



# **DEPARTMENT OF MENTAL HEALTH**

## **INVITATION FOR BIDS (IFB) FOR TRAUMA FOCUSED-COGNITIVE BEHAVIOR THERAPY TRAINING SERVICES**

**April 1, 2024**

**IFB #DMH04012024B1**

**Prepared By**

**Los Angeles County Department of Mental Health  
Contracts Development and Administration Division**

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### APPENDICES

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- B Required Forms:** Forms that must be completed and included in the bid.
- C Solicitation Requirements Review (SRR) Request:** Transmittal form sent to Department requesting a Solicitation Requirements Review.
- D Background and Resources: California Charities Regulation:** An information sheet intended to assist nonprofit agencies with compliance with SB 1262 - the Nonprofit Integrity Act of 2004 and identify available resources.

## 1.0 SOLICITATION INFORMATION AND MINIMUM MANDATORY REQUIREMENTS

<b>IFB Release Date</b>	04/01/2024
<b>IFB Contact</b>	Yanira Yeh, via email: SolicitationsTeam@dmh.lacounty.gov
<b>Solicitation Requirements Review (SRR) Request Due</b>	04/15/2024 by 12pm
<b>Written Questions Due</b>	04/22/2024 by 12pm
<b>Questions and Answers Released via Addendum</b>	04/29/2024 by 5pm
<b>Bids Due</b>	05/13/2024 by 12pm
<b>Anticipated Contract Term</b>	The Contract term will be for three years.
<b>Minimum Mandatory Requirements (MMRs)</b>	See Paragraph 3.0

## 2.0 GENERAL INFORMATION

### 2.1 Purpose

The Los Angeles County (LAC or County) Department of Mental Health (DMH or Department) is issuing this Invitation for Bids (IFB) to solicit bids for a Contract with an organization who can deliver the required training components needed for completion of training and certification of proficiency in Trauma Focused – Cognitive Behavioral Therapy (TF-CBT). TF-CBT is an Evidence-Based Practice (EBP) with specialized mental health services to be delivered by clinical staff, as part of multi-disciplinary treatment teams. The widely researched and adapted culturally sensitive TF-CBT service has the potential of increasing accessibility to mental health services among individuals in underserved cultural populations and the provision of effective mental health services to children and youth residing within stressed families. It is further expected that implementation of this evidence-based treatment model will reduce symptoms of depression and psychological trauma, which may be the result of any number of traumatic experiences (e.g., child sexual abuse, domestic violence, traumatic loss, etc.), for young children, children, and transition-age youth (TAY) receiving these services.

### 2.2 Overview of Solicitation Document

This Invitation for Bids (IFB):

- 2.2.1 Specifies the Bidder's minimum requirements, provides information regarding some of the requirements of the Contract and explains the solicitation process.
- 2.2.2 Contains instructions to Bidders on how to prepare and submit their Bid.
- 2.2.3 Explains how the Bids will be reviewed and selected.
- 2.2.4 The following Appendices are included in the IFB:
  - A Contract:** Lists the terms and conditions in the Contract.
  - B Required Forms:** Forms contained in this section must be completed and included in the Bid.
  - C Solicitation Requirements Review (SRR) Request:** Transmittal form sent to department requesting a Solicitation Requirements Review.
  - D Background and Resources: California Charities Regulation:** An information sheet intended to assist Non-profit agencies with compliance with SB 1262 – the Nonprofit Integrity Act of 2004 and identify available resources.

### 2.3 Terms and Definitions

Throughout this IFB, references are made to certain persons, groups, or departments/agencies. For convenience, a description of specific definitions can be found in Appendix A (Contract), Paragraph 2.0 (Definitions).

## **2.4 Anticipated Contract Term**

The Contract term will be for a period of three years. The Contract will commence upon LAC Board of Supervisors (BOS or Board) approval.

## **2.5 Contract Rates**

The Contractor's rates will remain firm and fixed for the term of the Contract unless otherwise agreed by the Parties by written amendment to the Contract.

The contract (hourly, daily, monthly, etc.) amount may be adjusted annually based on the increase or decrease in the U.S. Department of Labor, Bureau of Labor Statistics' Consumer Price Index for Urban Consumers (CPI-U) for the Los Angeles-Long Beach-Anaheim Area for the most recently published percentage change for the 12-month period preceding the contract anniversary date, which will be the effective date for any cost-of-living adjustment. However, any increase must not exceed the general salary movement granted to County employees as determined by the Chief Executive Office as of each July 1 for the prior twelve (12) month period. Furthermore, should fiscal circumstances ultimately prevent the Board from approving any increase in County employee salaries, no cost-of-living adjustments will be granted. Where the County decides to grant a Cost-of-Living Adjustment (COLA) pursuant to this paragraph for living wage contracts, it may, in its sole discretion exclude the cost of labor (including the cost of wages and benefits paid to employees providing services under this contract) from the base upon which a COLA is calculated, unless the Contractor can show that their labor cost will actually increase.

## **2.6 Days of Operation**

Days of Operation will be determined after Contract award when a training schedule is set between the selected Contractor and LACDMH.

## **2.7 Indemnification and Insurance**

Contractor will be required to comply with the indemnification provisions contained in Appendix A (Contract), Paragraph 8.23 (Indemnification). The Contractor must procure, maintain, and provide to the County proof of insurance coverage for all the programs of insurance along with associated amounts specified in Appendix A (Contract), Paragraphs 8.24 (General Provisions for all Insurance Coverage) and 8.25 (Insurance Coverage).

## **3.0 MINIMUM MANDATORY REQUIREMENTS**

Interested and qualified Bidders that can demonstrate their ability to successfully provide the required services outlined in Exhibit A (SOW and Attachments) of Appendix A (Contract) are invited to submit bids, provided they meet the following minimum mandatory requirements at the time of bid submission.

- 3.1** Bidder must have five years of experience, within the last seven years, providing Trauma Focused - Cognitive Behavioral Therapy Training or services equivalent

or similar to the Services identified in Exhibit A (SOW and Attachments) of Appendix A (Sample Contract).

*Please submit copies of any documentation to substantiate years of experience and subject matter training. Documents may include contracts, training manuals, pamphlets, training announcements, etc.*

- 3.2** Bidder must have at least five nationally certified TF-CBT trainers and be able to host up to five simultaneous trainings. Trainers must have a master's degree or higher in social work, psychology, or related field.

*Please submit copies of trainer's biography or any documentation to substantiate education and certification.*

- 3.3** Bidder must provide copies of the company's most current and prior two fiscal years' audited financial statements so that LACDMH can conduct a review of the Bidder's financial capability in accordance with LACDMH Policy 813.04. Statements must include the company's assets, liabilities and net worth and, at a minimum, 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, i.e., 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. **Do not submit Income Tax Returns to meet this requirement.** Financial statements will be kept confidential if so stamped on each page.

*Depending on the results of this fiscal assessment, LACDMH may request additional supporting information or may disqualify Bidder from further consideration.*

- 3.4** If Bidder's compliance with a County contract has been reviewed by the Department of the Auditor-Controller within the last 10 years, Bidder must not have unresolved questioned costs identified by the Auditor-Controller, in an amount over \$100,000.00, that are confirmed to be disallowed costs by the contracting County department, and remain unpaid for a period of 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.

*Submission not required. LACDMH will confirm.*

- 3.5** Bid must be submitted by the bid due date and time identified in Paragraph 1.0 (Solicitation Information and Minimum Mandatory Requirements).

## **4.0 COUNTY'S RIGHTS AND RESPONSIBILITIES**

### **4.1 County's Right to Amend Invitation for Bids (IFB)**

The County has the right to amend the IFB by written addendum. The County is responsible only for that which is expressly stated in the solicitation document and any authorized written addenda thereto. Such addendum will be made available to each person or organization which County records indicate has received this IFB.



Should such addendum require additional information not previously requested, failure to address the requirements of such addendum may result in the Bid 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.

#### **4.2 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 bid and the terms of any resultant agreement, and to determine which bid best serves the interests of the County. The Board is the ultimate decision-making body and makes the final determinations necessary to arrive at a decision to award, or not award, a contract.

#### **4.3 County Option to Reject Bids**

The County may, at its sole discretion, reject any or all Bids submitted in response to this solicitation. The County will not be liable for any costs incurred by a Bidder in connection with the preparation and submission of any Bid. The County reserves the right to waive inconsequential disparities in a submitted Bid.

#### **4.4 Background and Security Investigations**

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

### **5.0 NOTIFICATION TO BIDDERS**

#### **5.1 Public Records Act**

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

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

Exceptions to disclosure are those parts or portions of all bids that are justifiably defined as business or trade secrets, and plainly marked by the Bidder 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 bid as confidential will not be deemed sufficient notice of exception. The Bidders must specifically label only those provisions of their respective bid which are "Trade Secrets," "Confidential," or "Proprietary" in nature.

## **5.2 Contact with County Personnel**

Any contact regarding this IFB or any matter relating thereto must be in writing and e-mailed to:

Yanira Yeh  
Los Angeles County Department of Mental Health  
Contracts Development and Administration Division  
Email: SolicitationsTeam@dmh.lacounty.gov

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

## **5.3 Mandatory Requirement to Register on County's WebVen**

Prior to contract award, all potential Contractors must register in the County's WebVen. The WebVen contains the Bidder'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 Process**

**5.4.1** Under Board Policy No. 5.055 (Services Contract Solicitation Protest), any prospective Bidder may request a review of the requirements under a solicitation for a Board-approved services contract, as described in Section 5.4.3 below. Additionally, any actual Bidder may request a review of a disqualification or of a proposed contract award under such solicitation as described respectively in the Section below. It is the responsibility of the Bidder challenging the decision of a County department committed a sufficiently 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 Bidder protest. In all cases, the County reserves the right to make an award when it is determined to be in the best interest of the County of Los Angeles to do so.

### **5.4.3 Grounds for Review**

Unless state or federal statutes or regulations otherwise provide, the grounds for review of any Departmental determination or action should be limited to the following:

**5.4.3.1** Review of Solicitation Requirements (Reference Paragraph 9.1)

**5.4.3.2** Review of a Disqualified Bid (Reference Paragraph 9.2)

**5.4.3.3** Review of Department's Proposed Contractor Selection (Reference Paragraph 9.3)

### **5.5 Conflict of Interest**

No County employee whose position in the County enables him/her to influence the selection of a Contractor for this IFB, or any competing IFB, nor any spouse of economic dependent of such employees, will be employed in any capacity by a Bidder or have any other direct or indirect financial interest in the selection of a Contractor. Bidder must certify that he/she is aware of and has read Section 2.180.010 of the Los Angeles County Code as stated in Exhibit 2 (Certification of Compliance) of Appendix B (Required Forms).

### **5.6 Determination of Bidder Responsibility**

**5.6.1** A responsible Bidder is a Bidder who has demonstrated the attributes of trustworthiness, quality, fitness, capacity and experience to satisfactorily perform the contract. It is the County's policy to conduct business only with responsible Bidders.

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

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

honesty; or (4) made or submitted a false claim against the County or any other public entity.

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

**5.6.5** If the Bidder 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 of Supervisors. The final decision concerning the responsibility of the Bidder will reside with the Board.

**5.6.6** These terms will also apply to proposed Subcontractors of Bidders on County contracts.

## **5.7 Bidder Debarment**

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

### **5.8.1 Attempt to Secure Favorable Treatment**

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

#### **5.8.2 Notification to County**

A Bidder must immediately report any attempt by a County officer, employee, or agent to solicit such improper consideration. The report must be made to the Los Angeles County Fraud Hotline at (800) 544-6861 or <https://fraud.lacounty.gov/>. Failure to report such a solicitation may result in the Bidder'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 County Lobbyist Ordinance**

The County 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 Bidder to review the ordinance independently as the text of said ordinance is not contained within this IFB. Thereafter, each person, corporation or other entity submitting a response to this solicitation must certify that each County Lobbyist, as defined by Los Angeles County Code Section 2.160.010, retained by the Bidder is in full compliance with Chapter 2.160 of the Los Angeles County Code and each such County Lobbyist is not on the Executive Office's List of Terminated Registered Lobbyists.

### **5.10 Consideration of GAIN/START Participants for Employment**

**5.10.1** As a threshold requirement for consideration for contract award, Bidders must demonstrate a proven record of hiring participants in the County's Department of Public Social Services Greater Avenues for Independence (GAIN) or Skills and Training to Achieve Readiness for Tomorrow (START) Programs or must attest to a willingness to consider

GAIN/START participants for any future employment openings if the participants meet the minimum qualifications for that opening. Bidders must attest to a willingness to provide employed GAIN/START participants access to the Bidder's employee mentoring program, if available, to assist these individuals in obtaining permanent employment and/or promotional opportunities.

- 5.10.2** Bidders who are unable to meet this requirement will not be considered for contract award. Bidders must complete and return Exhibit 2 (Certification of Compliance) of Appendix B (Required Forms), along with their Bid.

## **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 the Jury Service Ordinance and Paragraph 8.8 (Compliance with County's Jury Service Program) of Appendix A (Contract), both of which are incorporated by reference into and made a part of this IFB. The Jury Service Program applies to both Contractors and their Subcontractors. Bids 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). If a Contractor does not fall within the Jury Service Program's definition of "Contractor" or if it meets any of the exceptions to the Jury Service Program, then the Contractor must so indicate in Exhibit 2 (Certification of Compliance) of Appendix B (Required Forms) and include with its submission all necessary documentation to support the claim such as tax returns or a collective bargaining agreement, if applicable. Upon reviewing the Contractor's application, the County will determine, in its sole discretion, whether the Contractor falls within the definition of Contractor or meets any of the exceptions to the Jury Service Program. The County's decision will be final.

## **5.12 Pending Acquisitions/Mergers by Bidding Company**

The Bidder must notify the County of any pending acquisitions/mergers of its company unless otherwise legally prohibited from doing so. If the Bidder 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 the Bidder in Exhibit 1 (Organization Questionnaire/Affidavit) of Appendix B (Required Forms). Failure of the Bidder to provide this information may

eliminate its bid from any further consideration. Bidder will have a continuing obligation to notify the County and update any changes to its response in Exhibit 1 (Organization Questionnaire/Affidavit) of Appendix B (Required Forms) during the solicitation.

### **5.13 Charitable Contributions Compliance**

**5.13.1** California’s “Supervision of Trustees and Fundraisers for Charitable Purposes Act” regulates receiving and raising charitable contributions. Among other requirements, those subject to the Charitable Purposes Act must register. The 2004 Nonprofit Integrity Act (SB 1262, Chapter 919) increased Charitable Purposes Act requirements. Prospective contractors should carefully read the Background and Resources: California Charities Regulation, Appendix D. These rules cover California public benefit corporations, unincorporated associations, and trustee entities and may include similar foreign corporations doing business or holding property in California. The Nonprofit Integrity Act contains substantive requirements affecting executive compensation, fund-raising practices and documentation. Charities with over \$2 million of revenues (excluding funds that must be accounted for to a governmental entity) also have specific audit requirements.

**5.13.2** All prospective Contractors must determine if they receive or raise charitable contributions which subject them to the Charitable Purposes Act and complete the Charitable Contributions Certification, Exhibit 2 (Certification of Compliance) in Appendix B (Required Forms). A completed Exhibit 2 (Certification of Compliance) of Appendix B (Required Forms) is a required part of any agreement with the County.

**5.13.3** Prospective County contractors that do not complete Exhibit 2 (Certification of Compliance) of Appendix B (Required Forms) as part of the solicitation process may, in the County’s sole discretion, be disqualified from contract award. A County contractor that fails to comply with its obligations under the Charitable Purposes Act is subject to either contract termination or debarment proceedings or both. (County Code Chapter 2.202).

### **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 Paragraphs 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 Tax Program) of Appendix A (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** Bidders will be 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). Failure to maintain compliance, or to timely cure defects, may be cause for termination of a contract or initiation of debarment proceedings against the non-compliance contractor (Los Angeles County Code, Chapter 2.202).

**5.14.3** Bids 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 County's Commitment to Zero Tolerance Policy on Human Trafficking**

**5.15.1** On October 4, 2016, the County 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), 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 (Contract). 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 an agreement/contract with the County will 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, the 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 agreement/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 Bidder's Acknowledgement of County's Commitment to Fair Chance Employment Hiring Practices**
- 5.18.1** On May 29, 2018, the County 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** Contractors are required to complete Exhibit 2 (Certification of Compliance) in Appendix B (Required Forms), certifying that they, and their Subcontractors are in full compliance with Section 12952, as indicated in the Sample Contract. Further, contractors are required to comply with the requirements under Section 12952 for the term of any contract awarded pursuant to this solicitation.
- 5.19 Contractor Alert Reporting Database**
- 5.19.1** The County maintains the Contractor Alert Reporting Database (CARD), which is used to track/monitor poorly performing contractors. When a County department identifies a significant performance/non-compliance issue(s) with a contractor, the department will provide notice to the contractor and will give the contractor an opportunity to correct the issue(s). If the contractor does not take any appropriate steps to correct the issue(s), the County department will enter the contractor, along with any other relevant information pertaining to the contractor's performance issue(s), into CARD.
- 5.19.2** The information entered into CARD can be accessed by all County departments and will be used, along with any other relevant information not included in CARD, in determining bidder responsibility. If a department reviews this information and determines that a finding of non-responsibility should be pursued, the department will adhere to the guidelines specified in the Los Angeles County Code Chapter 2.202, and the County's Implementation Procedures for Determinations of Contractor Non-Responsibility and Contractor Debarment.
- 5.20 Prohibition from Participation in Future Solicitation(s)**
- A Bidder, or a Contractor or its subsidiary or Subcontractor ("Bidder/Contractor"), is prohibited from submitting a bid or proposal in a County solicitation if the

Bidder/Contractor has provided advice or consultation for the solicitation. A Bidder/Contractor is also prohibited from submitting a bid or proposal in a County solicitation if the Bidder/Contractor has developed or prepared any of the solicitation materials on behalf of the County. A violation of this provision will result in the disqualification of the Contractor/Bidder from participation in the County solicitation or the termination or cancellation of any resultant County contract. (Los Angeles County Code, Chapter 2.202).

### **5.21 Community Business Enterprise (CBE) Participation**

The County has adopted a Community Business Enterprise (CBE) Program, which includes business enterprises certified as disadvantaged business enterprises disabled veteran-owned, minority-owned, women-owned, and lesbian, gay, bisexual, transgender, queer, and questioning-owned business types. The County has established a collective 25% participation goal for CBE certified firms, calculated on the eligible procurement dollars. The program maintains data on the types of businesses registered as CBEs and their utilization. The Bidder's CBE participation must be reflected in Exhibit 5 (Community Business Enterprise (CBE) Information) form in Appendix B (Required Forms).

All Bidders must document efforts it has taken to assure that CBEs are utilized when possible to provide supplies, equipment, technical services, and other services under this Contract. The Bidder must make documents related to these efforts available to the County upon request.

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 the Bidder's ability to provide the best service and value to the County.

To obtain a list of the County's CBE certified firms, e-mail the request to the County of Los Angeles Department of Economic Opportunity at [CBESBE@opportunity.lacounty.gov](mailto:CBESBE@opportunity.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@opportunity.lacounty.gov](mailto:OSB@opportunity.lacounty.gov).

### **5.22 Intentionally Omitted**

## **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 paragraph 6.2, 6.3, and 6.4 of this solicitation. 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 fifteen percent (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**

**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) and submit their LSBE certification approval letter ("Certification for Non-Federally Funded Solicitations") from the DCBA with their bid.

## **6.3 Social Enterprise (SE) Preference Program**

**6.3.1** The County will apply the SE preference during the solicitation process to businesses that meet the definition of a SE for solicitations not subject to the federal restriction on geographical preferences, consistent with Chapter 2.205 of the Los Angeles County Code.

**6.3.2** 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>.

**6.3.3** Businesses 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 bid.

#### **6.4 Disabled Veteran Business Enterprise (DVBE) Preference Program**

**6.4.1** 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.

**6.4.2** 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>.

**6.4.3** Businesses requesting the DVBE preference must complete and submit Exhibit 3 (Request for Preference Consideration) in Appendix B (Required Forms) and submit a letter of certification from the DCBA with their bid.

#### **6.5 Preference Program Enterprises (PPEs) - Prompt Payment Program**

It is the intent of the County that Certified Preference Program Enterprises (PPEs) receive prompt payment for services they provide to County Departments. Prompt payment is defined as fifteen (15) calendar days after receipt of an approved, undisputed invoice which has been properly matched against documents such as a receiving, shipping, or services delivered report, or any other validation of receipt document consistent with Board Policy 3.035 (Preference Program Payment Liaison and Prompt Payment Program).

### **7.0 INVITATION FOR BIDS (IFB) REQUIREMENTS**

This Section contains key project activities as well as instructions to Bidders in how to prepare and submit their Bid.

#### **7.1 County Responsibility**

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

#### **7.2 Truth and Accuracy of Representations**

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

#### **7.3 Bidders' Questions**

Bidders may submit written questions regarding this IFB by e-mail to: Attn: Yanira Yeh, via email at [SolicitationsTeam@dmh.lacounty.gov](mailto:SolicitationsTeam@dmh.lacounty.gov). All questions must be received by the date and time specified in Paragraph 1.0 (Solicitation Information and Minimum Mandatory Requirements). All questions, without identifying the submitting company, will be compiled with the appropriate answers and issued as an addendum to the IFB.

#### **7.4 Intentionally Omitted**

#### **7.5 Preparation of the Bid**

One bid must be submitted, via electronic mail (e-mail) to: SolicitationsTeam@dmh.lacounty.gov. by the date and time listed in Paragraph 1.0 (Solicitation Information and Minimum Mandatory Requirements).

All Bids must be bound and submitted in the prescribed format. Any Bid that deviates from this format may be rejected without review at the County's sole discretion.

#### **7.6 Bid Format and Review Process**

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

##### **7.6.1 Table of Contents**

The Table of Contents must be a comprehensive listing of material included in the Bid. This section must include a clear definition of the material, identified by sequential page numbers and by section reference numbers.

##### **7.6.2 Proposed Annual Budget (Section A)**

Complete and submit Exhibit 8 (Proposed Budget) as provided in Appendix B (Required Forms).

Bids will be examined to determine the lowest price for a three-year total budget. Should one or more of the Bidders request and be granted the Local Small Business Enterprise Preference, Social Enterprise Preference, or Disabled Veteran Business Enterprise Preference, the lowest bid price will be determined as follows:

The maximum number of possible points will be awarded to the lowest cost bid for a three-year total budget. All other bids will be compared to the lowest cost and points awarded accordingly.

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

Fifteen percent (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 bidders who requested and were granted the preference.

In no case will any preference be combined to exceed fifteen percent (15%) of the lowest responsible bid meeting specifications.

##### **7.6.3 Bidder's Qualifications (Section B)**

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

##### **7.6.3.1 Bidder's Experience and Qualifications (Section B.1)**

Provide all items requested in Paragraph 3.0 (Bidder's Minimum Requirements) of this IFB to substantiate that Bidder has capability to perform the required services. **Label as "Bidder's Qualifications – Section B.1."**

*This will be scored on a pass/fail basis. If Bidder cannot substantiate that they meet all items in Section 3 (Minimum Mandatory Requirements), the Bidder will be disqualified from further consideration.*

#### **7.6.3.2 Bidder's References (Section B.2)**

Bidder must provide three references where the same or similar scope of services was provided to demonstrate that the Bidder meets the Minimum Mandatory Requirements identified in Paragraph 3.0 of this IFB. **Label as "Bidder's References – Section B.2."**

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

County may disqualify a Bidder if:

- 1) references fail to substantiate Bidder's description of the services provided; or
- 2) references fail to support that Bidder has a continuing pattern of providing capable, productive, and skilled personnel.

*This will be scored on a pass/fail basis.*

#### **7.6.3.3 Bidder's Pending Litigation and Judgments (Section B.3)**

The County will conduct a review of Bidder's pending litigation and judgements. Bidder must identify by name, case and court jurisdiction any pending litigation in which Bidder is involved, or judgments against Bidder in the past five years. Additionally, Bidder must provide a statement describing the size and scope of any pending or threatening litigation against the Bidder or principals of the Bidder. **Label as "Bidder's Pending Litigation and Judgements – Section B.3."**

A review to determine the magnitude of any pending litigation or judgments against the Bidder will be conducted by County.

*Depending on the size and scope of pending items, the County may deduct points from final Bid score or may disqualify the Bid in its entirety.*

*If Bidder does not have items to report, please submit a statement indicating this. Do not leave this area blank.*

#### **7.6.4 Required Forms (Section C)**

Include the following forms as provided in Appendix B (Required Forms). Complete, sign and date all forms. The person signing must have the authority to bind the Bidder in a contract.

Exhibit 1 Organization Questionnaire/Affidavit

Exhibit 2 Certification of Compliance

Exhibit 3 Request for Preference Consideration

Exhibit 4 Debarment History and List of Terminated Contracts

Exhibit 5 Community Business Enterprise (CBE) Information

Exhibit 6 Minimum Mandatory Requirements

Exhibit 7 Intentionally Omitted

Exhibit 8 Proposed Budget

Exhibit 9 Declaration

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

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

#### **Required Support Documents:**

##### **Corporations or Limited Liability Company (LLC):**

The Bidder must submit the following documentation with the Bid:

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

##### **Limited Partnership:**

The Bidder 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.

The review will include verification of references submitted, a review of the LAC Contractor Alert Reporting Database (CARD), if applicable, reflecting past performance history on County contracts, and a review of terminated contracts. This review may result in disqualification depending on the scope and status of items in CARD.

## **7.7 Bid Submission**

**7.7.1** One bid must be submitted by the date and time listed in Paragraph 1.0 (Solicitation Information and Minimum Mandatory Requirements) via electronic mail (e-mail) as follows.

**To:** SolicitationsTeam@dmh.lacounty.gov  
Attn: Yanira Yeh

**Subject:** Bid for TF-CBT Training Services  
IFB No. DMH04012024B1 – [Vendor's Name].”

**7.7.2** No hard copies delivered in person or facsimile (faxed) responses will be accepted. Please note, each email attachment file size is limited to 60 MB per email. Multiple emails of a Portable Document Format (PDF) or zip file, in an encrypted format, will be accepted. All bid documentation must be attached, not linked.

**7.7.3** It is the sole responsibility of the submitting Bidder to ensure that its bid is received before the submission deadline. Submitting bidders must bear all risks associated with delays in delivery by any person or entity, or electronic mail (e-mail).

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

## **8.0 SELECTION PROCESS OVERVIEW**

### **8.1 Review Process**

The lowest price bid will be reviewed to determine whether it is responsive and responsible.

### **8.2 Adherence to Minimum Mandatory Requirements**

County will review Proposal to determine if the Bidder meets the minimum mandatory requirements as outlined in Paragraph 3.0 of this IFB.

Failure of the Bidder to comply with the minimum requirements may eliminate its bid from any further consideration. The County may elect to waive any informality in a bid if the sum and substance of the bid is present.



## **9.0 PROTEST PROCESS OVERVIEW**

### **9.1 Solicitation Requirements Review**

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

- 9.1.1** The request is made within the time frame identified in the solicitation document;
- 9.1.2** The request includes documentation (e.g., letterhead, business card, etc.), which identifies the underlying authority of the person or entity to submit a bid;
- 9.1.3** The request Review itemizes, in appropriate detail, each matter contested and factual reasons for the requested review; and
- 9.1.4** The request asserts either that:
  - 9.1.4.1** Application of the minimum mandatory requirements, evaluation criteria and/or business requirements unfairly disadvantages the person or entity; or,
  - 9.1.4.2** Due to unclear instructions, the process may result in the County not receiving the best possible responses from prospective Vendor.

The SRR 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 bid due date.

### **9.2 Disqualification Review**

A bid may be disqualified from consideration because a Department determined it was a non-responsive bid at any time during the review/evaluation process. If a Department determines that a Bid was disqualified due to non-responsiveness, the Department will notify the Bidder in writing.

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

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

- 9.2.1** The request for a Disqualification Review is submitted timely (i.e., by the date and time specified in the written determination); and
- 9.2.2** The request for a Disqualification Review asserts that the Department's determination of disqualification due to non-responsiveness was erroneous (e.g. factual errors, etc.) and provides factual support on each

ground asserted as well as copies of all documents and other material that support the assertions.

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

### **9.3 Proposed Contractor Selection Review (PCSR)**

Any Bidder that has timely submitted a notice of its intent to request a Proposed Contractor Selection Review (PCSR) as described in this Paragraph may submit a written request for a PCSR, in the manner and timeframe as will be specified by the department.

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

- 9.3.1** The request for a PCSR is submitted timely (i.e., by the date and time specified by the department);
- 9.3.2** The person or entity requesting a PCSR asserts, in appropriate detail with factual reasons, one or more of the following grounds for review:
  - 9.3.2.1** The Department materially failed to follow procedures specified in its solicitation document. This includes:
    - 1)** Failure to correctly apply the standards for reviewing the bid format requirements.
    - 2)** Failure to correctly apply the standards, and/or follow the prescribed methods, for evaluating the bids as specified in the solicitation document.
    - 3)** Use of evaluation criteria that were different from the evaluation criteria disclosed in the solicitation document.
  - 9.3.2.2** The Department made identifiable mathematical or other errors in evaluating bids, resulting in the Bidder receiving an incorrect score and not being selected as the recommended contractor.
  - 9.3.2.3** Another basis for review as provided by state or federal law; and
  - 9.3.2.4** The request for a PCSR sets forth sufficient detail to demonstrate that, but for the department's alleged failure, the Bidder would have been the lowest cost, responsive and responsible bid or the highest-scored bid, as the case may be.

Upon completing the PCSR, the department representative will issue a written decision to the Bidder within a reasonable time following receipt of the request for a PCSR, and always before the date the contract

award recommendation is to be heard by the Board. The written decision will additionally instruct the Bidder of the manner and timeframe for requesting a County Independent Review see Paragraph 9.4 below.

#### **9.4 County Independent Review (CIR)**

Any Bidder that is not satisfied with the results of the PCSR may submit a written request for a County Independent Review (CIR) in the manner and timeframe specified by the Department in the Department's written decision regarding the PCSR.

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

- 9.4.1** The request for a CIR is submitted timely (i.e., by the date and time specified by the Department); and
- 9.4.2** The person or entity requesting the CIR has limited the request to items raised in the PCSR as listed in Paragraph 9.3 (Proposed Contractor Selection Review) above.

Upon completion of the CIR, Internal Services Department will forward the report to the Department, which will provide a copy to the Bidder.