



DEPARTMENT OF MENTAL HEALTH

MENTAL HEALTH SERVICES ACT (MHSA)

MASTER AGREEMENT

Work Order Solicitation (WOS)

FOR

**PARENT PARTNER/PARENT ADVOCATE CONTINUING
EDUCATION TRAINING PROGRAM**

April 9, 2024

WOS #DMH040924B1

Prepared By

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

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APPENDICES

- A Sample Work Order:** Identifies the terms and conditions in the Work Order.
- B Required Forms:** Forms that must be completed and included in the proposal.
- C Transmittal Form to Request a Solicitation Requirements Review:** Transmittal 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 SOLICITATION INFORMATION AND MINIMUM QUALIFICATIONS

Work Order Solicitation Release Date	04/09/2024
Request for a Solicitation Requirements Review Due	04/23/2024 by 3:00 P.M. (Pacific Time)
Written Questions Due	04/29/2024 by 3:00 P.M. (Pacific Time)
Questions and Answers Released via Addendum	05/06/2024 by 5:00 P.M. (Pacific Time)
Proposals Due	05/14/2024 by 12:00 P.M. (Pacific Time)
Anticipated Work Order Term	Three years
Minimum Qualifications	See Page 3, Paragraph 3, for a list of minimum qualifications
Work Order Solicitation Contact	DMH Solicitations Team – SolicitationsTeam@dmh.lacounty.gov

2 GENERAL INFORMATION

2.1 Purpose

The County of Los Angeles (LAC or County) Department of Mental Health (DMH or LACDMH) is issuing this Work Order Solicitation (WOS) to solicit bids from qualified agencies that are Mental Health Services Act (MHSA) Master Agreement Contractors interested and capable of providing Parent Partner/Parent Advocate (PP/PA) Continuing Education (CE) Training Program services.

The LACDMH PP/PA workforce provides mental health advocacy and support by: 1.) providing family support for those with mental health illness; 2.) providing support and resources for employed parents of those with mental illness;; 3.) providing support and resources to kinship caregivers and non-relative caregivers of children (ages birth to 15 years old) and youth (ages 16 to 25 years) consumers in our public mental health system; and 4.) promoting resilience and sustained wellness through an emphasis on increasing availability of a workforce oriented to self-help.

The PP/PA CE Training Program (Program) supports the PP/PA workforce within the County's public mental health system through training events that expand knowledge and the technical skills of the PP/PA workforce.

Interested and qualified entities that meet all the Minimum Mandatory Qualifications (MMQs) identified in Section 3 of this WOS are invited to submit a Bid as described in this WOS.

2.2 Overview of Solicitation Document

This WOS:

- 2.2.1 Specifies the Bidder's minimum qualifications, provides information regarding the requirements of the Work Order 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 Includes the following Appendices:
 - A **Sample Work Order:** Lists the terms and conditions in the Work Order.
 - B **Required Forms:** Forms contained in this section must be completed and included in the Bid.
 - C **Transmittal Form to Request a Solicitation Requirements Review:** Transmittal 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.

2.3 Intentionally Omitted

2.4 Work Order Term

The term of the Work Order will be for three years and will commence upon execution unless earlier terminated or extended as set forth herein.

2.5 Work Order Rates

The selected Contractor's rates must remain firm and fixed for the term of the Work Order unless otherwise amended by both parties. The selected Contractor must satisfactorily perform all services set forth in Exhibit A - SOW of Appendix A, Sample Work Order.

2.6 Days of Operation

The selected Contractor will be required to provide PPPA CE Training services Monday through Friday during regular business hours. The selected Contractor is not required to provide services on [County-recognized holidays](#).

2.7 Indemnification and Insurance

The selected Contractor must comply with the indemnification provisions contained in the MHSA Master Agreement Sub-paragraph 8.22 (Indemnification). The selected Contractor must procure, maintain, and provide to the County proof of insurance coverage for all appropriate types of insurance along with associated amounts specified in Attachment C - Sample Work Order Exhibit C (Insurance Coverage).

3 BIDDER'S MINIMUM QUALIFICATIONS

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

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

LACDMH will verify.

- 3.2** Bidder must be a current MHSA Master Agreement Contractor as of the date of this solicitation's release.

LACDMH will verify – submission not required.

- 3.3** Bidder's trainer(s) must have a master's degree or higher in Social Work, Psychology or related field.

Bidders must submit copies of degrees or transcripts from an accredited institution to substantiate this requirement.

- 3.4** Bidder must have a minimum of three (3) years' experience within the last five (5) years working with PP/PA and providing PP/PA CE Training for LACDMH and LACDMH contracted Parent Partners and Parent Advocates.

Bidders must submit a list of trainings, dates and copies of pamphlets, fliers to substantiate experience and years of experience.

- 3.5** Bidder must have capacity to host multiple simultaneous training events.

Bidder must submit a list of trainings, dates, format, i.e., in person or virtual trainings, number of attendees and copies of pamphlets and/or fliers to substantiate capacity to provide multiple, simultaneous training events.

- 3.6** Provide copies of the company's most current and immediately preceding two fiscal years' financial statements (for example: 2023 and 2024). Statements should include the company's assets, liabilities and net worth. At a minimum, the statements 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, (i.e., for-profit, non-profit, governmental), the title of these documents 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, these 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.

Upon receipt of this information, LACDMH will conduct a review to determine agency's financial capability. Depending on the results of this assessment, LACDMH may request additional information or disqualify the application in its entirety.

- 3.7** 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.

LACDMH will verify – submission not required.

4 COUNTY'S RIGHTS AND RESPONSIBILITIES

4.1 County's Right to Amend Work Order Solicitation (WOS)

The County has the right to amend the WOS 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 WOS. 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 Work Order Award by the Board of Supervisors

Notwithstanding a recommendation of a department, agency, individual, or other, the Board of Supervisors retains the right to exercise its judgment concerning the selection of a bid and the terms of any resultant Work Order, 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 Work Order.

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 Work Order. The cost of background checks is the responsibility of the Bidder.

5 NOTIFICATION TO BIDDERS

5.1 Notice to Bidders Regarding the 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) Work Order negotiations are complete; (2) LACDMH receives a letter from the recommended Bidder's authorized officer that the negotiated Work Order is the firm offer of the recommended Bidder; and (3) LACDMH 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. 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 WOS or any matter relating thereto must be e-mailed as follows:

Enriqueta "Kiki" Helland, ASM II

Email: SolicitationsTeam@dmh.lacounty.gov

If it is discovered that a 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 Work Order 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 Work Order, as described in Section 5.4.3 below. Additionally, any actual Bidder may request a review of a disqualification or of a proposed Work Order award under such solicitation as described respectively in the Section below. It is the responsibility of the Bidder challenging the decision that a County department committed a sufficiently material error in the solicitation process to justify invalidation of a proposed Work Order award.

5.4.2 Throughout the review process, the County has no obligation to delay or otherwise postpone an award of a Work Order 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 WOS, or any competing WOS, nor any spouse or 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 (Proposer's 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 attribute of trustworthiness, as well as quality, fitness, capacity and experience to satisfactorily perform the Work Order. 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 Contract and Work Order, including but not limited to County Contracts and Work Orders. 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 work order if the Board of Supervisors, in its discretion, finds that the Bidder has done any of the following: (1) violated a term of a Contract or work order 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 or work order 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 of Supervisors 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 of Supervisors.

5.6.6 These terms will also apply to proposed Subcontractors of Bidders on County Contracts and Work Orders.

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, or being awarded, and/or performing work on other County Contracts and work orders 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 the Bidder's existing Contracts and work orders with County, if the Board of Supervisors finds, in its discretion, that the Bidder has done any of the following: (1) violated a term of a Contract or work order 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 or work order 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 proposers on County Contracts and work orders.

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 work order 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 work order.

5.8.2 Bidder 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 Notice to Bidders Regarding the County Lobbyist Ordinance

The Board of Supervisors of the County of Los Angeles has enacted an ordinance regulating the activities of persons who lobby County officials. This ordinance, referred to as the "Lobbyist Ordinance", defines a County Lobbyist and imposes certain registration requirements upon individuals meeting the definition. The complete text of the ordinance can be found in [County Code Chapter 2.160](#). In effect, each person, corporation or other entity that seeks a county permit, license, franchise or work order 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 WOS. 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 work order award. Bidders must complete and return Exhibit 2 (Proposer's Certification of Compliance) of Appendix B (Required Forms), along with their Bid.

5.11 Jury Service Program

- 5.11.1** The prospective work order 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 the County's Jury Service Program) of the MHSA Master agreement, both of which are incorporated by reference into and made a part of this WOS. 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 (Proposer's 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 (Proposer's 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 Notification to County of Pending Acquisitions/Mergers by Bidding Company

Bidders must notify the County of any pending acquisitions/mergers of its company unless otherwise legally prohibited from doing so. If a 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, (Proposer's Organization Questionnaire/Affidavit) of Appendix B (Required Forms). Failure of a Bidder to provide this information may eliminate its bid from any further consideration. Bidders 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 Bidder's 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 (Proposer's Certification of Compliance) in Appendix B (Required Forms). A completed Exhibit 2 (Proposer's Certification of Compliance) is a required part of any work order with the County.

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

5.14 Defaulted Property Tax Reduction Program

5.14.1 The prospective work order 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 the MHSA Master Agreement, 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.

- 5.17.3** 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 work order award or at any time during the duration of the work order, 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 Los Angeles County Board of Supervisors approved a Fair Chance Employment Policy in an effort to remove job barriers for individuals with criminal records. The policy requires businesses that work order 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 (Proposer's 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 Work Order. Further, Contractors are required to comply with the requirements under [Section 12952](#) for the term of any work order 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 Proposer, or a Contractor or its subsidiary or Subcontractor ("Proposer/Contractor"), is prohibited from submitting a bid or proposal in a County solicitation if the 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 the Proposer/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/Proposer from participation in the County solicitation or the termination or cancellation of any resultant County Contract.

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 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.

6 COUNTY'S PREFERENCE PROGRAMS

6.1 Overview of County's Preference Programs

6.1.1 The County of Los Angeles has three preference programs. The Local Small Business Enterprise (LSBE), Disabled Veteran Business Enterprise (DVBE), and Social Enterprise (SE). The Board of Supervisors 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, 6.4, and 6.5 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 give LSBE preference during the solicitation process to businesses that meet the definition of an LSBE for solicitations subject to the federal restriction on geographical preferences, consistent with [Chapter 2.204.030C.2 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 Federally Funded Solicitations") from the DCBA with their bid.

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

- 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 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 Federally Funded Solicitations”) from the DCBA with their proposal.

6.5 Disabled Veteran Business Enterprise (DVBE) Preference Program

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) and submit a letter of certification from the DCBA with their bid.

7 WORK ORDER SOLICITATION (WOS) REQUIREMENTS

This Section contains key project dates and 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 Work Order unless such understanding or representation is included in the Work Order.

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, which will be final.

7.3 Bidders’ Questions

Bidders may submit written questions regarding this WOS by e-mail to: SolicitationsTeam@dmh.lacounty.gov. All questions must be received by the date and time specified in Paragraph 1.0 (WOS Timetable). All questions, without identifying the submitting company, will be compiled with the appropriate answers, and issued as an addendum to the WOS.

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).

Bids must be submitted in an encrypted and searchable Portable Document Format (PDF) format. Multiple emails may be submitted if/when files are too large. 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 Estimated Annual Budget (Section A)

Complete and submit Exhibit 7 (Estimated Annual Budget) as provided in Appendix B (Required Forms).

The estimated annual budget must be the best estimate of all costs for one year of services per Exhibit A – SOW. The contract that is awarded based on this solicitation will have a budget equal to the amount submitted in the winning bid. The budget will not be increased absent extraordinary circumstances outside the control of the bidder. Any increase in the budget will be at the sole discretion of LACDMH.

Bids will be examined to determine the lowest price. 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 (see Section 6.0 – COUNTY'S PREFERENCE PROGRAMS), the lowest bid price will be determined as follows:

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

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 Background and Experience (Section B.1)

- I. Provide supporting documentation to demonstrate that the Bidder meets all the minimum qualifications stated in Paragraph 3 (Bidder's Minimum Qualifications) of this WOS and has the capability to perform the required services as a corporation or other entity.

This section will be reviewed on a pass/fail basis. If bidder does not substantiate all minimum requirements, the bid will be disqualified in its entirety.

II. Required Support Documents:

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 the authority of individuals to sign Work Orders.

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.

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.

7.6.3.2 Bidder's References and Contractor Alert Reporting Database (Section B.2)

- I. Bidder must provide letters of reference from three distinct clients that received services with the same or similar scope of services as those in Exhibit A – SOW. Letters must include clients' full name, address and email address, services received, and dates of service received. Finally, the letter should detail how working with Bidder was considered successful.

It is the proposer'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.
- II. LACDMH will also review the County's Contractor Alert Reporting Database (CARD), reflecting past performance history on County Contracts and Work Orders, and a review of terminated Contracts and Work Orders.

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.

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 items reported, the

County may deduct points from final score or disqualify the proposal in its entirety.

If Bidder does not have anything to report for this section, a statement indicating this must be included. Leaving this section blank may result in deduction of points.

Depending on the size and scope of items reported, LACDMH may request additional information, may deduct points from final score, or disqualify the bid in its entirety.

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 these forms must be authorized to sign on behalf of the Bidder and to bind the applicant in a Work Order**

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 Declaration

Exhibit 6 Community Business Enterprise (CBE) Information (Excel)

Exhibit 7 Estimated Annual Budget

8 SELECTION PROCESS OVERVIEW

8.1 Review Process

Bids will be examined to determine the lowest price. Should one or more Bidders request and be granted the Local Small Business Enterprise Preference, Social Enterprise Preference, or Disabled Veteran Business Enterprise Preference (see Section 6.0 – COUNTY'S PREFERENCE PROGRAMS), the lowest bid price will be determined as follows:

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

However, should one or more 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.

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

8.2 Adherence to Minimum Requirements

County will review Bidder's documentation to determine if the Bidder meets the minimum mandatory requirements as outlined in Paragraph 3.0 of this WO.

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

9 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 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:

- 9.1.1** The request is made within the time frame identified in the solicitation document (generally within 10 business days of the issuance of 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 qualifications, 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 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 bid due date.

9.2 Disqualification Review

A Bid may be disqualified from consideration because the Department determined it was a non-responsive bid at any time during the review/evaluation process. If the

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

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

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

- 9.3.1** The request for a Proposed Contractor Selection Review is submitted timely (i.e., by the date and time specified by the department);
- 9.3.2** 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:
 - 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

9.3.3 The request for a Proposed Contractor Selection Review 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 Proposed Contractor Selection Review, the department representative will issue a written decision to the Bidder within a reasonable time following receipt of the request for a Proposed Contractor Selection Review, and always before the date the Work Order 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

Any Bidder 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.

The 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:

9.4.1 The request for a County Independent Review is submitted timely (i.e., by the date and time specified by the Department); and

9.4.2 The person or entity requesting the County Independent Review has limited the request to items raised in the Proposed Contractor Selection Review as listed in Paragraph 9.3 (Proposed Contractor Selection Review) above.

Upon completion of the County Independent Review, ISD will forward the report to the Department, which will provide a copy to the Bidder.