



SHERIFF'S DEPARTMENT

**CUSTODY SERVICES DIVISION/
POPULATION MANAGEMENT BUREAU**

REQUEST FOR PROPOSALS

FOR

**LOS ANGELES COUNTY OFFENDER
MONITORING SERVICE**

RFP No. 650-SH

June 2023
Prepared By
County of Los Angeles

These guidelines are intended to provide general information only and are subject to revision. The rights and obligations of any party contracting with the County will be determined in accordance with the terms of the applicable contract and applicable law.

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APPENDICES

- A Sample Contract:** Identifies the terms and conditions in the contract.
Exhibit A Statement of Work
 - Attachment A-1 XML System Interface with RAJIS
 - Attachment A-2 Performance Requirements Summary (PRS) Chart
 - Attachment A-3 Supplemental Confidentiality of CORI Information-LASD**Exhibit B Business and Technical Requirements Response Matrix**
- B Required Forms:** Forms that must be completed and included in the proposal.
- C Transmittal to Request a Solicitation Requirements Review:** Transmittal sent to Department requesting a Solicitation Requirements Review.

1.0 INTRODUCTION

- 1.1 The Los Angeles County (County) Sheriff's Department (Department) is issuing this Request for Proposals (RFP) to solicit proposals from interested and qualified vendors (Proposers) for a contract with an organization that can provide a Los Angeles County Offender Monitoring Service (LACOMS).
- 1.2 Titles, captions, and headings contained in this solicitation are inserted as a matter of convenience and for reference and are not intended and must not be deemed or construed to define, limit, extend, or otherwise describe the scope or any provision of this solicitation.

2.0 PURPOSE-CONTRACT FOR LACOMS

2.1 Scope of Work

- 2.1.1 Contractor will be expected to implement the requirements outlined in Exhibit A (Statement of Work) to this RFP. Proposers must provide the planning, installation, configuration, implementation, active case management, and maintenance of an electronic offender monitoring service for tracking designated offenders under the jurisdiction of the Department. The selected Proposer must provide a service that is:
 - An operationally proven, commercial off-the-shelf (COTS) offender monitoring system solution designed for the correctional industry and requiring minimal software customization, and
 - A turnkey operation with the selected Proposer providing ongoing maintenance subsequent to rollout of the system, and
 - Configurable to meet the LACOMS requirements.
- 2.1.2 The selected Proposer must provide a single-unit electronic monitoring device or mechanism (tracking device) that is attached to the ankle of each participant for purposes of tracking the whereabouts of participants at all times consistent with the rules for participation in the LACOMS program.
- 2.1.3 The target populations for the LACOMS program include, but are not limited to the following:
 - a. Offender Monitoring Program (OMP) – these participants consist of a population of Department-designated offenders who will be mandated to serve a portion of their sentence outside a jail confinement using electronic offender monitoring via ankle bracelets. The OMP participant population may expand due to California's recent state prison realignment initiative authorized under California Assembly Bill 109 (AB109), and this population could potentially expand to over 3,000 OMP participants. Contractor must provide active case management services for selected OMP participants. Contractor must provide the

capability for the Department to independently monitor locations frequented and track OMP participants at any time. The average length of time in the program for OMP participants is three months, but could be as long as three years.

b. Inmate Worker Program (IWP) – these participants consist of a population of inmates remaining in custody but who are allowed to participate in various work programs using electronic offender monitoring via ankle bracelets. This population includes IWP participants assigned to work at outdoor locations, as well as IWP participants assigned to Department patrol stations. The IWP participant population in custody currently consists of approximately 500 inmates.

2.1.4 The selected Proposer must provide software and services for all target populations. Contractor will be responsible for enrolling the participants in the system, installing tracking devices, removing tracking devices, managing equipment, providing instructions to the participants, electronically monitoring the participants, responding to certain alerts as determined by the Department, notifying the Department of alerts, maintaining participant case files in the system, and providing ongoing system support. In addition to these ongoing services, Contractor must provide initial installation and configuration of software, training, development of a customized interface, and all other customizations necessary to meet the requirements of the contract.

2.1.5 For selected target populations, the selected Proposer must also provide, in addition to the electronic case file, full active case management services. Active case management services include ensuring program compliance, meeting with participants face-to-face, periodically monitoring the location of the participant, monitoring court appearances, monitoring probation interviews, monitoring employment interviews, and related services for managing the caseload as further detailed in Exhibit A (Statement of Work) to this RFP. All law enforcement services, such as arrest for violation of home detention conditions, will remain strictly and solely Department function. Active case management services must be provided in a comprehensive manner by the selected Proposer.

2.2 Sample Contract: County Terms and Conditions

2.2.1 Contractor will be expected to implement the requirements outlined in Appendix A (Sample Contract), Exhibit A (Statement of Work), and Exhibit B (Business and Technical Requirements Response Matrix) to this RFP.

2.2.2 Anticipated Contract Term

The contract term is anticipated to be for a period of three years, unless sooner terminated or extended. The County has the sole option to extend the term of the contract for up to four additional one-year option periods.

For a maximum term not to exceed seven years. The Contract will be effective upon execution by the Board of Supervisors (Board) of the County. The actual work start date is subject to change upon the mutual agreement of the County and Contractor.

2.2.3 Contract Rates

Contractor's rates will remain firm and fixed for the initial term and any option periods of the contract that are exercised by the County. Rates payable for the services, including all components and related services, must be based upon a daily rate per participant and must be in accordance with Exhibit 9 (Pricing Sheet) of Appendix B (Required Forms) to this RFP.

2.2.4 Days of Operation

Contractor must provide services seven days a week, 24 hours a day, 365 days a year.

2.2.5 Indemnification and Insurance

Contractor must comply with the provisions contained in Paragraph 8.23 (Indemnification) of Appendix A (Sample Contract) to this RFP. Contractor must procure and maintain for the duration of the contract and all extensions, and provide to the County proof of insurance coverage for all the programs of insurance along with associated amounts specified in Paragraphs 8.24 (General Provisions for all Insurance Coverage) and 8.25 (Insurance Coverage) of Appendix A (Sample Contract) to this RFP.

2.2.6 Intentionally Omitted

3.0 PROPOSER'S MINIMUM MANDATORY REQUIREMENTS

Interested and qualified Proposers that can demonstrate their ability and qualifications to successfully provide the required Services outlined in Exhibit A (Statement of Work) to Appendix A (Sample Contract) are invited to submit a proposal(s), provided they: (a) meet the following Minimum Mandatory Requirements, and (b) meet, or will meet all business and functional requirements listed in Exhibit B (Business and Technical Requirements Response Matrix) to Appendix A (Sample Contract) by the contract effective date:

3.1 Proposer's Minimum Mandatory Requirements

- 3.1.1 Proposer must be an established provider of Global Positioning System (GPS) offender monitoring services having an existing monitoring center that has been in place and fully functional for a minimum of two years within the last three years. No subcontracting will be permitted to meet this requirement.

Proposer must provide references, as well as complete Exhibit 8 (Proposer's List of References) of Appendix B (Required Forms), listing all references to verify this Minimum Mandatory Requirement.

- 3.1.2 Proposer must have provided active case management for at least two different correctional agencies for a minimum of six consecutive months within the last two years.

Proposer must provide references, as well as complete Exhibit 8 (Proposer's List of References) of Appendix B (Required Forms), listing all references to verify this Minimum Mandatory Requirement.

- 3.1.3 Proposer must have successfully provided the proposed GPS offender monitoring services at a minimum of two correctional agencies within the last two years.

Proposer must provide references, as well as complete Exhibit 8 (Proposer's List of References) of Appendix B (Required Forms), listing all references to verify this Minimum Mandatory Requirement.

- 3.1.4 Proposer's proposed GPS monitoring services must be currently registered and approved by the Federal Communications Commission (FCC), including accessories/beacons.

- 3.1.5 If Proposer's compliance with a County contract has been reviewed by the Department of the Auditor-Controller within the last ten years, then Proposer must not have unresolved questions regarding costs that have been identified by the Auditor-Controller, in an amount over \$100,000.00. Costs that are confirmed to be disallowed costs by the contracting County department and remain unpaid for six months or more from the date of disallowance, unless such disallowed costs are the subject of current good faith negotiations to resolve the disallowed costs, in the opinion of the County.

3.2 Proposer's Service Minimum Mandatory Requirements

- 3.2.1 Proposer's monitoring center must be capable of providing monitoring services for a minimum of 4,000 concurrent participants. No subcontracting will be permitted to meet this requirement.

- 3.2.2 Proposer's GPS monitoring system must support an unlimited number of Department users.

- 3.2.3 Proposer's GPS monitoring system must support a minimum of 500 concurrent (logged on) users.

- 3.2.4 Proposer must provide a high-level system architecture document or other available technical materials to help the County validate the above three requirements.

- 3.2.5 Proposer's GPS monitoring system must minimally refresh a participant's location once each minute. No subcontracting will be permitted to meet this requirement.

- 3.2.6 Proposer's GPS monitoring system must track and monitor the location of participants using both of the following:
- a. GPS/cellular technology or comparable technology for participants designated for universal coverage, and
 - b. Radio Frequency (RF) tethered or comparable technology for those participants requiring limited coverage only.

4.0 COUNTY'S RIGHTS AND RESPONSIBILITIES

4.1 Representations Made Prior to Contract Execution

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

4.2 Final Contract Award by the Board of Supervisors

Notwithstanding a recommendation of a department, agency, individual, or other, the Board retains the right to exercise its judgment concerning the selection of a proposal and the terms of any resultant contract, and to determine which proposal best serves the interests of the County. The Board, as the ultimate decision-making body, makes the final determinations necessary to arrive at a decision to award or not award a contract.

4.3 County's Option to Reject Proposals

Proposers are hereby advised that this RFP is a solicitation for proposals only, and is not intended, and is not to be construed as, an offer to enter into a contract or as a promise to engage in any formal competitive bidding or negotiations pursuant to any statute, ordinance, rule, or regulation. The County may, at its sole discretion, reject any or all proposals and cancel this RFP in its entirety. The County will not be liable for any costs incurred by a Proposer in connection with the preparation and submission of any proposal. The County reserves the right to waive inconsequential disparities in a submitted proposal.

4.4 County's Right to Amend Request for Proposals

The County has the right to amend this RFP by written addenda. The County is responsible only for that which is expressly stated in the solicitation document and any authorized written addenda thereto. Addendum will be made available to each person or organization that County records indicate has received or responded with their intent to submit a proposal for this RFP. Should an addendum require additional information not previously requested, failure to address the requirements of an addendum may result in the proposal being found non-responsive and not being considered, as determined in the sole discretion of the County. The County is not responsible for and will not be bound by any representations otherwise made by any individual acting or purporting to act on its behalf.

4.5 Background and Security Investigations

As a condition of beginning and continuing work under any resulting contract, background and security investigations of Contractor's staff may be required, at the discretion of the County. The cost of any required background checks will be the sole responsibility of Contractor.

5.0 NOTIFICATION TO PROPOSERS

5.1 Notice to Proposers Concerning the Public Records Act

5.1.1 Responses to this solicitation will become the exclusive property of the County. Absent extraordinary circumstances, the recommended Proposer's proposal will become a matter of public record when: a) contract negotiations are complete, b) the Department receives a letter from the recommended Proposer's authorized officer that the negotiated contract is the firm offer of the recommended Proposer, and c) the Department releases a copy of the recommended Proposer's proposal in response to a Notice of Intent to Request a Proposed Contractor Selection Review under Board Policy No. 5.055 ([Services Contract Solicitation Protest](#)).

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

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

5.1.2 The County will not, in any way, be liable or responsible for the disclosure of any such record or any parts thereof, if disclosure is required or permitted under the California Public Records Act or otherwise by law. A blanket statement of confidentiality or the marking of each page of the proposal as confidential will not be deemed sufficient notice of exception. Proposers must specifically label only those provisions of their respective proposal which are "Trade Secret," "Confidential," or "Proprietary," in nature.

5.1.3 In the event the County is required to defend an action on a Public Records Act request for any of the aforementioned documents, information, books, records, and/or contents of a proposal marked "Confidential," "Trade Secret," or "Proprietary," Proposer agrees to defend and indemnify the County from all costs and expenses, including reasonable attorneys' fees, incurred in connection with any action, proceedings, or liability arising in connection with the Public Records Act request.

5.2 Contact with County Personnel

All contact regarding this RFP or any matter relating thereto must be in writing, and emailed to:

Email address: vurenda@lasd.org
Attention: Veronica Urenda, Contract Analyst

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

5.3 Mandatory Requirement to Register on County's WebVen

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

<http://camisvr.co.la.ca.us/webven/>

5.4 Protest Policy Review Process

5.4.1 Under Board Policy No. 5.055 ([Services Contract Solicitation Protest](#)), any prospective Proposer may request a review of the requirements under a solicitation for a Board-approved services contract, as described in Paragraph 5.4.3 (Grounds for Review) below. Additionally, any actual Proposer may request a review of a disqualification or of a proposed contract award under such a solicitation, as described respectively in the Paragraphs below. It is the responsibility of Proposer challenging the decision of a County department to demonstrate that the department committed a sufficient material error in the solicitation process to justify invalidation of a proposed contract award.

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

5.4.3 Grounds for Review

Unless state or federal statutes or regulations otherwise provide, the grounds for review of a solicitation for a Board-approved services contract provided for under Board Policy No. 5.055 ([Services Contract Solicitation Protest](#)) are limited to the following:

- a. Solicitation Requirements Review [reference Paragraph 9.1 (Solicitation Requirements Review), of this RFP].
- b. Disqualification Review [reference Paragraph 9.2 (Disqualification Review), of this RFP].

- c. Department's Proposed Contractor Selection Review [reference Paragraph 9.3 (Department's Proposed Contractor Selection Review) of this RFP].

5.5 Conflict of Interest

No County employee whose position in the County enables them to influence the selection of a Contractor for this RFP, or any competing RFP, nor any spouse or economic dependent of such employees, nor be employed in any capacity by a Proposer or have any other direct or indirect financial interest in the selection of a Contractor. Proposer must certify that it is aware of and have read [Section 2.180.010 of the Los Angeles County Code](#) as stated in Exhibit 2 (Certification of Compliance) of Appendix B (Required Forms) to this RFP.

5.6 Determination of Proposer Responsibility

- 5.6.1 A responsible Proposer is a Proposer who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity, and experience to satisfactorily perform the contract. It is the County's policy to conduct business only with responsible Proposers.
- 5.6.2 Proposers are hereby notified that, in accordance with [Chapter 2.202 of the County Code](#), the County may determine whether Proposer is responsible based on a review of Proposer's performance on any contracts, including but not limited to County contracts. Particular attention will be given to violations of labor laws related to employee compensation and benefits, and evidence of false claims made by Proposer against public entities. Labor law violations which are the fault of the subcontractors and of which Proposer had no knowledge nor should have known will not be the basis of a determination that Proposer is not responsible.
- 5.6.3 The County may declare a Proposer to be non-responsible for purposes of this contract if the Board, in its discretion, finds that Proposer has done any of the following: a) violated a material term of a contract with the County or a nonprofit corporation created by the County, b) committed an act or omission which negatively reflects on Proposer's quality, fitness, or capacity to perform a contract with the County, any other public entity, or a nonprofit corporation created by the County, or engaged in a pattern or practice which negatively reflects on same, c) committed an act or omission which indicates a lack of business integrity or business honesty, or d) made or submitted a false claim against the County or any other public entity.
- 5.6.4 If there is evidence that the apparent highest ranked Proposer may not be responsible, the Department will notify Proposer in writing of the evidence relating to Proposer's responsibility, and its intention to recommend to the Board that Proposer be found not responsible. The Department will provide Proposer and/or Proposer's representative with an opportunity to present

evidence as to why Proposer should be found to be responsible and to rebut evidence which is the basis for the Department's recommendation.

5.6.5 If Proposer presents evidence in rebuttal to the Department, the Department will evaluate the merits of such evidence, and based on that evaluation, make a recommendation to the Board. The final decision concerning the responsibility of Proposer will reside with the Board.

5.6.6 These terms will also apply to proposed subcontractors of Proposers on County contracts.

5.7 Proposer Debarment

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

5.7.2 A listing of contractors that are currently on the Debarment List for Los Angeles County may be obtained on the following website: <https://doingbusiness.lacounty.gov/listing-of-contractors-debarred-in-los-angeles-county/>.

5.8 Gratuities

5.8.1 Attempt to Secure Favorable Treatment

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

5.8.2 Proposer Notification to County

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

5.8.3 Form of Improper Consideration

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

5.9 Notice to Proposers Regarding the County Lobbyist Ordinance

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

5.10 Consideration of GAIN-GROW Participants for Employment

5.10.1 As a threshold requirement for consideration for contract award, Proposers must demonstrate a proven record of hiring participants in the County's [Department of Public Social Services Greater Avenues for Independence \(GAIN\) or General Relief Opportunity for Work \(GROW\) Programs](#) or must attest to a willingness to consider GAIN-GROW participants for any future employment openings if they meet the minimum qualifications for that opening. Proposers must attest to a willingness to provide employed GAIN-GROW participants access to Proposers' employee mentoring program, if available, to assist these individuals in obtaining permanent employment and/or promotional opportunities.

5.10.2 Proposers who are unable to meet this requirement will not be considered for contract award. Proposers must submit a completed Exhibit 2 (Certification of Compliance) of Appendix B (Required Forms) to this RFP, along with their proposal.

5.11 Jury Service Program

5.11.1 The prospective contract is subject to the requirements of the County's Contractor Employee Jury Service Ordinance ("Jury Service Program") ([Los Angeles County Code, Chapter 2.203](#)). Prospective Contractors should carefully review Paragraph 8.8 (Compliance with the County's Jury Service Program), of Appendix A (Sample Contract), both of which are incorporated by reference into and made a part of this RFP. The Jury Service Program applies to both Contractors and their subcontractors.

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

5.11.2 Contractor must certify compliance with County's Contractor Employee Jury Service Ordinance in Exhibit 2 (Certification of Compliance) of Appendix B (Required Forms) to this RFP. If a Contractor does not fall within the Jury Service Program's definition of "Contractor" or if it meets any of the exceptions to the Jury Service Program, then Contractor must so indicate in Exhibit 2 (Certification of Compliance) of Appendix B (Required Forms) to this RFP, and include with its submission all necessary documentation to support the claim such as tax returns or a collective bargaining agreement, if applicable. Upon reviewing Contractor's application, the County will determine, in its sole discretion, whether Contractor falls within the definition of Contractor or meets any of the exceptions to the Jury Service Program. The County's decision will be final.

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

Proposer must notify the County of any pending acquisitions/mergers of its company unless otherwise legally prohibited from doing so. If Proposer is restricted from legally notifying the County of pending acquisitions/mergers, then it should notify the County of the actual acquisitions/mergers as soon as the law allows and provide to the County the legal framework that restricted it from notifying the County prior to the actual acquisitions/mergers. This information must be provided by Proposer in Exhibit 1 (Proposer's Organization Questionnaire/Affidavit), of Appendix B (Required Forms), to this RFP. Failure of Proposer to provide this information may eliminate its proposal from any further consideration. Proposer will have a continuing obligation to notify the County and update any changes to its response in Exhibit 1 (Proposer's Organization Questionnaire/Affidavit) during the solicitation.

5.13 Intentionally Omitted

5.14 Defaulted Property Tax Reduction Program

- 5.14.1 The prospective contract is subject to the requirements of the County's Defaulted Property Tax Reduction Program ("Defaulted Tax Program"), ([Los Angeles County Code, Chapter 2.206](#)). Prospective Contractors should reference the pertinent provisions in Paragraph 8.51 (Warranty of Compliance with County's Defaulted Property Tax Reduction Program) and 8.52 (Termination for Breach of Warranty to Maintain Compliance with County's Defaulted Property Tax Deduction Program), of Appendix A (Sample Contract), both of which are incorporated by reference into and made a part of this solicitation. The Defaulted Tax Program applies to both Contractors and their subcontractors.
- 5.14.2 Proposers are required to certify that they are in full compliance with the provisions of the Defaulted Tax Program and must maintain compliance during the term of any contract that may be awarded pursuant to this solicitation or must certify that they are exempt from the Defaulted Tax Program by completing Exhibit 2 (Certification of Compliance) in Appendix B (Required Forms) to this RFP. Failure to maintain compliance, or to timely cure defects, may be cause for termination of a contract or initiation of debarment proceedings against the non-compliant Contractor or subcontractor ([Los Angeles County Code, Chapter 2.202](#)).
- 5.14.3 Proposals that fail to comply with the certification requirements of the Defaulted Tax Program will be considered non-responsive and excluded from further consideration.

5.15 Proposer's Acknowledgement of County's Commitment to Zero Tolerance Policy on Human Trafficking

- 5.15.1 On October 4, 2016, the Board approved a motion taking significant steps to protect victims of human trafficking by establishing a zero-tolerance policy on human trafficking. The policy prohibits Contractors engaged in human trafficking from receiving contract awards or performing services under a County contract.
- 5.15.2 Contractors are required to complete Exhibit 2 (Certification of Compliance) in Appendix B (Required Forms) to this RFP, certifying that they are in full compliance with the County's Zero Tolerance Policy on Human Trafficking provision as defined in Paragraph 8.54 (Compliance with County's Zero Tolerance Policy on Human Trafficking) of Appendix A (Sample Contract) to this RFP. Further, Contractors are required to comply with the requirements under said provision for the term of any contract awarded pursuant to this solicitation.

5.16 Intentionally Omitted

5.17 Default Method of Payment: Direct Deposit or Electronic Funds Transfer (EFT)

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

5.18 Proposer's Acknowledgement of County's Commitment to Fair Chance Employment Hiring Practices

- 5.18.1 On May 29, 2018, the Board approved a Fair Chance Employment Policy in an effort to remove job barriers for individuals with criminal records. The policy requires businesses that contract with the County to comply with fair chance employment hiring practices set forth in California Government Code [Section 12952](#).
- 5.18.2 Proposers are required to complete Exhibit 2 (Certification of Compliance) in Appendix B (Required Forms) to this RFP, certifying that they, and their subcontractors, are in full compliance with [Section 12952](#), as indicated in the Sample Contract. Further, Contractors and their subcontractors are required to comply with the requirements under [Section 12952](#) for the term of any contract awarded pursuant to this solicitation.

5.19 Prohibition from Participation in Future Solicitation(s)

A Proposer, or a Contractor or its subsidiary or subcontractor ("Proposer/Contractor"), is prohibited from submitting a bid or proposal in a County solicitation if Proposer/Contractor has provided advice or consultation for the solicitation. A Proposer/Contractor is also prohibited from submitting a bid or proposal in a County solicitation if Proposer/Contractor has developed or prepared

any of the solicitation materials on behalf of or in collaboration with the County. A violation of this provision will result in the disqualification of Proposer/Contractor from participation in the County solicitation or the termination or cancellation of any resultant County contract. ([Los Angeles County Code, Chapter 2.202](#)).

5.20 Intentionally Omitted

5.21 Community Business Enterprise Participation

The County has adopted a CBE Program, which includes business enterprises owned by disabled veterans, disadvantaged business enterprises, minority and women-owned businesses, and lesbian, gay, bisexual, transgender, queer, and questioning-owned business enterprises. The CBE Program has established a 25% annual participation goal County-wide. The information obtained through Exhibit 5 (Community Based Enterprise (CBE) Information) form in Appendix B (Required Forms) to this RFP, will assist the County in reaching the annual participation goal.

All Proposers must document good faith efforts it has taken to assure that CBEs are utilized, when possible, to provide supplies, equipment, technical services, and other services under the contract. Proposer must make documents related to these good faith efforts available to the County upon request.

To obtain a list of firms that are certified by the County in the CBE Program, send an e-mail request to the County of Los Angeles Workforce Development Aging and Community Services (WDACS): CBESBE@wdacs.lacounty.gov with the subject "Request for CBE Listing." For additional information contact the Office of Small Business at: (844) 432-4900 or at OSB@wdacs.lacounty.gov.

The County strongly encourages participation by CBEs; however, the final selection will be made without regard to race, color, creed, or gender. The final selection will be based on Proposer's ability to provide the best service and value to the County.

6.0 COUNTY'S PREFERENCE PROGRAMS

6.1 Overview of County's Preference Programs

6.1.1 The County has three preference programs. The Local Small Business Enterprise (LSBE), Disabled Veteran Business Enterprise (DVBE), and Social Enterprise (SE). The Board encourages business participation in the County's contracting process by continually streamlining and simplifying our selection process and expanding opportunities for these businesses to compete for County opportunities.

6.1.2 The Preference Programs (LSBE, DVBE, and SE) require that a business complete certification prior to requesting a preference in a solicitation. This program and how to obtain certification are further explained in Paragraphs 6.2 (Local Small Business Enterprise (LSBE) Preference Program), 6.4 (Social Enterprise (SE) Preference Program), and 6.5 (Disabled Veteran

Business Enterprise (DVBE) Preference Program) below. Additional information on the County's preference programs is also available on the Department of Consumer and Business Affairs' (DCBA) website at: <http://dcba.lacounty.gov>.

6.1.3 In no case will the Preference Programs (LSBE, DVBE, and SE) price or scoring preference be combined with any other County preference program to exceed 15% in response to any County solicitation.

6.1.4 Sanctions and financial penalties may apply to a business that knowingly, and with intent to defraud, seeks to obtain or maintain certification as a certified LSBE, DVBE, or SE when not qualified.

6.2 Local Small Business Enterprise (LSBE) Preference Program (If Applicable)

6.2.1 The County will apply the LSBE preference during the solicitation process to businesses that meet the definition of an LSBE for solicitations not subject to the federal restriction on geographical preferences, consistent with [Chapter 2.204 of the Los Angeles County Code](#).

6.2.2 The business must be certified by DCBA prior to requesting the LSBE preference in a solicitation. To apply for certification as an LSBE, businesses should contact DCBA at <http://dcba.lacounty.gov>.

6.2.3 Businesses requesting the LSBE preference must complete and submit Exhibit 3 (Request for Preference Consideration) in Appendix B (Required Forms) to this RFP and submit their LSBE certification approval letter ("Certification for Non-Federally Funded Solicitations") from the DCBA with their proposal.

6.3 Local Small Business Enterprise (LSBE) Prompt Payment Program

It is the intent of the County that Certified LSBEs receive prompt payment for services they provide to County departments. Prompt payment is defined as 15 calendar days after receipt of an undisputed invoice consistent with [Chapter 3.035 of the Los Angeles County Board of Supervisors Policy Manual](#).

6.4 Social Enterprise (SE) Preference Program (If Applicable)

6.4.1 The County will apply the SE preference during the solicitation process to businesses that meet the definition of an SE for solicitations not subject to the federal restriction on geographical preferences, consistent with [Chapter 2.205 of the Los Angeles County Code](#).

6.4.2 The business must be certified by DCBA, prior to requesting the SE preference in a solicitation. To apply for certification as an SE, businesses should contact DCBA at <http://dcba.lacounty.gov>.

6.4.3 Businesses requesting the SE preference must complete and submit Exhibit 3 (Request for Preference Consideration), in Appendix B (Required

Forms), and submit their SE certification approval letter (“Certification for Non-Federally Funded Solicitations”) from the DCBA with their proposal.

6.5 Disabled Veteran Business Enterprise (DVBE) Preference Program (If Applicable)

6.5.1 The County will apply the DVBE preference during the solicitation process to businesses that meet the definition of a DVBE, consistent with [Chapter 2.211 of the Los Angeles County Code](#).

6.5.2 The business must be certified by DCBA, prior to requesting the DVBE preference in a solicitation. To apply for certification as a DVBE, businesses should contact DCBA at <http://dcba.lacounty.gov>.

6.5.3 Businesses requesting the DVBE preference must complete and submit Exhibit 3 (Request for Preference Consideration) in Appendix B (Required Forms) to this RFP, and submit their DVBE certification approval letter from the DCBA with their proposal.

7.0 BUSINESS PROPOSAL REQUIREMENTS AND EVALUATION

This Paragraph 7 (Business Proposal Requirements and Evaluation) contains key project dates and activities, provides Proposers with proposal submission requirements, submittal instructions, and identifies evaluation criteria.

7.1 Truth and Accuracy of Representations

False, misleading, incomplete, or deceptively unresponsive statements in connection with a proposal will be sufficient cause for rejection of the proposal. The evaluation and determination in this area will be at the Department’s sole judgment and the judgment will be final. All proposals must be firm and final offers and may not be withdrawn for a period of 180 days following the final proposal submission date.

7.2 RFP Timetable

EVENT	DATE/TIME
Release of RFP	06/07/23
Deadline to submit request for Solicitation Requirements Review	06/21/23
Deadline to Register for Virtual Mandatory Proposer’s Conference	06/29/23
Virtual Mandatory Proposer's Conference	07/06/23
Written Questions Due	By 3:00 PM (Pacific Time)

	on 07/14/23
Questions and Answers Released (Subject to change at County's sole discretion)	07/28/23
Proposals Due	By 3:00 PM (Pacific Time) on 08/10/23

7.3 Proposers' Questions

- 7.3.1 Proposers may submit written questions regarding this RFP by email only to: Veronica Urenda at vurenda@lasd.org. All questions must be received by the date and time specified in Paragraph 7.2 (RFP Timetable) above. All questions, without identifying the submitting company, will be compiled with the appropriate answers and issued as an addendum to the RFP.
- 7.3.2 When submitting questions, please specify this RFP, the Paragraph number, and page number, as well as quote the language that prompted the question. This will ensure that the question can be quickly found in this RFP. The County reserves the right to group similar questions when providing answers.

7.4 Virtual Mandatory Proposers' Conference

- 7.4.1 A Virtual Mandatory Proposers' Conference will be held to discuss this RFP's requirements. County staff will provide an overview of the LACOMS project and respond to questions from potential Proposers. All potential Proposers must attend this conference or their proposals will be rejected as non-responsive (disqualified) without review and eliminated from further consideration.

The Virtual Mandatory Proposers' Conference is scheduled to take place as follows:

July 6, 2023
10:00 a.m. (PST)

- 7.4.2 Prospective Proposers must RSVP to Veronica Urenda at vurenda@lasd.org on or before June 29, 2023. Proposers must provide the names, titles, email addresses, and phone numbers of not more than three full-time employee/representatives who will be attending the virtual Mandatory Proposers' Conference. The County will be using a video conferencing platform for this event. Prospective Proposers who RSVP'd for the conference will receive an email invitation with the meeting URL.
- 7.4.3 County staff will make a reasonable attempt to respond to questions from potential Proposers. Written answers to questions posed at the virtual

Mandatory Proposers' Conference will be posted by July 28, 2023, on the Department's website at <http://lasd.org/transparency/solicitations/>.

Answers to Proposers' questions are not considered final until they are released in writing. All written answers and any addenda thereto shall supersede all verbal responses provided at the virtual Mandatory Proposers' Conference.

7.5 Preparation of the Proposal

Two separate proposals must be submitted - a Business Proposal and a Cost Proposal. All proposals must be bound and submitted in the prescribed format. Any proposal that deviates from this format may be rejected as non-responsive without review at the County's sole discretion.

7.6 Business Proposal Requirements and Evaluation (70%)

Any reviews conducted during the evaluation of the proposal may result in a point reduction. The content and sequence of the proposal must be as follows:

Business Proposal Format:

7.6.1 Table of Contents

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

7.6.2 Executive Summary (Section A)

Condense and highlight the contents of Proposer's Business Proposal to provide the Department with a broad understanding of Proposer's approach, qualifications, experience, and staffing.

7.6.3 Proposer's Qualifications (Section B) (25%)

Proposer will be evaluated on their experience and capacity as a corporation or other business entity to perform the required services based on information provided in this Section.

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

Provide a summary of relevant background information to demonstrate that Proposer meets or exceeds the Minimum Mandatory Requirements stated in Paragraph 3 (Proposer's Minimum Mandatory Requirements) to this RFP and has the capability to perform the required services as a corporation or other business entity.

7.6.3.2 Proposer's List of References (Section B.2)

Proposer will be evaluated on the verification of references provided in Exhibit 8 (Proposer's List of References) of Appendix B (Required Forms) to this RFP. In addition to the references

provided, the Department will review the County's Contractor Alert Reporting Database, if applicable, reflecting past performance history on the County or other contracts. This review may result in point deductions up to 100% of the total points awarded in this evaluation category.

Proposer must provide at least three references where the same or similar scope of services was provided and must include all public entities contracts for the last three consecutive years. Proposer's completed Exhibit 8 (Proposer's List of References) of Appendix B (Required Forms) to this RFP must be provided in Section F (Business Proposal Required Forms and Corporate Documents) of Proposer's business proposal. Proposer may use additional sheets, if necessary.

It is Proposer's sole responsibility to ensure that information provided for each reference is accurate.

The County may disqualify a Proposer as non-responsive and/or non-responsible if:

- a. references fail to substantiate Proposer's description of the services provided, or
- b. references fail to support that Proposer has a continuing pattern of providing capable, productive, and skilled personnel, or
- c. the Department is unable to reach the point of contact with reasonable effort. It is the Proposer's responsibility to inform the point of contact that reference checks will be conducted during normal working hours.

7.6.3.3 Proposer's Debarment History and List of Terminated Contracts

The County will conduct a review of Proposer's terminated contracts and debarment history. Proposer must include contracts terminated within the past three years with the reason(s) for termination in Exhibit 4 (Proposer's Debarment History and List of Terminated Contracts) Appendix B (Required Forms) to this RFP. Proposer's completed Exhibit 4 (Proposer's Debarment History and List of Terminated Contracts) must be provided in Section F (Business Proposal Required Forms and Corporate Documents) of Proposer's business proposal.

7.6.3.4 Proposer's Financial Capability (Section B.3)

The County will conduct a review of Proposer's financial capability. Proposer must provide copies of the company's most

current and prior two fiscal years (for example 2021 and 2022) financial statements. Statements should include the company's assets, liabilities, and net worth and at a minimum should include the Balance Sheet, Statement of Income, and the Statement of Cash Flows. It should be noted that depending on the nature of the entity, (e.g., for-profit, non-profit, governmental), the title of these statements may differ. For example, for a non-profit entity the Balance Sheet is referred to as the Statement of Financial Position. If audited statements are available, they should be submitted to meet this requirement. Do not submit Income Tax Returns to meet this requirement. Financial statements will be kept confidential if so stamped on each page.

7.6.3.5 Proposer's Pending Litigation and Judgments (Section B.4)

The County will conduct a review of Proposer's pending litigation and judgements. Proposer must identify by name, case, and court jurisdiction any pending litigation in which Proposer is involved, or judgments against Proposer in the past five years. Additionally, Proposer must provide a statement describing the size and scope of any pending or threatening litigation against Proposer or principals of Proposer.

If Proposer has no pending litigation, threatened litigation, or judgements, then a statement stating so must be provided in Section B.4 (Proposer's Pending Litigation and Judgements) of its proposal.

A proposal that fails to disclose litigation and judgements may be rejected as non-responsive or disqualified.

7.6.4 Proposer's Approach to Providing Required Services (Section C) (25%)

Proposer will be evaluated on its description of the methodology to be used to meet the County's requirements based on information provided in this Section C.

Proposer must present a description of the methodology Proposer will use to meet contract work requirements, including how the services will be performed to meet the requirements specified in Exhibit A (Statement of Work).

7.6.4.1 Proposer's Approach and Methodology (Section C.1)

In this Section C.1 of the Business Proposal, Proposer must describe its management approach and methodology toward fulfilling the requirements of this RFP, including those set forth in Exhibit A (Statement of Work), and any resultant contract. Additionally, Proposer must describe **how** it intends to ensure a

24/7 optimal operational status of the proposed GPS offender monitoring system as specified in Exhibit A (Statement of Work) to this RFP.

Proposer's approach and methodology must clearly demonstrate that Proposer accepts and will meet all requirements of this RFP. Reiteration of the work requirements specified in Appendix A (Sample Contract) and Exhibit A (Statement of Work), without further discussion is not sufficient.

7.6.4.2 Statement of Work (Section C.2)

Proposer's responses to Exhibit A (Statement of Work) which must adhere to the instructions and requirements set forth in this RFP.

- a. In its response to Exhibit A (Statement of Work), Proposer must describe how it intends to execute each requirement listed in Exhibit B (Business and Technical Requirements Response Matrix) to this RFP, including, but not limited to the following:
 - Provide two distinct levels of tracking: global positioning system and radio frequency.
 - Provide alcohol-use monitoring.
- b. Proposer must identify by name, each of Proposer's staff identified to perform the requirements of this RFP, and the qualifications of such person assigned to each task, including, but not limited to the following key staff:
 - Proposer's Project Director,
 - Proposer's Project Manager, and
 - Proposer's key staff (e.g., monitoring center staff, case managers, help-desk staff).

For each of the key staff listed above, provide a name, summary of background and experience, area(s) of expertise, and resume.

7.6.4.3 Solution Requirements (Section C.3)

As part of their Proposal submission, Proposer must adhere to the instructions for, and provide a response to, Exhibit B (Business and Technical Requirements Response Matrix) to this RFP, to specify to what extent and how the proposed service will meet each of the requirements specified within.

The County understands that some of the business and functional requirements listed in Exhibit B may not be readily available as part of the proposed services. Proposer is admonished to provide full disclosure for each function that will, or may, require modifications

in order to achieve the functional requirement. For each such modification identified, Proposer must include estimated timeframes and resources needed to achieve each such requirement.

**Any additional gaps that are discovered during contract implementation that were not identified by Contractor as part of their proposal submission, must be remedied by Contractor at Contractor's sole expense.

7.6.5 Proposer's Quality Control Plan (Section D) (20%)

Proposer will be evaluated on its ability to establish and maintain a complete Quality Control Plan to ensure the requirements of this contract are provided as specified. Evaluation of the Quality Control Plan must cover the proposed monitoring system of all Services listed on the Performance Requirements Summary (PRS) based on information provided in this section identified in Exhibit A (Statement of Work) to Appendix A (Sample Contract).

Proposer must present a comprehensive Quality Control Plan to be utilized by Proposer as a self-monitoring tool to ensure the required Services are provided as specified in Exhibit A (Statement of Work) to Appendix A (Sample Contract).

The following factors must be included in the plan:

- Activities to be monitored to ensure compliance with all contract requirements,
- Monitoring methods to be used,
- Frequency of monitoring,
- Samples of forms to be used in monitoring,
- Title/level and qualifications of personnel performing monitoring functions, and
- Documentation methods of all monitoring results, including any corrective action taken.

7.6.6 Exceptions to Terms and Conditions of Sample Contract and/or Requirements of Statement of Work and Attachments (Section E)

7.6.6.1 It is the duty of every Proposer to thoroughly review Appendix A (Sample Contract) and Exhibit A (Statement of Work) to this RFP to ensure compliance with all terms, conditions, and requirements.

Proposer should review Appendix A (Sample Contract) to this RFP with its legal counsel prior to submitting a proposal.

It is the County's expectation that in submitting a proposal, Proposers will accept, as stated, the County's terms and conditions in the Sample Contract and the County's Requirements in the Statement of Work. However, Proposers are provided the opportunity to take exceptions to the County's terms, conditions, and Requirements. The County may deduct rating points or disqualify the proposal in its entirety if the exceptions are material enough to deem the proposal non-responsive.

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

7.6.6.2 Section E of Proposer's response must include:

- a. A statement offering Proposer's acceptance of, or exceptions to, all terms and conditions listed in Appendix A (Sample Contract) to this RFP, and
- b. A statement offering Proposer's acceptance of, or exceptions to, all requirements listed in Exhibit A (Statement of Work), and
- c. A statement offering Proposer's acceptance of, or exceptions to, all requirements listed in Exhibit B (Business and Technical Requirements Response Matrix) to this RFP.

For each exception, Proposer must provide:

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

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

The County reserves the right to make changes to Appendix A (Sample Contract) to this RFP and its appendices and exhibits at its sole discretion, including during Contract negotiations.

7.6.7 Business Proposal Required Forms and Corporate Documents (Section F)

Proposal must include all completed, signed, and dated forms identified in Appendix B (Required Forms) to this RFP.

- Exhibit 1 Proposer's Organization Questionnaire/Affidavit
- Exhibit 2 Certification of Compliance
- Exhibit 3 Request for Preference Consideration
- Exhibit 4 Proposer's Debarment History and List of Terminated Contracts
- Exhibit 5 Community Business Enterprise (CBE) Information
- Exhibit 6 Minimum Mandatory Requirements
- Exhibit 7 Declaration
- Exhibit 8 Proposer's List of References

7.6.7.1 Corporate Documents

a. Corporations or Limited Liability Company (LLC):

Proposer must submit the following documentation with the proposal:

- A copy of a "Certificate of Good Standing" with the state of incorporation/organization and a copy of such certificate with the California Secretary of State, if Proposer is incorporated outside of California.
- A conformed copy of the most recent "Statement of Information" as filed with the California Secretary of State listing corporate officers or managers and/or members (if applicable).

b. Limited Partnership:

Proposer must submit a conformed copy of the Certificate of Limited Partnership or Application for Registration of Foreign Limited Partnership as filed with the California Secretary of State, and any amendments.

7.7 Cost Proposal Requirements and Evaluation (30%)

Please refer to Paragraph 7.9.2 below for Cost Proposal submission instructions.

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

7.7.1 Cover Page

Identifying, at a minimum, the name of the firm, title of this RFP, date of submission and identification of printed documents as "original" or "copy."

7.7.2 Pricing Sheet

Proposer must complete and submit Exhibit 9 (Pricing Schedule) of Appendix B (Required Forms) to this RFP.

The maximum number of possible points will be awarded to the lowest cost proposal. All other proposals will be compared to the lowest cost and points awarded accordingly.

However, should one or more Proposers request and be granted the preference, the cost component points will be determined as follows:

- 15% of the lowest cost proposed will be calculated, not to exceed \$150,000, and that amount will be deducted from the cost submitted by all Proposers who requested and were granted the preference.
- In no case will any preference be combined to exceed 15% of the lowest responsible bid meeting specifications.

7.8 Firm Offer-Withdrawal of Proposal

Until the proposal submission deadline, errors in proposals may be corrected by a request in writing to withdraw the proposal and by submission of another set of proposals with the mistakes corrected. Corrections will not be accepted once the deadline for submission of proposals has passed.

7.9 Proposal Submission

Proposals must be submitted as follows:

- 7.9.1 Business Proposal - The original Business Proposal, three numbered identical hard copies, and two separate identical copies in PDF format on flash drives must be enclosed in a sealed envelope or box, with the name and address of Proposer and reference the solicitation as follows:

**"BUSINESS PROPOSAL FOR
LOS ANGELES OFFENDER MONITORING SERVICE
RFP 650-SH"**

- 7.9.2 Cost Proposal - The original Cost Proposal, two numbered identical hard copies, and two separate identical copies in PDF format on flash drives must be submitted in a **separate sealed package** with the name and address of Proposer and reference the solicitation as follows:

**"COST PROPOSAL FOR
LOS ANGELES OFFENDER MONITORING SERVICE
RFP 650-SH "**

The Business and Cost Proposal(s) must be delivered or mailed to:

Los Angeles County Sheriff's Department
Hall of Justice
Fiscal Administration Bureau – Contracts Unit

211 West Temple Street, 6th Floor
Los Angeles, California 90012
Attention: Veronica Urenda, Contract Analyst

- 7.9.3 Proposers must also include a redacted Business Proposal in searchable Adobe PDF format, with all confidential, proprietary, and trade secret information redacted, as part of its proposal submission. Proposers must specifically redact only those parts of the Business Proposal that are actual trade secrets, confidential, or proprietary in nature. Blanket or categorical redactions and/or statements of confidentiality, or the marking of each page of the proposal as "Trade Secret," "Confidential," or "Proprietary," are not acceptable, and will be rejected in the sole discretion of the County.
- 7.9.4 It is the sole responsibility of the submitting Proposer to ensure that its proposal is received before the submission deadline. Proposers will bear all risks associated with delays in delivery by any person or entity, including the U.S. Mail. Any proposals received after the scheduled closing date and time for receipt of proposals, as listed in Paragraph 7.2 (RFP Timetable), will not be accepted and returned to the sender unopened. Timely hand delivered proposals are acceptable. No facsimile (fax) or electronic mail (email) copies will be accepted.
- 7.9.5 All proposals will be firm offers and may not be withdrawn for a period of 180 days following the last day to submit proposals.

8.0 SELECTION PROCESS OVERVIEW

8.1 Selection Process

The County reserves the sole right to judge the contents of the proposals submitted pursuant of this RFP and to review, evaluate, and select the successful proposal(s). The selection process will begin with receipt of the proposal on the date outlined in Paragraph 7.2 (RFP Timetable).

Evaluation of the proposals will be made by an Evaluation Committee selected by the Department. The Committee will evaluate the proposals and will use the evaluation approach described in this RFP to select a prospective Contractor.

8.2 Adherence to Minimum Mandatory Requirements (Pass-Fail)

The County will review Exhibit 1 (Proposer's Organization Questionnaire/Affidavit), Exhibit 6 (Minimum Mandatory Requirements), and Exhibit 8 (Proposer's List of References) of Appendix B (Required Forms) to this RFP to determine if Proposer meets the Minimum Mandatory Requirements as outlined in Paragraph 3 (Proposer's Minimum Mandatory Requirements) of this RFP.

Failure of Proposer to comply with the Minimum Mandatory Requirements will eliminate its proposal from any further consideration. The County may elect to

waive any non-material informality in a proposal if the sum and substance of the proposal is present.

8.3 Evaluation of Business and Cost Proposals

All proposals will be evaluated based on the criteria listed in Paragraph 7 (Proposal Submission Requirements and Evaluation Criteria) and will be scored and ranked in numerical sequence from high to low. The County may also, at its option, invite Proposers being evaluated to make a verbal presentation or conduct site visits, if appropriate. The Evaluation Committee may utilize appropriate experts to assist in the evaluation process.

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

The recommendation to award a contract will not bind the Board to award a contract to the prospective Contractor.

The County retains the right to select a proposal other than the proposal receiving the highest number of points if the County determines, in its sole and reasonable discretion, another proposal is the most overall qualified, responsive, responsible and in the best interests of the County.

9.0 PROTEST PROCESS OVERVIEW

9.1 Solicitation Requirements Review

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

- a. The request must be made within the time frame identified in the solicitation document (generally within ten business days of the issuance of the solicitation document), and
- b. The request must include documentation (e.g., letterhead, business card, etc.), which identifies the underlying authority of the person or entity to submit a proposal,
- c. The request itemizes in appropriate detail, each matter contested and factual reasons for the requested review, and
- d. The request asserts either that:

- i. Application of the Minimum Mandatory Requirements evaluation criteria and/or business requirements unfairly disadvantages the person or entity, or
- ii. Due to unclear instructions the process may result in the County not receiving the best possible responses from prospective Proposers.

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

9.2 Disqualification Review

- 9.2.1 A proposal may be disqualified from consideration if the Department determines it was non-responsive at any time during the review/evaluation process. If the Department determines that a proposal is disqualified due to non-responsiveness, the Department will notify Proposer in writing.
- 9.2.2 Upon receipt of the written determination of non-responsiveness, Proposer may submit a written request for a Disqualification Review within the timeframe specified in the written determination.
- 9.2.3 A request for a Disqualification Review may, in the Department's sole discretion, be denied if the request does not satisfy all of the following criteria:
 - a. The request for a Disqualification Review must be submitted timely (i.e., by the date and time specified in the written determination), and
 - b. The request for a Disqualification Review must assert that the Department's determination of disqualification due to non-responsiveness was erroneous and provides factual support on each ground asserted as well as copies of all documents and other material that support the assertions.
- 9.2.4 The Disqualification Review must be completed, and the determination will be provided to the requesting Proposer, in writing, prior to the conclusion of the evaluation process.
- 9.2.5 Proposer can also be disqualified for reasons described throughout this RFP.

9.3 Department's Proposed Contractor Selection Review

9.3.1 Departmental Debriefing Process

Upon completion of the evaluation, the Department will notify the remaining Proposers in writing that the Department is entering into negotiations with another Proposer. Upon receipt of the letter, any non-selected Proposer may submit a written request for a Debriefing within the timeframe specified in the letter. A request for a Debriefing may, in the Department's sole

discretion, be denied if the request is not received within the specified timeframe.

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

During or following the Debriefing, the Department will instruct the requesting Proposer of the manner and timeframe in which the requesting Proposer must notify the Department of its intent to request a Proposed Contractor Selection Review [see Paragraph 9.3.2 (Proposed Contractor Selection Review) below] if the requesting Proposer is not satisfied with the results of the Debriefing.

9.3.2 Proposed Contractor Selection Review

9.3.2.1 Any Proposer that has timely submitted a notice of its intent to request a Proposed Contractor Selection Review as described in this Paragraph and Paragraph 9.3.1 (Departmental Debriefing Process) may submit a written request for a Proposed Contractor Selection Review, in the manner and timeframe as will be specified by the Department.

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

- a. The request for a Proposed Contractor Selection Review is submitted timely (i.e., by the date and time specified by the Department), and
- b. The person or entity requesting a Proposed Contractor Selection Review asserts in appropriate detail with factual reasons one or more of the following grounds for review:
 - i. The Department materially failed to follow procedures specified in its solicitation document. This includes:
 - Failure to correctly apply the standards for reviewing the proposal format requirements.
 - Failure to correctly apply the standards, and/or follow the prescribed methods, for evaluating the proposals as specified in the solicitation document.
 - Use of evaluation criteria that were different from the evaluation criteria disclosed in the solicitation document.

- ii. The Department made identifiable mathematical or other errors in evaluating proposals, resulting in Proposer receiving an incorrect score and not being selected as the recommended Contractor,
- iii. A member of the Evaluation Committee demonstrated bias in the conduct of the evaluation,
- iv. Another basis for review as provided by state or federal law, and
- v. The request for a Proposed Contractor Selection Review sets forth sufficient detail to demonstrate that, but for the Department's alleged failure, Proposer would have been the lowest cost, responsive and responsible bid, or the highest-scored proposal, as the case may be.

9.3.2.3 Upon completing the Proposed Contractor Selection Review, the Department representative will issue a written decision to Proposer within a reasonable time following receipt of the request for a Proposed Contractor Selection Review, and always before the date the contract award recommendation is to be heard by the Board. The written decision will additionally instruct Proposer of the manner and timeframe for requesting a County Independent Review. [See Paragraph 9.4 (County Independent Review) below].

9.4 County Independent Review

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

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

- a. The request for a County Independent Review is submitted timely (i.e., by the date and time specified by the Department), and
- b. The person or entity requesting review by a County Independent Review has limited the request to items raised in the Proposed Contractor Selection Review as listed in Paragraph 9.3.2 (Proposed Contractor Selection Review) above.

Upon completion of the County Independent Review, Internal Services Department will forward the report to the Department, which will provide a copy to Proposer.