for services whenever applicable). If a section is not applicable to your project, please indicate with “Not Applicable” in the appropriate column. In the “Matching Funds Already Secured” column, indicate only those funds which have been already committed to your project; attach documentation of such commitment.

<table>
<thead>
<tr>
<th>DESCRIPTION OF ESTIMATED PROJECT COSTS</th>
<th>PROPOSITION K FUNDS REQUESTED</th>
<th>MATCHING FUNDS ALREADY SECURED</th>
<th>MATCHING FUNDS NOT YET SECURED</th>
<th>SOURCE OF MATCHING FUNDS</th>
<th>TOTAL PROJECT COSTS:</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. PLANNING/DEVELOPMENT</td>
<td></td>
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<tr>
<td>Site Acquisition</td>
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<td>Escrow Fees</td>
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<td>Appraisal Fees</td>
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<tr>
<td>Architecture Fees</td>
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<td>Engineering Fees</td>
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<tr>
<td>Environmental Assessment - Reimbursement</td>
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<tr>
<td>Legal Fees</td>
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<tr>
<td>Permits</td>
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<tr>
<td>Survey</td>
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<tr>
<td>Preliminary Site Assessment</td>
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<tr>
<td>Bonds, Premium</td>
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<tr>
<td>Outside Project Manager</td>
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<tr>
<td>Other, Consultant Services</td>
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<tr>
<td>Other, Specify</td>
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</tbody>
</table>

**SUBTOTAL PLANNING & DEVELOPMENT**
<table>
<thead>
<tr>
<th>DESCRIPTION OF ESTIMATED PROJECT COSTS</th>
<th>PROPOSITION K FUNDS REQUESTED</th>
<th>MATCHING FUNDS ALREADY SECURED</th>
<th>MATCHING FUNDS NOT YET SECURED</th>
<th>SOURCE OF MATCHING FUNDS</th>
<th>TOTAL PROJECT COSTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>B. CONSTRUCTION</td>
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<tr>
<td>Demolition</td>
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<td>Excavation/Grading</td>
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<td>Landscape &amp; Irrigation</td>
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<td>Electrical</td>
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<tr>
<td>Carpentry</td>
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<tr>
<td>Masonry</td>
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<tr>
<td>Structural Steel</td>
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<tr>
<td>Drywall/Stucco</td>
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<td>Painting</td>
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<tr>
<td>Roofing</td>
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<td>Insulation</td>
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<tr>
<td>Tile</td>
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<tr>
<td>Flooring</td>
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<tr>
<td>Plumbing</td>
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<td>Lighting</td>
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<tr>
<td>Pools/Aquatic Upgrades</td>
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<tr>
<td>Heating/Cooling</td>
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<tr>
<td>Fire Protection</td>
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<tr>
<td>Inspection Fees</td>
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<tr>
<td>Other, Specify</td>
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<tr>
<td><strong>SUBTOTAL, CONSTRUCTION</strong></td>
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<tr>
<td><strong>TOTAL PROJECT COSTS</strong></td>
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</tbody>
</table>
II. PROJECTED OPERATING COSTS UPON PROJECT COMPLETION:

Detail a one-year operating budget for your completed project. Identify all staffing positions you intend to fund, along with each approximate yearly salary. If only a portion of a salary or other operating cost will be allocated to this project, indicate this and the rationale for doing so in your budget narrative. Itemize the source(s) of funding that will cover the operating costs associated with this project. Note that some funding will be made available to successful applicants for maintenance of the Proposition K funded components; however applicants should identify other sources of maintenance dollars as well. Operational, staffing and/or maintenance dollars are not allowable expenses under this Request for Proposals.

<table>
<thead>
<tr>
<th>PROJECTED OPERATING EXPENSES</th>
<th>TOTAL FUNDS REQUIRED</th>
<th>SOURCE OF FUNDS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A. PERSONNEL</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administrative Personnel- List Positions.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Direct Services Staff - List Positions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Support Staff (clerical, aides, etc.)</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>SUBTOTAL, PERSONNEL</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>B. OPERATING COSTS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rent/Mortgage</td>
<td></td>
<td></td>
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<tr>
<td>Utilities</td>
<td></td>
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</tr>
<tr>
<td>Insurance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Custodial Services</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maintenance of Facilities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phones/Fax/Internet</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Program Supplies</td>
<td></td>
<td></td>
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<tr>
<td>Other, Specify</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>SUBTOTAL, OPERATING</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C. EQUIPMENT</td>
<td></td>
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<td></td>
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<tr>
<td>Computers</td>
<td></td>
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<tr>
<td>Appliances</td>
<td></td>
<td></td>
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<tr>
<td>Recreational Equipment, specify</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other, Specify</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**SUBTOTAL, EQUIPMENT**

**TOTAL OPERATING COSTS**
PROPOSITION K: L.A. FOR KIDS PROGRAM
10TH CYCLE REQUEST FOR PROPOSALS

ATTACHMENT F

PROJECT INFORMATION SUMMARY
## Project Information Summary

<table>
<thead>
<tr>
<th></th>
<th>Organization Name</th>
<th>Principal Office</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Proposer</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Name &amp; Title</td>
<td>Mailing/Email Address</td>
</tr>
<tr>
<td></td>
<td>Phone:</td>
<td>Fax:</td>
</tr>
<tr>
<td>3</td>
<td>Project Title</td>
<td>Project Site</td>
</tr>
<tr>
<td>4</td>
<td>Type of Site Control</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Property Appraised Value</td>
<td>All Existing and Pending Loans or Line of Credit Amount(s)</td>
</tr>
<tr>
<td>6</td>
<td>Prop K Amount Requested</td>
<td>Matching Funds Amount and Source(s)</td>
</tr>
<tr>
<td>7</td>
<td>Scope of Work to be funded by Prop K (Be as descriptive as possible)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1.</td>
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<td>2.</td>
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<td>3.</td>
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<td></td>
<td>4.</td>
<td></td>
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<tr>
<td>8</td>
<td>Identified Services for Repayment of Prop K grant (Be as descriptive as possible)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1.</td>
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<td>2.</td>
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<td>3.</td>
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<tr>
<td></td>
<td>4.</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Monday through Friday:</td>
<td>Weekend Hours:</td>
</tr>
<tr>
<td>10</td>
<td>Minimum City Residents Serviced per month</td>
<td>Minimum of Service Hours per month</td>
</tr>
</tbody>
</table>

Types of Site Control: 1 – Applicant owns site; 2 – Applicant leases site from private owner; 3 – Applicant leases site from City Department; 4 – Applicant leases site from other public agency.
ATTACHMENT G

SAMPLE ONLY

ACQUISITION SCHEDULE

(Sample is provided, however proposers must prepare a customized document for the project)
## SAMPLE ACQUISITION SCHEDULE

<table>
<thead>
<tr>
<th>Parcel No.</th>
<th>Acreage</th>
<th>Estimated Date of Acquisition</th>
<th>Estimated value of Land to be Acquired *</th>
<th>Estimated Cost of Relocation</th>
<th>Estimated value of Improvements to be Acquired</th>
<th>Total Estimated Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>25.20</td>
<td>12-08</td>
<td>202,000</td>
<td>4,500</td>
<td>10,000</td>
<td>216,500</td>
</tr>
<tr>
<td>2</td>
<td>2.97</td>
<td>12-08</td>
<td>29,000</td>
<td>-</td>
<td>-</td>
<td>29,000</td>
</tr>
<tr>
<td>3</td>
<td>6.00</td>
<td>1-09</td>
<td>31,000</td>
<td>-</td>
<td>-</td>
<td>31,000</td>
</tr>
<tr>
<td>4</td>
<td>37.13</td>
<td>3-09</td>
<td>86,500</td>
<td>-</td>
<td>-</td>
<td>86,500</td>
</tr>
</tbody>
</table>

| Administration of relocation program | 1,000 |
| Relocation                           | 7,000 |
| **Total Acreage**                    | 71.30  |
| **TOTAL**                            | **371,000** |

* As evidenced by a Class C Appraisal.
PROPOSITION K: L.A. FOR KIDS PROGRAM
10TH CYCLE REQUEST FOR PROPOSALS

ATTACHMENT H

EQUAL BENEFITS ORDINANCE

MUST BE COMPLETED ON THE CITY OF LOS ANGELES BUSINESS ASSISTANCE VIRTUAL NETWORK (BAVN)
www.labavn.org
Equal Benefits Ordinance (EBO) / First Source Hiring Ordinance (FSHO)

If a contract is subject to the Equal Benefits Ordinance (EBO) and/or the First Source Hiring Ordinance (FSHO), Bidders/Proposers are required to complete a streamlined EBO/FSHO Compliance Affidavit web application form that is located on the City of Los Angeles’ Business Assistance Virtual Network (BAVN) at www.labavn.org. Bidders/Proposers are responsible for creating a BAVN profile and completing and submitting the affidavit. See below for additional details about the EBO and the FSHO.

Equal Benefits Ordinance (EBO):

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

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

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

First Source Hiring Ordinance (FSHO):

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

All Bidders/Proposers shall complete and electronically sign the FSHO Compliance Affidavit available on the City of Los Angeles’ Business Assistance Virtual Network (BAVN) residing at www.labavn.org prior to award of a City contract. The affidavit shall be valid for a period of three years from the date it is first uploaded on the City’s BAVN.

Bidders/Proposers seeking additional information regarding the requirements of the First Source Hiring Ordinance may visit the Bureau of Contract Administration’s web site at http://bca.lacity.org.
City of Los Angeles
Department of Public Works
Bureau of Contract Administration
Office of Contract Compliance
1149 S. Broadway, Suite 300, Los Angeles, CA 90015
Phone: (213) 847-2625 E-mail: bca.ceoc@lacity.org

EQUAL BENEFITS ORDINANCE COMPLIANCE AFFIDAVIT

Prime contractors must certify compliance with Los Angeles Administrative Code (LACC) Section 10.8.2.1 et seq. prior to the execution of a City agreement subject to the Equal Benefits Ordinance (EBO).

SECTION 1. CONTACT INFORMATION

BAVN Company Id: __________________________ EIN/TIN: __________________________

Company Name: __________________________

Company Address: __________________________

City: __________________________ State: __________________________ Zip: __________________________

Contact Person: __________________________ Phone: __________________________ E-mail: __________________________

Approximate Number of Employees in the United States: __________________________

Approximate Number of Employees in the City of Los Angeles: __________________________

SECTION 2. EBO REQUIREMENTS

The EBO requires City Contractors who provide benefits to employees with spouses to provide the same benefits to employees with domestic partners. Domestic Partner means any two adults, of the same or different sex, who have registered as domestic partners with a governmental entity pursuant to state or local law authorizing this registration, or with an internal registry maintained by the employer of at least one of the domestic partners.

Unless otherwise exempt, the contractor is subject to and shall comply with the EBO as follows:

A. The Contractor's operations located within the City limits, regardless of whether there are employees at those locations performing work on the City Contract, and

B. The Contractor's operations located outside of the City limits if the property is owned by the City or the City has a right to occupy the property, and if the contractor's presence at or on the property is connected to a Contract with the City and

C. The Contractor's employees located elsewhere in the United States, but outside of the City Limits, if those employees are performing work on the City Contract.

A Contractor must post a copy of the following statement in conspicuous places at its place of business available to employees and applicants for employment:

"During the performance of a Contract with the City of Los Angeles, the Contractor will provide equal benefits to its employees with spouses and its employees with domestic partners."

SECTION 3. COMPLIANCE OPTIONS

I have read and understand the provisions of the Equal Benefits Ordinance and have determined that this company will comply as indicated below:

0 I have no employees.
0 I provide no benefits.
0 I provide benefits to employees only. Employees are prohibited from enrolling their spouse or domestic partner.
0 I provide equal benefits as required by the City of Los Angeles EBO.
0 I provide employees with a "Cash Equivalent." Note: The "Cash Equivalent" is the amount of money equivalent to what your company pays for spousal benefits that are unavailable for domestic partners, or vice versa.
0 All or some employees are covered by a collective bargaining agreement (CBA) or union trust fund. Consequently, I will provide Equal Benefits to all non-union represented employees, subject to the EBO, and will propose to the affected unions that they incorporate the requirements of the EBO into their CBA upon amendment, extension, or other modification of the CBA.
0 Health benefits currently provided do not comply with the EBO. However, I will make the necessary changes to provide Equal Benefits upon my next Open Enrollment period which begins on (Date)
Our current company policies, i.e., family leave, bereavement leave, etc., do not comply with the provisions of the EBO. However, I will make the necessary modifications within three (3) months from the date of this affidavit.

FIRST SOURCE HIRING ORDINANCE COMPLIANCE AFFIDAVIT

Contractors (including loan or grant recipients) participating on a City contract that is subject to the First Source Hiring Ordinance (FSHO) are required to certify their compliance prior to contract execution.

As part of their obligations under the FSHO, Contractors must provide the Awarding Department a list of anticipated employment opportunities that they and their subcontractors expect to fill in order to perform the services under the contract. The FSHO-I form (available at http://bca.lacity.org) should be utilized to inform the Awarding Authority of any such opportunities. If no opportunities are anticipated, contractors do not need to submit the FSHO-I form prior to contract award, but must report any subsequent employment opportunities on the FSHO-3 form (available at http://bca.lacity.org) as described below.

During the term of the contract, the contractor and their subcontractors shall:

1. At least seven business days prior to making an announcement of a specific employment opportunity, provide notification of that employment opportunity by submitting the FSHO-3 form to the Community Development Department;
2. Interview qualified individuals referred by the City's referral resources; and
3. Prior to filling any employment opportunity, inform the Office of Contract Compliance of the names of the referral resources used, the names of the individuals referred, and the names of the referred individuals who were interviewed. If the referred individuals were not hired, the contractor should also provide the reasons they were not hired.

DECLARATION UNDER PENALTY OF PERJURY

I understand that I am required to permit the City of Los Angeles access to and upon request, must provide certified copies of all company records pertaining to benefits, policies and practices for the purpose of investigation or to ascertain compliance. Furthermore, I understand that failure to comply may be deemed a material breach of any City contract by the Awarding Authority. The Awarding Authority may cancel, terminate or suspend in whole or in part, the contract, monies due or to become due under a contract may be retained by the City until compliance is achieved. The City may also pursue any and all other remedies at law or in equity for any breach. The City may use the failure to comply as evidence against the Contractor in actions taken pursuant to the provisions of the LAAC Section 10.40, et seq., Contractor Responsibility Ordinance.

TERMS OF ACCEPTANCE AND SIGNATURE:

I, , the requester for this "EBO/FSHO Affidavit", warrant the truthfulness of the information provided in the document.

Electronic Signature:

Signature Date

☐ I understand that checking this box constitutes a legal signature confirming that I acknowledge and agree to the above Terms of Acceptance.

Execution of document by E-signature. By clicking on the check box it indicates an electronic signature. This is considered the legal equivalent of a manual or "wet" signature. Once signed electronically, this document is considered original and legally binding.

BAVN-EBO/FSHO (05/2016)
ATTACHMENT I

NONDISCRIMINATION/ EQUAL EMPLOYMENT PRACTICES/AFFIRMATIVE ACTION

MUST BE COMPLETED ON THE CITY OF LOS ANGELES BUSINESS ASSISTANCE VIRTUAL NETWORK (BAVN)

www.labavn.org
Nondiscrimination, Equal Employment Practices and Affirmative Action Program (Non-Construction and Construction)

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

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

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

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

Bidders/Proposers seeking additional information regarding the requirements of the City’s Non-Discrimination Clause, Equal Employment Practices and Affirmative Action Program may visit the Bureau of Contract Administration’s website at http://bca.lacity.org.
Los Angeles Administrative Code (LAAC), Division 10, Chapter 1, Article 1, Section 10.8 stipulates that the City of Los Angeles, in letting and awarding contracts for the provision to it or on its behalf of goods or services of any kind or nature, intends to deal only with those contractors that comply with the non-discrimination and Affirmative Action provisions of the laws of the United States of America, the State of California and the City of Los Angeles. The City and each of its awarding authorities shall therefore require that any person, firm, corporation, partnership or combination thereof, that contracts with the City for services, materials or supplies, shall not discriminate in any of its hiring or employment practices, shall comply with all provisions pertaining to nondiscrimination in hiring and employment, and shall require Affirmative Action Programs in contracts in accordance with the provisions of the LAAC. The awarding authority and/or Office of Contract Compliance of the Department of Public Works shall monitor and inspect the activities of each such contractor to determine that they are in compliance with the provisions of this chapter.

I. **Los Angeles Administrative Code Section 10.8.2 All Contracts: Non-discrimination Clause**

Notwithstanding any other provision of any ordinance of the City of Los Angeles to the contrary, every contract which is let, awarded or entered into with or on behalf of the City of Los Angeles, shall contain by insertion therein a provision obligating the contractor in the performance of such contract not to discriminate in his or her employment practices against any employee or applicant for employment because of the applicant’s race, religion, national origin, ancestry, sex, sexual orientation, age, disability, marital status, domestic partner status, or medical condition. All contractors who enter into such contracts with the City shall include a like provision in all subcontracts awarded for work to be performed under the contract with the City. Failure of the contractor to comply with this requirement or to obtain the compliance of its subcontractors with such obligations shall subject the contractor to the imposition of any and all sanctions allowed by law, including but not limited to termination of the contractor’s contract with the City.

II. **Los Angeles Administrative Code Section 10.8.3. Equal Employment Practices Provisions**

Every non-construction contract with or on behalf of the City of Los Angeles for which the consideration is $1,000 or more, and every construction contract for which the consideration is $1,000 or more, shall contain the following provisions, which shall be designated as the **EQUAL EMPLOYMENT PRACTICES** provision of such contract:

A. During the performance of this contract, the contractor agrees and represents that it will provide equal employment practices and the contractor and each subcontractor hereunder will ensure that in his or her employment practices persons are employed and employees are treated equally and without regard to or because of race, religion, ancestry, national origin, sex, sexual orientation, age, disability, marital status or medical condition.

1. This provision applies to work or service performed or materials manufactured or assembled in the United States.

2. Nothing in this section shall require or prohibit the establishment of new classifications of employees in any given craft, work or service category.

3. The contractor agrees to post a copy of Paragraph A hereof in conspicuous places at its place of business available to employees and applicants for employment.

B. The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to their race, religion, ancestry, national origin, sex, sexual orientation, age, disability, marital status or medical condition.

C. As part of the City’s supplier registration process, and/or at the request of the awarding authority, or the Board of Public Works, Office of Contract Compliance, the contractor shall certify in the specified format that he or she has not discriminated in the performance of City contracts against any employee or applicant for employment on the basis or because of race, religion, national origin, ancestry, sex, sexual orientation, age, disability, marital status or medical condition.

D. The contractor shall permit access to and may be required to provide certified copies of all of his or her records pertaining to employment and to employment practices by the awarding authority or the Office of Contract Compliance for the purpose of investigation to ascertain compliance with the Equal Employment Practices provisions of City contracts. On their or either of their request the contractor shall provide evidence that he or she has or will comply therewith.

E. The failure of any contractor to comply with the Equal Employment Practices provisions of this contract may be deemed to be a material breach of City contracts. Such failure shall only be established upon a finding to that effect by the awarding authority, on the basis of its own investigation or that of the Board of Public Works, Office of Contract Compliance. No such finding shall be made or penalties assessed except upon a full and fair hearing after notice and an opportunity to be heard has been given to the contractor.
F. Upon a finding duly made that the contractor has failed to comply with the Equal Employment Practices provisions of a City contract, the contract may be forthwith canceled, terminated or suspended, in whole or in part, by the awarding authority, and all monies due or to become due hereunder may be forwarded to and retained by the City of Los Angeles. In addition thereto, such failure to comply may be the basis for a determination by the awarding authority or the Board of Public Works that the said contractor is an irresponsible bidder or proposer pursuant to the provisions of Section 371 of the Charter of the City of Los Angeles. In the event of such a determination, such contractor shall be disqualified from being awarded a contract with the City of Los Angeles for a period of two years, or until the contractor shall establish and carry out a program in conformance with the provisions hereof.

G. Notwithstanding any other provision of this contract, the City of Los Angeles shall have any and all other remedies at law or in equity for any breach hereof.

H. The Board of Public Works shall promulgate rules and regulations through the Office of Contract Compliance, and provide necessary forms and required language to the awarding authorities to be included in City Request for Bids or Request for Proposal packages or in supplier registration requirements for the implementation of the Equal Employment Practices provisions of this contract, and such rules and regulations and forms shall, so far as practicable, be similar to those adopted in applicable Federal Executive orders. No other rules, regulations or forms may be used by an awarding authority of the City to accomplish the contract compliance program.

I. Nothing contained in this contract shall be construed in any manner so as to require or permit any act which is prohibited by law.

J. At the time a supplier registers to do business with the City, or when an individual bid or proposal is submitted, the contractor shall agree to adhere to the Equal Employment Practices specified herein during the performance or conduct of City Contracts.

K. Equal Employment Practices shall, without limitation as to the subject or nature of employment activity, be concerned with such employment practices as:

1. Hiring practices;
2. Apprenticeships where such approved programs are functioning, and other on-the-job training for non-apprenticeable occupations;
3. Training and promotional opportunities; and
4. Reasonable accommodations for persons with disabilities.

L. All contractors subject to the provisions of this section shall include a like provision in all subcontracts awarded for work to be performed under the contract with the City and shall impose the same obligations, including but not limited to filing and reporting obligations, on the subcontractors as are applicable to the contractor. Failure of the contractor to comply with this requirement or to obtain the compliance of its subcontractors with all such obligations shall subject the contractor to the imposition of any and all sanctions allowed by law, including but not limited to termination of the contractor’s contract with the City.

Equal Employment Practices Provisions Certification – The Contractor by its signature affixed hereto declares under penalty of perjury that:

1. The Contractor has read the Nondiscrimination Clause in Section I above and certifies that it will adhere to the practices in the performance of all contracts.
2. The Contractor has read the Equal Employment Practices Provisions as contained in Section II above and certifies that it will adhere to the practices in the performance of any construction contract or non-construction contract of $1,000 or more.

_________________________ __________________________
COMPANY NAME AUTHORIZED SIGNATURE

_________________________ __________________________
ADDRESS NAME AND TITLE (TYPE OR PRINT)

_________________________ __________________________
CITY, COUNTY, STATE, ZIP TELEPHONE/E-MAIL
AFFIRMATIVE ACTION PLAN

The following contracts are subject to the City of Los Angeles Affirmative Action Program as required by the Los Angeles Administrative Code (LAAC) Section 10.8.4 et seq.:

- Every non-construction contract of $100,000 or more;
- Every construction contract of $5,000 or more.

Purpose - An affirmative action program is a management tool designed to ensure equal employment opportunity. A central premise underlying affirmative action is that, absent discrimination, over time a contractor's workforce, generally, will reflect the gender, racial and ethnic profile of the available labor pools. Therefore, as part of its affirmative action program, a contractor monitors and examines its employment decisions and compensation systems to ensure equal employment practices, and takes steps to correct underutilization of women and minorities.

Contractors are subject to all provisions contained in LAAC Section 10.8.4 et seq. which can be found at [http://bca.lacity.org](http://bca.lacity.org). The excerpts below are provided to serve as a starting point for satisfying these requirements:

LAAC Section 10.8.4 (B) The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to their race, religion, ancestry, national origin, sex, sexual orientation, age, disability, marital status or medical condition.

LAAC Section 10.8.4(K) The plan shall be subject to approval by the Office of Contract Compliance prior to award of the contract.

LAAC Section 10.8.4(M) The Affirmative Action Plan required to be submitted shall, without limitation as to the subject or nature of employment activity, be concerned with such employment practices as:

1. Apprenticeship where approved programs are functioning, and other on-the-job training for non-apprenticeable occupations;
2. Classroom preparation for the job when not apprenticeable;
3. Pre-apprenticeship education and preparation;
4. Upgrading training and opportunities;
5. Encouraging the use of contractors, subcontractors, and suppliers of all racial and ethnic groups, provided, however that any contract subject to this ordinance shall require the contractor, subcontractor or supplier to provide not less than the prevailing wage;
6. The entry of qualified women, minority and all other journeymen into the industry; and
7. The provision of needed supplies or job conditions to permit persons with disabilities to be employed, and minimize the impact of any disability.

LAAC Section 10.8.4(Q) All contractors subject to the provisions of the section shall include a like provision in all subcontracts awarded for work to be performed under the contract with the City and shall impose the same obligations, including but not limited to filing and reporting obligations, on the subcontractors as are applicable to the contractor.
CONTRACTOR DECLARATION

In pursuit of accomplishing the intent of the City’s Affirmative Action Program, the contractor certifies and agrees to immediately implement good faith efforts, measures to recruit and employ minority, women, and other potential staff in a nondiscriminatory manner including, but not limited to, the following actions. The contractor shall:

(a) Recruit and make efforts to obtain such employees.
(b) Continually evaluate personnel practices to assure that hiring, upgrading, promotions, transfers, demotions and layoffs are made in a nondiscriminatory manner so as to achieve and maintain a diverse work force.
(c) Utilize training programs and assist minority, women and other employees in locating, qualifying for and engaging in such training programs to enhance their skills and advancement.
(d) Maintain such records as are necessary to determine compliance with equal employment and affirmative action obligations, and making such records available to City, State and Federal authorities upon request.
(e) Said policies shall be provided to all employees, subcontractors, vendors, unions and all others with whom the contractor may become involved in fulfilling any of its contracts.

Requirements For Construction Contractors ONLY

Construction contractors are additionally subject to all provisions contained in LAAC Section 10.13 et. seq. which can be found at [http://bca.lacity.org](http://bca.lacity.org). As part of these provisions, construction contractors are required to:

1. Submit an Anticipated Employment Utilization Report (AEUR) with each new bid for purposes of effectuating this Affirmative Action Plan for the specific project. The AEUR can be found in the bid documents or at [http://bca.lacity.org](http://bca.lacity.org).
2. Establish a person at the management level of the contracting entity to be the Equal Employment Opportunity (EEO) Officer. Such individual must have the authority to disseminate and enforce the company’s Equal Employment and Affirmative Action Policies.

<table>
<thead>
<tr>
<th>NAME OF EEO OFFICER</th>
<th>TITLE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>E-MAIL</th>
<th>PHONE NUMBER</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tr>
</tbody>
</table>

By its execution hereof, the contractor accepts and submits the foregoing as its Affirmative Action Plan. I certify under penalty of perjury under the laws of the State of California that I have read and understood the foregoing requirements of LAAC Section 10.8 et seq. and agree to comply with them while under contract as set forth therein.

Executed this ___ day of ____________, in the year 20___, at ______________________, ____________.

(CITY)  (STATE)

COMPANY NAME  TELEPHONE/E-MAIL

AUTHORIZED SIGNATURE  ADDRESS

NAME AND TITLE (TYPE OR PRINT)  CITY, COUNTY, STATE, ZIP

OCC-AA-1 (Rev 6-5-12)
CONSTRUCTION AND EXPENDITURE MILESTONES SCHEDULE

Samples provided; however, proposers must prepare a customized and realistic schedule for their project(s).
## Sample Construction and Expenditure Milestones Schedule

### Community Recreation Center for Kids

#### Budget for Outdoor Basketball Court

<table>
<thead>
<tr>
<th>Planning/Permits</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
<th>10</th>
</tr>
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<tbody>
<tr>
<td>Architectural Fees</td>
<td>2,800</td>
<td>2,800</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Permits</td>
<td>1,600</td>
<td>700</td>
<td>1,880</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Outside Project Manager</td>
<td>1,400</td>
<td>700</td>
<td>700</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subtotal Planning/Permits</td>
<td>5,880</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Construction

| 1 Excavation/Grading/Exterior | 39,000 |   |   | 13,650 | 13,650 | 11,700 |   |   |   |    |
| Painting | 5,000 |   |   | 5,000 |   |   |   |   |   |    |
| Subtotal Construction | 44,000 |   |   |   |   |   |   |   |   |    |

#### Budget for Recreation Center

<table>
<thead>
<tr>
<th>Planning/Permits</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
<th>10</th>
</tr>
</thead>
<tbody>
<tr>
<td>Architectural Fees</td>
<td>17,200</td>
<td>6,500</td>
<td>6,500</td>
<td>840</td>
<td>840</td>
<td>840</td>
<td>840</td>
<td>840</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Permits</td>
<td>10,320</td>
<td></td>
<td></td>
<td>10,320</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Outside Project Manager</td>
<td>8,600</td>
<td>860</td>
<td>1,290</td>
<td>1,290</td>
<td>1,290</td>
<td>1,290</td>
<td>1,290</td>
<td>1,290</td>
<td>1,290</td>
<td>1,290</td>
</tr>
<tr>
<td>Subtotal Planning/Permits</td>
<td>36,120</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Construction

| Demolition | 32,320 | 31,320 |   |   |   |   |   |   |   |    |
| Electrical | 17,400 |   |   | 7,000 | 7,400 | 3,000 |   |   |   |    |
| Carpentry | 35,000 | 17,500 | 17,500 |   |   |   |   |   |   |    |
| Structural Steel | 25,000 |   |   | 25,000 |   |   |   |   |   |    |
| Drywall/Stucco | 25,000 |   |   |   | 25,000 |   |   |   |   |    |
| Painting | 20,000 |   |   |   |   |   |   |   |   |    |
| Insulation | 4,000 |   |   |   |   | 4,000 |   |   |   |    |
| Flooring | 20,500 |   |   |   |   |   | 20,500 |   |   |    |
| Plumbing | 28,650 |   |   | 20,065 | 8,595 |   |   |   |   |    |
| Lighting | 15,000 |   |   |   |   |   |   | 15,000 |   |    |
| Heating/Cooling | 30,500 |   |   | 15,000 | 8,000 | 7,500 |   |   |   |    |
| Fire Protection | 8,500 |   |   | 4,500 | 4,000 |   |   |   |   |    |
| Subtotal Construction | 260,870 |   |   |   |   |   |   |   |   |    |

**Total** | 346,870 | 21,180 | 41,490 | 44,630 | 66,185 | 47,775 | 51,280 | 74,330 |   |    |
PROPOSITION K: L.A. FOR KIDS PROGRAM
10TH CYCLE REQUEST FOR PROPOSALS

ATTACHMENT K

CERTIFICATION OF COMPLIANCE WITH CHILD SUPPORT OBLIGATIONS
The City of Los Angeles has adopted an ordinance requiring that all contractors and subcontractors performing work for the City comply with all reporting requirements and wage and earning assignments relative to legally mandated child support. As a result, every contract that is let, awarded, or entered into with or on behalf of the City of Los Angeles shall contain the following provision:

The Contractor(s) and any Subcontractor(s) must fully comply with all applicable State and Federal employment reporting requirements for the Contractor(s)’ and any Subcontractor(s)’ employees. The Contractor(s) and any Subcontractor(s) must fully comply with all lawfully served Wage and Earnings Assignment Orders and Notices of Assignment in accordance with the California Family Code. The Contractor(s) and any Subcontractor(s) must certify that the principal owner(s) thereof (any person who owns an interest of 10 percent or more) are in compliance with any Wage and Earnings Assignment Orders or Notices of Assignment applicable to them personally. The Contractor(s) and any Subcontractor(s) must certify that such compliance will be maintained throughout the term of the contract.

Failure of the Contractor(s) and/or any Subcontractor(s) to fully comply with all applicable reporting requirements or to implement lawfully served Wage and Earnings Assignments or Notices of Assignment or failure of the principal owner(s) to comply with any Wage and Earnings Assignments or Notices of Assignment applicable to them personally shall constitute a default under the contract. Failure of the Contractor(s) and/or any Subcontractor(s) or principal owner(s) thereof to cure the default within 90 days of notice of such default by the City shall subject the contract to termination.

All Requests for Proposals, Requests for Qualifications, Invitations for Bids, advertisements for bids, and other similar documents must give notice of these provisions to those who bid on or submit proposals for prospective contracts with the City. All bidders and proposers are required to complete the attached Certification of Compliance with Child Support Obligations. Failure to return the completed certification as part of the bid or proposal will result in the bid or proposal being deemed unresponsive and being rejected.
City of Los Angeles
CERTIFICATION OF COMPLIANCE WITH CHILD SUPPORT OBLIGATIONS

The undersigned hereby agrees that ____________________________ will:

NAME OF BUSINESS

1. Fully comply with all applicable State and Federal employment reporting requirements for its employees.

2. Fully comply with and implement all lawfully served Wage and Earnings Assignment Orders and Notices of Assignment.

3. Certify that the principal owner(s) of the business are in compliance with any Wage and Earnings Assignment Orders and Notices of Assignment applicable to them personally.

4. Certify that the business will maintain such compliance throughout the term of the contract.

5. This certification is a material representation of fact upon which reliance was placed when the parties entered into this transaction.

6. The undersigned shall require that the language of this Certification be included in all subcontracts and that all subcontractors shall certify and disclose accordingly.

To the best of my knowledge, I declare under penalty of perjury that the foregoing is true and was executed at:

_________________________________________  ____________________________
City/County/State                     Date

__________________________________________________________________________________
Name of Business

__________________________________________________________________________________
Address of Business

__________________________________________________________________________________
Signature of Authorized Officer or Representative  Print Name

__________________________________________________________________________________
Title                                           Telephone Number
PROPOSITION K: L.A. FOR KIDS PROGRAM
10TH CYCLE REQUEST FOR PROPOSALS

ATTACHMENT L

CERTIFICATION REGARDING COMPLIANCE WITH
THE AMERICAN DISABILITIES ACT
PROPOSITION K L.A. FOR KIDS PROGRAM
10th Cycle Request for Proposals

CERTIFICATION REGARDING COMPLIANCE WITH THE
AMERICANS WITH DISABILITIES ACT

The undersigned certifies, that to the best of his/her knowledge and belief that:

1. The Contractor/Borrower Agency (hereafter Contractor) is in compliance with and will continue to comply with the Americans with Disabilities Act 42 U.S.C. 12101 et seq, and its implementing regulations.

2. The Contractor will provide for reasonable accommodations to allow qualified individuals with disabilities to have access to and participate in its programs, services and activities in accordance with the provisions of the Americans with Disabilities Act.

3. The Contractor will not discriminate against persons with disabilities nor against persons due to their relationship or association with a person with a disability.

4. The Contractor will require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans and cooperative Contracts) and that all subrecipients shall certify and disclose accordingly.

5. This certification is a material representation of fact upon which reliance was placed when the parties entered into this transaction.

Contract Number _________________________________________________

Contractor/Borrower/Agency ______________________________________________

Name and Title of Authorized Representative

Signature______________________________________________________________

Date_________________________________________________________________
PROPOSITION K: L.A. FOR KIDS PROGRAM
10TH CYCLE REQUEST FOR PROPOSALS

ATTACHMENT M

LIVING WAGE ORDINANCE AND CONTRACTOR
SERVICE WORKER RETENTION ORDINANCE
Living Wage Ordinance and Worker Retention Ordinance

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

Bidders/Proposers who believe that they meet the qualifications for one of the exemptions shall apply for exemption from the Ordinance by completing and submitting the appropriate Exemption/Non-Coverage Application form with their proposal. Application forms are as follows: Exemption Application (Form LW-10), Small Business Exemption Application (Form LW-26), 501(c)(3) Non-profit Exemption Application (Form OCC/LW-28), and Non-Coverage Determination Application (Form OCC/LW-29). These forms and more detailed information about the ordinances are available on the Bureau of Contract Administration's website at https://bca.lacity.org.
This application for exemption must be submitted along with your bid or proposal to the Awarding Department. INCOMPLETE SUBMISSIONS WILL BE RETURNED.

Los Angeles Administrative Code 10.37, the Living Wage Ordinance (LWO), presumes all City contractors are subject to the LWO unless this exemption application is approved.

TO BE FILLED OUT BY THE CONTRACTOR:

1. Company Name: ___________________________ Phone #: ___________________________
2. Company Address: ___________________________
3. Are you a Subcontractor? □ Yes □ No  If YES, state the name of your Prime Contractor: ___________________________
4. Type of Service Provided: ___________________________

EXEMPTION INFORMATION:

<table>
<thead>
<tr>
<th>EXEMPTION</th>
<th>SUPPORTING DOCUMENTATION REQUIRED</th>
</tr>
</thead>
<tbody>
<tr>
<td>501(c)(3) Non-Profit Organizations:</td>
<td>1. ATTACH a copy of your 501(c)(3) letter from the IRS.</td>
</tr>
<tr>
<td>■ A corporation organized under 501(c)(3) of the IRS Code qualifies for an exemption from the LWO if the highest paid employee makes less than eight times the hourly wage of the lowest paid employee.</td>
<td>2. ANSWER the following questions:</td>
</tr>
<tr>
<td>■ The exemption is valid for all employees except Child Care Workers.</td>
<td>A. STATE the hourly wage of HIGHEST paid employee in the organization: $ ____________</td>
</tr>
<tr>
<td>■ Therefore, even if a 501(c)(3) organization meets the salary test, Child Care Workers performing work on the City agreement must still be provided with the LWO required wage and time off benefits.</td>
<td>B. STATE the hourly wage of LOWEST paid employee in the organization: $ ____________</td>
</tr>
<tr>
<td>■ Under the LWO’s Rules and Regulations, a Child Care Worker is an employee “whose work on an agreement involves the care or supervision of children 12 years of age and under.”</td>
<td>C. MULTIPLY B by 8: $ ____________</td>
</tr>
<tr>
<td>■ This is read broadly so that the term would include, for example, tutors working with children 12 or under.</td>
<td>3. Based on Question 2 above, is A less than C?</td>
</tr>
<tr>
<td></td>
<td>□ YES If YES, sign and submit this application for final approval.</td>
</tr>
<tr>
<td></td>
<td>□ NO If NO, your company is NOT eligible for an exemption.</td>
</tr>
<tr>
<td>4. Will there be any Child Care Workers (as defined by the LWO Regulations) working on this Agreement?</td>
<td>4. Will there be any Child Care Workers (as defined by the LWO Regulations) working on this Agreement?</td>
</tr>
<tr>
<td>□ YES □ NO</td>
<td>5. Fill &amp; Submit LW-18 Subcontractor Information Form.</td>
</tr>
</tbody>
</table>

I declare under penalty of perjury under the laws of the State of California that: (1) I am authorized to bind the entity listed above; (2) the information provided on this form is true and correct to the best of my knowledge; and (3) the entity qualifies for exemption from the LWO on the basis indicated above. By signing below, I further agree that should the entity listed above cease to qualify for an exemption because of a change in salary structure, non-profit status, the hiring of employees, or any other reason, the entity will notify the Awarding Department and the Office of Contract Compliance of such change and comply with the LWO’s wage and time off requirements.

Print Name of Person Completing this Form: ___________________________ Signature of Person Completing this Form: ___________________________

Title: ___________________________ Phone #: ___________________________ Date: ___________________________

ANY APPROVAL OF THIS APPLICATION EXEMPTS ONLY THE LISTED CONTRACTOR FROM THE LWO DURING THE PERFORMANCE OF THIS CONTRACT. A SUBCONTRACTOR PERFORMING WORK ON THIS CONTRACT IS NOT EXEMPT UNLESS THE OFFICE OF CONTRACT COMPLIANCE HAS APPROVED A SEPARATE EXEMPTION FOR THE INDIVIDUAL SUBCONTRACTOR.

AWARDING DEPARTMENT USE ONLY:

Dept: ___________________________ Contact: ___________________________ Phone #: ___________________________ Contract #: ___________________________

OCC USE ONLY:

Approved / Not Approved – Reason: ___________________________

By Analyst: ___________________________ Date: ___________________________
COMPLIANCE WITH SLAVERY DISCLOSURE ORDINANCE

MUST BE COMPLETED ON THE CITY OF LOS ANGELES BUSINESS ASSISTANCE VIRTUAL NETWORK (BAVN)
www.labavn.org
Disclosure Ordinances Affidavit

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

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

The web form will be verified by the Bureau of Contract Administration (BCA) only if your company is the successful Proposer/Bidder selected for contract award. Proposers/Bidders seeking additional information regarding the requirements of the SDO and DBWCO Disclosure Ordinances may visit the Bureau of Contract Administration’s website at http://bca.lacity.org.
CITY OF LOS ANGELES - DISCLOSURE ORDINANCES

This Affidavit must only be submitted once on LABAVN (www.labavn.org). But contractors are responsible for updating their Affidavit if changes occur to any information contained therein. Questions regarding this Affidavit may be directed to the Department of Public Works, Bureau of Contract Administration, Office of Contract Compliance. Website: http://bca.lacity.org/index.cfm; Phone: (213) 847-2625; E-mail: bca.eove@lacity.org

SECTION I: COMPANY INFORMATION

1. I, , am authorized to bind contractually the Company identified below.

   BAVN Company Id:
   Company Name:
   Street Address:
   Phone:
   EIN/TIN:
   City:
   State:
   Zip:
   Email:

SECTION II: AFFIDAVIT DISCLOSING SLAVERY ERA PARTICIPATION, INVESTMENTS, OR PROFITS

Unless otherwise exempt from the Slavery Disclosure Ordinance (SDO), a Company entering into a Contract with the City must complete an Affidavit disclosing any and all records of Participation or Investment in, or Profits derived from Slavery, including Slaveholder Insurance Policies, during the Slavery Era. The Company must complete and submit the Affidavit on LABAVN before a Contract or Contract Amendment can be executed (LAAC Section 10.41 et seq.).

3. The company came into existence in (Four digit year).

4. The Company has searched its records and those of any Predecessor Companies for information relating to Participation or Investments in, or Profits derived from Slavery or Slaveholder Insurance Policies. Based on that research, the Company represents that (mark only the option(s) that apply):
   The Company found no records that the Company or any of its Predecessor Companies had any Participation or Investments in, or derived Profits from, Slavery or Slaveholder Insurance Policies during the Slavery Era.
   The Company found records that the Company or its Predecessor Companies Participated or Invested in, or derived Profits from Slavery during the Slavery Era. A description of the nature of that Participation is required and should be sent to bca.eove@lacity.org.
   The Company found records that the Company or its Predecessor Companies bought, sold, or derived Profits from Slaveholder Insurance Policies during the Slavery Era. A list of names of any Enslaved Persons or Slaveholders under the Policies is required and should be sent to bca.eove@lacity.org.

SECTION III: AFFIDAVIT DISCLOSING BORDER WALL CONTRACTING, BIDDING, OR PROPOSALS

Unless otherwise exempt from the Disclosure of Border Wall Contracting Ordinance, a Person/Company entering into a Contract with the City must complete an Affidavit disclosing any and all contracts, bids, or proposals to provide goods or services for the design, construction, operation or maintenance of a federally funded wall, fence or other barrier, including prototypes of a wall, fence or other barrier along the border between the United States and Mexico. No Contract shall be awarded to any Person/Company who has failed and accurately complete an affidavit listing all Border Wall bids and Border Wall Contracts (LAAC Section 10.50.2 et seq.).

5. The Person/Company has searched its records for information relating to and based on that research, the Person/Company represents that (mark only the option(s) that apply):
   The Person/Company found no records that the Company has participated in contracts, bids, or proposals to provide goods or services for the design, construction, operation or maintenance of a federally funded wall, fence or other barrier, including prototypes of a wall, fence or other barrier along the border between the United States and Mexico on or after March 17, 2017.
   The Person/Company found records that the Company has participated in contracts, bids, or proposals to provide goods or services for the design, construction, operation, or maintenance of a federally funded wall, fence or other barrier, including prototypes of a wall, fence or other barrier along the border between the United States and Mexico on or after March 17, 2017. A description of the nature of that Participation is required and should be sent to bca.eove@lacity.org.

SECTION IV: TERMS OF ACCEPTANCE AND SIGNATURE:

I, the requester for this "DO Affidavit," warrant the truthfulness of the information provided in the document.

Electronic Signature:
Please type your First and Last Names

I understand that checking this box constitutes a legal signature confirming that I acknowledge and agree to the above Terms of Acceptance.

Execution of document by E-signature. By clicking on the checkbox it indicates an electronic signature. This is considered the legal equivalent of a manual or "wet" signature. Once signed electronically, this document is considered original and legally binding.

DEFINITIONS

Affidavit means the form developed by the DAA and may be updated from time to time. The Affidavit need not be notarized but must be signed under penalty of perjury.

Company means any person, firm, corporation, partnership or combination of these.

Contract means any agreement, franchise, lease or concession including an agreement for any occasional professional or technical personal services, the performance of any work or service, the provision of any materials or supplies or rendering of any service to the City of Los Angeles or the public, which is let, awarded or entered into with or on behalf of the City of Los Angeles or any Awarding Authority of the City.

Enslaved Person means any person who was wholly subject to the will of another and whose person and services were wholly under the control of another and who was in a state of enforced compulsory service to another during the Slavery Era.

Investment means to make use of an Enslaved Person for future benefits or advantages.

Participation means having been a Slaveholder during the Slavery Era.

Predecessor Company means an entity whose ownership, title and interest, including all rights, benefits, duties and liabilities were acquired in an uninterrupted chain of succession by the Company.

Profits means any economic advantage or financial benefit derived from the use of Enslaved Persons.

Slavery means the practice of owning Enslaved Persons.

Slavery Era means that period of time in the United States of America prior to 1865.

Slaveholder means holders of Enslaved Persons, owners of business enterprises using Enslaved Persons, owners of vessels carrying Enslaved Persons or other means of transporting Enslaved Persons, merchants or financiers dealing in the purchase, sale or financing of the business of Enslaved Persons.

Slaveholder Insurance Policies means policies issued to or for the benefit of Slaveholders to insure them against the death of, or injury to, Enslaved Persons.

BAVN-DO (07/2018)
Contractor Responsibility Ordinance

Bidders/Proposers are advised that any contract awarded pursuant to this procurement process shall be subject to the provisions of Los Angeles Administrative Code Section 10.40 et seq., Contractor Responsibility Ordinance (CRO). Bidders/Proposers shall refer to Appendix/Attachment ___, “Contractor Responsibility Ordinance,” for further information regarding the requirements of the Ordinance.

All Bidders/Proposers shall complete and return, with their proposal, the Responsibility Questionnaire included in the Appendix/Attachment. Failure to return the completed Questionnaire may result in a Bidder/Proposer being deemed non-responsive.
1. What is the Contractor Responsibility Ordinance?

The Contractor Responsibility Ordinance (CRO) requires that each department make a determination as to whether prospective contractors are responsible and capable of fully performing the work before being awarding a City contract. The Ordinance also requires prospective contractors to complete a Responsibility Questionnaire that will be posted on the internet for 14 calendar days for public review.

2. When was the Ordinance adopted?

The City Council adopted the CRO on November 21, 2000. Regulations implementing the Ordinance were adopted on June 19, 2001.

3. Who is responsible for the administration and enforcement of the Ordinance?

Three departments were named as administrative agencies responsible for the administration of the CRO. Each Designated Administrative Agency (DAA) administers the Ordinance for a specific type of agreement. The three DAA’s, the type of agreement each DAA is responsible for, and contact information for each DAA is provided in the table below.

<table>
<thead>
<tr>
<th>Administrative Agency</th>
<th>Agreement Type</th>
<th>Contact Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Works, BCA</td>
<td>Service</td>
<td>Russ Strazella</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(213) 580-5012</td>
</tr>
<tr>
<td>Public Works, BCA</td>
<td>Construction</td>
<td>Russ Struzella</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(213) 580-5012</td>
</tr>
<tr>
<td>General Services</td>
<td>Procurement</td>
<td>Raymond Richards</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(213) 485-4591</td>
</tr>
</tbody>
</table>

4. Are all service, procurement, and construction agreements subject to the CRO?

Generally, an agreement, including one processed as an Authorization for Expenditure (AFE) with a Letter of Agreement, is covered by the CRO if it meets one of the definitions below.

**Service agreements:** Agreements covered under the general category of a “service agreement” include:
- An agreement for $25,000.00 or more and for at least three months in which a contractor will provide services to or for the City.
- An agreement for a lease or license of City property if the service to be performed on the property is something that City employees could perform.
- An agreement for the lease or license of City property that is in a location where a substantial number of the general public might visit.
- An agreement for the grant of City financial assistance for $100,000 or more if the agreement is for the purpose of economic development or job growth. City financial
assistance may also include loans if certain conditions are met. (Refer to Sec. 10.40.0(b) of the CRO.)

Purchase agreements: Purchase agreements are covered if they are for $100,000 or more. Agreements to purchase garments are covered if they are for $25,000 or more.

Construction agreements: All construction agreements are covered, regardless of amount or term.

5. When did the Ordinance become applicable?

The Ordinance is being applied to Invitations for Bids (IFB) (including Requests for Proposals, Requests for Qualifications, "sole-sourced" contracts, and any other procurement process) released to the public on or after September 4, 2001. An agreement entered into as a result of an IFB released prior to that date is not subject to the CRO unless it is amended after September 4, 2001, and the amended agreement meets the definitions stated in the answer to Question #4 above.

6. If an IFB is subject to the CRO, what must a department do?

The department must inform prospective bidders/proposers that the CRO is applicable to the IFB. The department must also include the appropriate Responsibility Questionnaire for bidders/proposers to fill out. Depending on the type of contract to be awarded, one of three Questionnaires may be included in the IFB: Service; Procurement; and Construction.

7. What is a Responsibility Questionnaire?

The Responsibility Questionnaire asks for information about the bidder/proposer: business organization or structure; financial resources and responsibility; performance history; prior disputes; and history in complying with laws. Before a department awards a contract, the department will consider information contained in the Questionnaire as part of the review of a bidder/proposer’s responsibility, as well as any information contained in the Office of Contract Compliance’s Contractor Evaluation database [http://caodocs.ci.la.ca.us/ContEval/] regarding the proposer’s prior performance on City contracts.

8. What must a bidder/proposer do when responding to an IFB?

If the IFB is subject to the CRO, the bidder/proposer must complete the Responsibility Questionnaire and return it to the City department with the bid/proposal. If a bidder/proposer does not submit a completed Questionnaire with the bid/proposal, the City department may consider the bidder/proposer to be non-responsive to the IFB and may disqualify the bidder/proposer from the rest of the IFB process.

9. Is a separate Questionnaire required for each IFB?

Unless the IFB is exempt, a separate Questionnaire must be submitted for each IFB to which a bidder/proposer responds.
10. What will the City do with the Questionnaire?

The department responsible for awarding the agreement will review the information contained in the submitted questionnaires, and if necessary, follow up with the bidder/proposer to clarify any information contained in the Questionnaire. The awarding authority will send the completed Questionnaires to the appropriate DAA. The DAA will post the Questionnaires on the City’s Bidder/Contractor Responsibility website: www.lacity.org/bidresp. This posting also applies to "sole-sourced" contracts, so the completed Questionnaire from a proposed "sole-sourced" contractor must be forwarded to the appropriate DAA for posting.

11. How long will the Questionnaires be posted?

The Questionnaires will be posted on the internet for 14 calendar days. Unless an exemption applies, a department cannot award an agreement until the posting requirement has been met.

12. What happens during the 14 calendar-day posting period?

The general public will be able to review the Questionnaires posted. If, during the 14 calendar-day posting period, the DAA receives information that calls into question a bidder/proposer’s responsibility, the DAA will investigate the matter. In that case, no agreement may be awarded until the DAA finishes its investigation. Information obtained during the investigation will be provided to the department to consider in its determination of a bidder/proposer’s responsibility.

13. How does a department know that the posting requirement has been met?

The awarding department should complete the top portion of the Posting Verification Form and forward it to the DAA along with the Questionnaires. The DAA will complete the bottom portion of the Posting Verification Form and return it to the department when the posting requirement has been met.

14. Are contract amendments subject to the CRO?

If an agreement is amended after September 4, 2001, and the amended agreement meets the definitions stated in the answer to Question #4 above, it is subject to the CRO. Contractors do not have to submit a Questionnaire; however, the CRO Contract Language must be incorporated into the amended agreement.

15. After the agreement is awarded, or the agreement is amended, what does the CRO require the contractor to do?

The CRO requires a contractor to:

- Comply with all federal, state, and local laws in the performance of the contract, including but not limited to laws regarding health and safety, labor and employment, wage and hours, and licensing laws, which affect employees.
• Notify the awarding authority within 30 calendar days after receiving notice that any governmental agency has started an investigation into violations of, or has found that the contractor has violated, any federal, state, or local law in the performance of the contract.
• When applicable, provide the awarding authority, within 30 calendar days, updated responses to the Questionnaire if a change occurs that would affect the contractor’s responsibility and ability to continue the agreement.
• Ensure that subcontractors working on the City agreement comply with all federal, state, and local laws in the performance of the agreement.
• Ensure that subcontractors working on the City agreement submit a Pledge of Compliance to comply with the CRO.

16. What happens if a contractor is found to be in violation of the Ordinance?

The DAA will notify the contractor that a violation has been found and give the contractor 10 calendar days to correct the violation. If the contractor fails to do so, the City may terminate the agreement and pursue all available contractual remedies. The City may also hold a non-responsibility hearing and debar the contractor from doing business with the City for five (5) years.

17. What about subcontractors?

Subcontractors are subject to the CRO, and the contractor must ensure that each of its subcontractors complies with the CRO. Subcontractors do not need to complete a Questionnaire, but they must submit to the awarding department a Pledge of Compliance with the Ordinance before they can start work on a City agreement.

18. What if a subcontractor is found to be in violation of the Ordinance?

Because the prime contractor is responsible for ensuring that all its subcontractors comply with the CRO, the sanctions listed in the answer to Question #16 may be applied to the prime contractor if the subcontractor does not correct the violation(s).

19. Are there any exemptions under the Ordinance?

Generally, two categories of exemptions exist under the CRO:

(1) Agreements exempt from all the CRO requirements:
• Contracts with a governmental entity such as the United States of America, the State of California, a county, city or public agency of such entities, or a public or quasi-public corporation located therein and declared by law to have such status.
• Contracts for the investment of trust moneys or agreements relating to the management of trust assets.
• Banking contracts entered into by the Treasurer pursuant to California Government Code Section 53630 et seq.

(2) Agreements that are only exempt from the requirement that a bidder/proposer submit a Questionnaire. The contractor must still comply with all other CRO provisions.
• Agreements awarded on the basis of emergency circumstances when the awarding authority finds that the City would suffer a financial loss or that City operations would be adversely impacted. This exemption is subject to approval by the DAA.
• Agreements for goods or services that are proprietary or available from only one source. This exemption is subject to approval by the DAA.
• Agreements awarded under the authority of Charter Sections 371(e)(5), (6), (7) or (8). The awarding authority must certify in writing that the contract is entered into in compliance with the requirements of those Charter sections.

20. Where can I obtain a copy of the Contractor Responsibility Ordinance and the Rules and Regulations?

All CRO-related information and documents can be found on the CRO website: http://www.lacity.org/bidresp.
CITY OF LOS ANGELES
RESPONSIBILITY QUESTIONNAIRE

RESPONSES TO THE QUESTIONS CONTAINED IN THIS QUESTIONNAIRE MUST BE SUBMITTED ON THIS FORM. In responding to the Questionnaire, neither the City form, nor any of the questions contained therein, may be retyped, recreated, modified, altered, or changed in any way, in whole or in part. Bidders or Proposers that submit responses on a form that has been retyped, recreated, modified, altered, or changed in any way shall be deemed non-responsive.

The signatory of this Questionnaire guarantees the truth and accuracy of all statements and answers to the questions herein. Failure to complete and return this questionnaire, any false statements, or failure to answer (a) question(s) when required, may render the bid/proposal non-responsive. All responses must be typewritten or printed in ink. Where an explanation is required or where additional space is needed to explain an answer, use the Responsibility Questionnaire Attachments. Submit the completed form and all attachments to the awarding authority. Retain a copy of this completed form for future reference. Contractors must submit updated information to the awarding authority if changes have occurred that would render any of the responses inaccurate in any way. Updates must be submitted to the awarding authority within 30 days of the change(s).

A. CONTACT INFORMATION

CITY DEPARTMENT INFORMATION

<table>
<thead>
<tr>
<th>City Department/Division Awarding Contract</th>
<th>City Contact Person</th>
<th>Phone</th>
</tr>
</thead>
</table>

City Bid or Contract Number (if applicable) and Project Title

BIDDER/CONTRACTOR INFORMATION

<table>
<thead>
<tr>
<th>Bidder/Proposer Business Name</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Street Address</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Contact Person, Title</th>
<th>Phone</th>
<th>Fax</th>
</tr>
</thead>
</table>

TYPE OF SUBMISSION:

The Questionnaire being submitted is:

☐ An initial submission of a completed Questionnaire.

☐ An update of a prior Questionnaire dated _____/_____./_____.

☐ No change. I certify under penalty of perjury under the laws of the State of California that there has been no change to any of the responses since the last Responsibility Questionnaire dated _____/_____./_____. was submitted by the firm. Attach a copy of that Questionnaire and sign below.

<table>
<thead>
<tr>
<th>Print Name, Title</th>
<th>Signature</th>
<th>Date</th>
</tr>
</thead>
</table>

TOTAL NUMBER OF PAGES SUBMITTED, INCLUDING ALL ATTACHMENTS: _________
B. BUSINESS ORGANIZATION/STRUCTURE
Indicate the organizational structure of your firm. “Firm” includes a sole proprietorship, corporation, joint venture, consortium, association, or any combination thereof.

☐ Corporation: Date incorporated: _____/_____/_____  State of incorporation: ____________
   List the corporation’s current officers.
   President: ________________________________________________________________
   Vice President: __________________________________________________________
   Secretary: ______________________________________________________________
   Treasurer: ______________________________________________________________

☐ Check the box only if your firm is a publicly traded corporation.
   List those who own 5% or more of the corporation’s stocks. Use Attachment A if more space is needed. Publicly traded corporations need not list the owners of 5% or more of the corporation’s stocks.
   _______________________________________________________________________
   _______________________________________________________________________

☐ Limited Liability Company: Date of formation: _____/_____/_____  State of formation: ____________
   List members who own 5% or more of the company. Use Attachment A if more space is needed.
   _______________________________________________________________________
   _______________________________________________________________________

☐ Partnership: Date formed: _____/_____/_____  State of formation: ____________
   List all partners in your firm. Use Attachment A if more space is needed.
   _______________________________________________________________________
   _______________________________________________________________________

☐ Sole Proprietorship:  Date started: _____/_____/_____
   List any firm(s) that you have been associated with as an owner, partner, or officer for the last five years. Use Attachment A if more space is needed. Do not include ownership of stock in a publicly traded company in your response to this question.
   _______________________________________________________________________
   _______________________________________________________________________

☐ Joint Venture:  Date formed: _____/_____/_____
   List: (1) each firm that is a member of the joint venture and (2) the percentage of ownership the firm will have in the joint venture. Use Attachment A if more space is needed. Each member of the Joint Venture must complete a separate Questionnaire for the Joint Venture's submission to be considered as responsive to the invitation.
   _______________________________________________________________________
   _______________________________________________________________________
C. OWNERSHIP AND NAME CHANGES

1. Is your firm a subsidiary, parent, holding company, or affiliate of another firm?

☐ Yes  ☐ No

If Yes, explain on Attachment A the relationship between your firm and the associated firms. Include information about an affiliated firm only if one firm owns 50% or more of another firm, or if an owner, partner or officer of your firm holds a similar position in another firm.

2. Has any of the firm's owners, partners, or officers operated a similar business in the past five years?

☐ Yes  ☐ No

If Yes, list on Attachment A the names and addresses of all such businesses, and the person who operated the business. Include information about a similar business only if an owner, partner or officer of your firm holds a similar position in another firm.

3. Has the firm changed names in the past five years?

☐ Yes  ☐ No

If Yes, list on Attachment A all prior names, addresses, and the dates they were used. Explain the reason for each name change in the last five years.

4. Are any of your firm’s licenses held in the name of a corporation or partnership?

☐ Yes  ☐ No

If Yes, list on Attachment A the name of the corporation or partnership that actually holds the license.

Bidders/Contractors must continue on to Section D and answer all remaining questions contained in this Questionnaire.

The responses in this Questionnaire will not be made available to the public for review. This is not a public document. [CPCC §20101(a) ]
D. FINANCIAL RESOURCES AND RESPONSIBILITY

5. Is your firm now, or has it ever been at any time in the last five years, the debtor in a bankruptcy case?
   □ Yes  □ No

   If Yes, explain on Attachment B the circumstances surrounding each instance.

6. Is your company in the process of, or in negotiations toward, being sold?
   □ Yes  □ No

   If Yes, explain the circumstances on Attachment B.

E. PERFORMANCE HISTORY

7. How many years has your firm been in business? _________ Years.

8. Has your firm ever held any contracts with the City of Los Angeles or any of its departments?
   □ Yes  □ No

   If, Yes, list on an Attachment B all contracts your firm has had with the City of Los Angeles for the last 10 years. For each contract listed in response to this question, include: (a) entity name; (b) purpose of contract; (c) total cost; (d) starting date; and (e) ending date.

9. List on Attachment B all contracts your firm has had with any private or governmental entity (other than the City of Los Angeles) over the last five years that are similar to the work to be performed on the contract for which you are bidding or proposing. For each contract listed in response to this question, include: (a) entity name; (b) purpose of contract; (c) total cost; (d) starting date; and (e) ending date.
   □ Check the box if you have not had any similar contracts in the last five years

10. In the past five years, has a governmental or private entity or individual terminated your firm’s contract prior to completion of the contract?
    □ Yes  □ No

    If Yes, explain on Attachment B the circumstances surrounding each instance.

11. In the past five years, has your firm used any subcontractor to perform work on a government contract when you knew that the subcontractor had been debarred by a governmental entity?
    □ Yes  □ No

    If Yes, explain on Attachment B the circumstances surrounding each instance.

12. In the past five years, has your firm been debarred or determined to be a non-responsible bidder or contractor?
    □ Yes  □ No

    If Yes, explain on Attachment B the circumstances surrounding each instance.
F. DISPUTES

13. In the past five years, has your firm been the defendant in court on a matter related to any of the following issues? For parts (a) and (b) below, check Yes even if the matter proceeded to arbitration without court litigation. For part (c), check Yes only if the matter proceeded to court litigation. If you answer Yes to any of the questions below, explain the circumstances surrounding each instance on Attachment B. You must include the following in your response: the name of the plaintiffs in each court case, the specific causes of action in each case; the date each case was filed; and the disposition/current status of each case.

(a) Payment to subcontractors?
□ Yes □ No

(b) Work performance on a contract?
□ Yes □ No

(c) Employment-related litigation brought by an employee?
□ Yes □ No

14. Does your firm have any outstanding judgements pending against it?
□ Yes □ No
If Yes, explain on Attachment B the circumstances surrounding each instance.

15. In the past five years, has your firm been assessed liquidated damages on a contract?
□ Yes □ No
If Yes, explain on Attachment B the circumstances surrounding each instance and identify all such projects, the amount assessed and paid, and the name and address of the project owner.

G. COMPLIANCE

16. In the past five years, has your firm or any of its owners, partners or officers, ever been investigated, cited, assessed any penalties, or been found to have violated any laws, rules, or regulations enforced or administered, by any of the governmental entities listed on Attachment C (Page 9)? For this question, the term “owner” does not include owners of stock in your firm if your firm is a publicly traded corporation.
□ Yes □ No
If Yes, explain on Attachment B the circumstances surrounding each instance, including the entity that was involved, the dates of such instances, and the outcome.

17. If a license is required to perform any services provided by your firm, in the past five years, has your firm, or any person employed by your firm, been investigated, cited, assessed any penalties, subject to any disciplinary action by a licensing agency, or found to have violated any licensing laws?
□ Yes □ No
If Yes, explain on Attachment B the circumstances surrounding each instance in the last five years.
18. In the past five years, has your firm, any of its owners, partners, or officers, ever been penalized or given a
letter of warning by the City of Los Angeles for failing to obtain authorization from the City for the
substitution of a Minority-owned (MBE), Women-owned (WBE), or Other (OBE) business enterprise?

□ Yes  □ No

If Yes, explain on Attachment B the circumstances surrounding each instance in the last five years.

H. BUSINESS INTEGRITY

19. For questions (a), (b), and (c) below, check Yes if the situation applies to your firm. For these questions,
the term “firm” includes any owners, partners, or officers in the firm. The term “owner” does not include
owners of stock in your firm if the firm is a publicly traded corporation. If you check Yes to any of the
questions below, explain on Attachment B the circumstances surrounding each instance.

(a) Is a governmental entity or public utility currently investigating your firm for making (a) false claim(s) or
material misrepresentation(s)?

□ Yes  □ No

(b) In the past five years, has a governmental entity or public utility alleged or determined that your firm
made (a) false claim(s) or material misrepresentation(s)?

□ Yes  □ No

(c) In the past five years, has your firm been convicted or found liable in a civil suit for, making (a) false
claim(s) or material misrepresentation(s) to any governmental entity or public utility?

□ Yes  □ No

20. In the past five years, has your firm or any of its owners or officers been convicted of a crime involving the
bidding of a government contract, the awarding of a government contract, the performance of a
government contract, or the crime of fraud, theft, embezzlement, perjury, bribery? For this question, the
term “owner” does not include those who own stock in a publicly traded corporation.

□ Yes  □ No

If Yes, explain on Attachment B the circumstances surrounding each instance.

CERTIFICATION UNDER PENALTY OF PERJURY

I certify under penalty of perjury under the laws of the State of California that I have read and understand the
questions contained in this questionnaire and the responses contained on all Attachments. I further certify that
I have provided full and complete answers to each question, and that all information provided in response to
this Questionnaire is true and accurate to the best of my knowledge and belief.

Print Name, Title  Signature  Date
ATTACHMENT A FOR SECTIONS A THROUGH C

Where additional information or an explanation is required, use the space below to provide the information or explanation. Information submitted on this sheet must be typewritten or printed in ink. Include the number of the question for which you are submitting additional information. Make copies of this Attachment if additional pages are needed.

Page _____
ATTACHMENT B FOR SECTIONS D THROUGH H

Where additional information or an explanation is required, use the space below to provide the information or explanation. Information submitted on this sheet must be typewritten or printed in ink. Include the number of the question for which you are submitting additional information. Make copies of this Attachment if additional pages are needed.

Page _____
ATTACHMENT C: GOVERNMENTAL ENTITIES FOR QUESTION NO. 16

Check Yes in response to Question No. 16 if your firm or any of its owners, partners or officers, have ever been investigated, cited, assessed any penalties, or found to have violated any laws, rules, or regulations enforced or administered, by any of the governmental entities listed below (or any of its subdivisions), including but not limited to those examples specified below. The term “owner” does not include owners of stock in your firm if your firm is a publicly traded corporation. If you answered Yes, provide an explanation on Attachment B of the circumstances surrounding each instance, including the entity involved, the dates of such instances, and the outcome.

**FEDERAL ENTITIES**

Federal Department of Labor
- American with Disabilities Act
- Immigration Reform and Control Act
- Family Medical Leave Act
- Fair Labor Standards Act
- Davis-Bacon and laws covering wage requirements for federal government contract workers
- Migrant and Seasonal Agricultural Workers Protection Act
- Immigration and Naturalization Act
- Occupational Safety and Health Act
- anti-discrimination provisions applicable to government contractors and subcontractors
- whistleblower protection laws

Federal Department of Justice
- Civil Rights Act
- American with Disabilities Act
- Immigration Reform and Control Act of 1986
- bankruptcy fraud and abuse

Federal Department of Housing and Urban Development (HUD)
- anti-discrimination provisions in federally subsidized/assisted/sponsored housing programs
- prevailing wage requirements applicable to HUD related programs

Federal Environmental Protection Agency
- Environmental Protection Act

National Labor Relations Board
- National Labor Relations Act

Federal Equal Employment Opportunity Commission
- Civil Rights Act
- Equal Pay Act
- Age Discrimination in Employment Act
- Rehabilitation Act
- Americans with Disabilities Act

**STATE ENTITIES**

California’s Department of Industrial Relations
- wage and labor standards, and licensing and registration
- occupational safety and health standards
- workers’ compensation self insurance plans
- Workers’ Compensation Act
- wage, hour, and working standards for apprentices
- any provision of the California Labor Code

California’s Department of Fair Employment and Housing
- California Fair Employment and Housing Act
- Unruh Civil Rights Act
- Ralph Civil Rights Act

California Department of Consumer Affairs
- licensing, registration, and certification requirements
- occupational licensing requirements administered and/or enforced by any of the Department’s boards, including the Contractors’ State Licensing Board

California’s Department of Justice

**LOCAL ENTITIES**

City of Los Angeles or any of its subdivisions for violations of any law, ordinance, code, rule, or regulation administered and/or enforced by the City, including any letters of warning or sanctions issued by the City of Los Angeles for an unauthorized substitution of subcontractors, or unauthorized reductions in dollar amounts subcontracted.

**OTHERS**

Any other federal, state, local governmental entity for violation of any other federal, state, or local law or regulation relating to wages, labor, or other terms and conditions of employment.
ATTACHMENT P

INSURANCE REQUIREMENTS
CITY OF LOS ANGELES

INSTRUCTIONS AND INFORMATION
ON COMPLYING WITH CITY INSURANCE REQUIREMENTS

(Share this information with your insurance agent or broker)

1. **Agreement/Reference**  All evidence of insurance should identify the nature of your business with the CITY. Clearly show any assigned number of a bid, contract, lease, permit, etc. or give the project name and the job site or street address to ensure that your submission will be properly credited. Provide the **types of coverage and minimum dollar amounts** specified on the Required Insurance and Minimum Limits sheet (Form Gen. 146) included in your CITY documents.

2. **When to Submit**  Normally, no work may begin until a CITY insurance certificate approval number ("CA number") has been obtained, so insurance documents should be submitted as early as practicable. For **As-needed Contracts**, insurance need not be submitted until a specific job has been awarded. **Design Professionals** coverage for new construction work may be submitted simultaneously with final plans and drawings, but before construction commences.

3. **Acceptable Evidence and Approval**  Electronic submission is the required method of submitting your documents. **KwikComply** is the CITY’s online insurance compliance system and is designed to make the experience of submitting and retrieving insurance information quick and easy. The system is designed to be used by insurance brokers and agents as they submit client insurance certificates directly to the City. It uses the standard insurance industry form known as the **ACORD 25 Certificate of Liability Insurance** in electronic format. KwikComply advantages include standardized, universally accepted forms, paperless approval transactions (24 hours, 7 days per week), and security checks and balances. The easiest and quickest way to obtain approval of your insurance is to have your insurance broker or agent access KwikComply at [https://kwikcomply.org/](https://kwikcomply.org/) and follow the instructions to register and submit the appropriate proof of insurance on your behalf.

**Contractor** must provide City a thirty (30) day notice of cancellation (ten (10) days for non-payment of premium) AND an Additional Insured Endorsement naming the CITY an additional insured completed by your insurance company or its designee. If the policy includes an automatic or blanket additional insured endorsement, the Certificate must state the CITY is an automatic or blanket additional insured. An endorsement naming the CITY an Additional Named Insured and Loss Payee as Its Interests May Appear is required on property policies. All evidence of insurance must be authorized by a person with authority to bind coverage, whether that is the authorized agent/broker or insurance underwriter.

Additional Insured Endorsements DO NOT apply to the following:

- Indication of compliance with statute, such as Workers’ Compensation Law.
- Professional Liability insurance.

Verification of approved insurance and bonds may be obtained by checking KwikComply, the CITY’s online insurance compliance system, at [https://kwikcomply.org/](https://kwikcomply.org/).

4. **Renewal**  When an existing policy is renewed, have your insurance broker or agent submit a new Acord 25 Certificate or edit the existing Acord 25 Certificate through **KwikComply** at [https://kwikcomply.org/](https://kwikcomply.org/).

5. **Alternative Programs/Self-Insurance**  Risk financing mechanisms such as Risk Retention Groups, Risk Purchasing Groups, off-shore carriers, captive insurance programs and self-insurance programs are subject to separate approval after the CITY has reviewed the relevant audited financial statements. To initiate a review of your program, you should complete the
Applicant’s Declaration of Self Insurance form (http://cao.lacity.org/risk/InsuranceForms.htm) to the Office of the City Administrative Officer, Risk Management for consideration.

6. **General Liability** insurance covering your operations (and products, where applicable) is required whenever the CITY is at risk of third-party claims which may arise out of your work or your presence or special event on City premises. **Sexual Misconduct** coverage is a required coverage when the work performed involves minors. **Fire Legal Liability** is required for persons occupying a portion of CITY premises. Information on two CITY insurance programs, the SPARTA program, an optional source of low-cost insurance which meets the most minimum requirements, and the Special Events Liability Insurance Program, which provides liability coverage for short-term special events on CITY premises or streets, is available at (www.2sparta.com), or by calling (800) 420-0555.

7. **Automobile Liability** insurance is required only when vehicles are used in performing the work of your Contract or when they are driven off-road on CITY premises; it is not required for simple commuting unless CITY is paying mileage. However, compliance with California law requiring auto liability insurance is a contractual requirement.

8. **Errors and Omissions** coverage will be specified on a project-by-project basis if you are working as a licensed or other professional. The length of the claims discovery period required will vary with the circumstances of the individual job.

9. **Workers' Compensation and Employer’s Liability** insurance are not required for single-person contractors. However, under state law these coverages (or a copy of the state’s Consent To Self Insure) must be provided if you have any employees at any time during the period of this contract. Contractors with no employees must complete a Request for Waiver of Workers’ Compensation Insurance Requirement (http://cao.lacity.org/risk/InsuranceForms.htm). A Waiver of Subrogation on the coverage is required only for jobs where your employees are working on CITY premises under hazardous conditions, e.g., uneven terrain, scaffolding, caustic chemicals, toxic materials, power tools, etc. The Waiver of Subrogation waives the insurer’s right to recover (from the CITY) any workers’ compensation paid to an injured employee of the contractor.

10. **Property** Insurance is required for persons having exclusive use of premises or equipment owned or controlled by the CITY. **Builder's Risk/Course of Construction** is required during construction projects and should include building materials in transit and stored at the project site.

11. **Surety** coverage may be required to guarantee performance of work and payment to vendors and suppliers. A **Crime Policy** may be required to handle CITY funds or securities, and under certain other conditions. **Specialty coverages** may be needed for certain operations. For assistance in obtaining the CITY required bid, performance and payment surety bonds, please see the City of Los Angeles Contractor Development and Bond Assistance Program website address at http://cao.lacity.org/risk/BondAssistanceProgram.pdf or call (213) 258-3000 for more information.

12. **Cyber Liability & Privacy** coverage may be required to cover technology services or products for both liability and property losses that may result when a CITY contractor engages in various electronic activities, such as selling on the Internet or collecting data within its internal electronic network. Contractor's policies shall cover liability for a data breach in which the CITY employees’ and/or CITY customers' confidential or personal information, such as but not limited to, Social Security or credit card information are exposed or stolen by a hacker or other criminal who has gained access to the CITY’s or contractor’s electronic network. The policies shall cover a variety of expenses associated with data breaches, including: notification costs, credit monitoring, costs to defend claims by state regulators, fines and penalties, and loss resulting from identity theft. The policies are required to cover liability arising from website media content, as well as property exposures from: (a) business interruption, (b) data loss/destruction, (c) computer fraud, (d) funds transfer loss, and (e) cyber extortion.
Required Insurance and Minimum Limits

Name: _______________________________ Date: __________________

Agreement/Reference: _______________________________

Evidence of coverages checked below, with the specified minimum limits, must be submitted and approved prior to occupancy/start of operations. Amounts shown are Combined Single Limits "CSLs". For Automobile Liability, split limits may be substituted for a CSL if the total per occurrence limit or exceeds the CSL amount.

Limits

___ Workers' Compensation - Workers' Compensation (WC) and Employer's Liability (EL)

☐ Waiver of Subrogation in favor of City

☐ Longshore & Harbor Workers
   Jones Act

☐ Statutory

EL __________

___ General Liability

☐ Products/Completed Operations

☐ Fire Legal Liability

☐ Sexual Misconduct

___ Automobile Liability (for any and all vehicles used for this contract, other than commuting to/from work)

___ Professional Liability (Errors and Omissions)

Discovery Period  12 Months After Completion of Work or Date of Termination

___ Property Insurance (to cover replacement cost of building - as determined by insurance company)

☐ All Risk Coverage

☐ Flood

☐ Earthquake

☐ Boiler and Machinery

☐ Builder's Risk

___ Pollution Liability

☐

___ Surety Bonds - Performance and Payment (Labor and Materials) Bonds  100% of the contract price

☐

___ Crime Insurance

☐

Other:

___________________________________________________________________________

___________________________________________________________________________

___________________________________________________________________________
ATTACHMENT Q

IRAN CONTRACTING ACT OF 2010
IRAN CONTRACTING ACT OF 2010 COMPLIANCE AFFIDAVIT

(Calendar Public Contract Code Sections 2200-2208)

The California Legislature adopted the Iran Contracting Act of 2010 to respond to policies of Iran in a uniform fashion (PCC § 2201(q)). The Iran Contracting Act prohibits bidders engaged in investment activities in Iran from bidding on, submitting proposals for, or entering into or renewing contracts with public entities for goods and services of one million dollars ($1,000,000) or more (PCC § 2203(a)). A bidder who “engages in investment activities in Iran” is defined as either:

1. A bidder providing goods or services of twenty million dollars ($20,000,000) or more in the energy sector of Iran, including provision of oil or liquefied natural gas tankers, or products used to construct or maintain pipelines used to transport oil or liquefied natural gas, for the energy sector of Iran; or
2. A bidder that is a financial institution (as that term is defined in 50 U.S.C. § 1701) that extends twenty million dollars ($20,000,000) or more in credit to another person, for 45 days or more, if that person will use the credit to provide goods or services in the energy sector in Iran and is identified on a list created by the California Department of General Services (DGS) pursuant to PCC § 2203(b) as a person engaging in the investment activities in Iran.

The bidder shall certify that at the time of submitting a bid for new contract or renewal of an existing contract, the bidder is not identified on the DGS list of ineligible businesses or persons and that the bidder is not engaged in investment activities in Iran in violation of the Iran Contracting Act of 2010.

California law establishes penalties for providing false certifications, including civil penalties equal to the greater of $250,000 or twice the amount of the contract for which the false certification was made; contract termination; and three-year ineligibility to bid on contracts (PCC § 2205).

To comply with the Iran Contracting Act of 2010, the bidder shall provide its vendor or financial institution name, and City Business Tax Registration Certificate (BRTC) if available, in completing ONE of the options shown below.

**OPTION #1: CERTIFICATION**
I, the official named below, certify that I am duly authorized to execute this certification on behalf of the bidder or financial institution identified below, and that the bidder or financial institution identified below is not on the current DGS list of persons engaged in investment activities in Iran and is not a financial institution extending twenty million dollars ($20,000,000) or more in credit to another person or vendor, for 45 days or more, if that other person or vendor will use the credit to provide goods or services in the energy sector in Iran and is identified on the current DSG list of persons engaged in investment activities in Iran.

Vendor Name/Financial Institution (printed)  BTRC (or n/a)

By (Authorized Signature)

Print Name and Title of Person Signing

Date Executed  City Approval (Signature)  (Print Name)

**OPTION #2: EXEMPTION**
Pursuant to PCC § 2203(c) and (d), a public entity may permit a bidder or financial institution engaged in investment activities in Iran, on a case-by-case basis, to be eligible for, or to bid on, submit a proposal for, or enter into, or renew, a contract for goods and services. If the bidder or financial institution identified below has obtained an exemption from the certification requirement under the Iran Contracting Act of 2010, the bidder or financial institution shall complete and sign below and attach documentation demonstrating the exemption approval.

Vendor Name/Financial Institution (printed)  BTRC (or n/a)

By (Authorized Signature)

Print Name and Title of Person Signing

Date Executed  City Approval (Signature)  (Print Name)