



DEPARTMENT OF MENTAL HEALTH
MENTAL HEALTH SERVICES ACT
WORK ORDER SOLICITATION
FOR
CHILD-PARENT PSYCHOTHERAPY (CPP) CONTINUING
EDUCATION (CE) TRAINING SERVICES

April 18, 2024

WOS #DMH041824B1

Prepared By

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

TABLE OF CONTENTS

<u>PARAGRAPH</u>	<u>PAGE</u>
1 SOLICITATION INFORMATION AND MINIMUM REQUIREMENTS	1
2 GENERAL INFORMATION	2
2.1 Purpose.....	2
2.2 Terms and Definitions	2
2.3 Work Order Term	2
2.4 Work Order Rates	2
2.5 Days of Operation	3
2.6 Indemnification and Insurance	3
2.7 Business Associate Agreement Under the Health Insurance Portability and Accountability Act of 1996 (HIPAA).....	3
3 PROPOSER’S MINIMUM MANDATORY REQUIREMENTS	3
4 COUNTY’S RIGHTS AND RESPONSIBILITIES	4
4.1 County’s Right to Amend Work Order Solicitation (WOS).....	4
4.2 Final Contract Award by the Board of Supervisors.....	4
4.3 County Option to Reject Proposals	5
4.4 Background and Security Investigations	5
5 NOTIFICATION TO PROPOSERS	5
5.1 Notice to Proposers Regarding the Public Records Act	5
5.2 Contact with County Personnel	6
5.3 Mandatory Requirement to Register on County’s WebVen	6
5.4 Protest Process Review Process	6
5.5 Conflict of Interest	7
5.6 Determination of Proposer Responsibility	7
5.7 Proposer Debarment.....	8
5.8 Improper Considerations.....	8
5.9 Notice to Proposers Regarding the County Lobbyist Ordinance	9
5.10 Consideration of GAIN/ START Participants for Employment.....	9
5.11 Jury Service Program.....	10
5.12 Notification to County of Pending Acquisitions/Mergers by Bidding Company.....	10
5.13 Proposer’s Charitable Contributions Compliance.....	11

TABLE OF CONTENTS

<u>PARAGRAPH</u>	<u>PAGE</u>
5.14 Defaulted Property Tax Reduction Program.....	11
5.15 Proposer’s Acknowledgement of County’s Commitment to Zero Tolerance Policy on Human Trafficking.....	12
5.16 Intentionally Omitted	12
5.17 Default Method of Payment: Direct Deposit or Electronic Funds Transfer (EFT).....	12
5.18 Proposer’s Acknowledgement of County’s Commitment to Fair Chance Employment Hiring Practices	13
5.19 Contractor Alert Reporting Database	13
5.20 Prohibition from Participation in Future Solicitation(s).....	13
5.21 Community Business Enterprise (CBE) Participation.....	14
6 COUNTY’S PREFERENCE PROGRAMS.....	14
6.1 Overview of County’s Preference Programs	14
6.2 Local Small Business Enterprise (LSBE) Preference Program	15
6.3 Local Small Business Enterprise (LSBE) Prompt Payment Program	15
6.4 Social Enterprise (SE) Preference Program.....	15
6.5 Disabled Veteran Business Enterprise (DVBE) Preference Program.....	16
7 WORK ORDER SOLICITATION (WOS) REQUIREMENTS.....	16
7.1 County Responsibility.....	16
7.2 Truth and Accuracy of Representations	16
7.3 Proposers’ Questions	16
7.4 Intentionally Omitted	16
7.5 Preparation of the Proposal.....	16
7.6 Bid Format and Review Process	16
7.7 Proposal Submission	20
8 SELECTION PROCESS OVERVIEW.....	20
8.1 Review Process	21
8.2 Adherence to Minimum Requirements	21
9 PROTEST PROCESS OVERVIEW	21
9.1 Solicitation Requirements Review.....	21
9.2 Disqualification Review	21

TABLE OF CONTENTS

<u>PARAGRAPH</u>		<u>PAGE</u>
9.3	Proposed Contractor Selection Review.....	22
9.4	County Independent Review	23

APPENDICES

- A Sample Work Order:** Identifies the terms and conditions in the Contract.
- 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 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 REQUIREMENTS

WOS Release Date	04/18/2024
Request for a Solicitation Requirements Review Due	05/02/2024 by 12pm
Written Questions Due	05/08/2024 by 12pm
Questions and Answers Released via Addendum	05/13/2024 by 5pm
Proposals Due	05/23/2024 by 12pm
Anticipated WO Term	Upon execution for three years
Minimum Requirements	See paragraph 3.0
WOS Contact	Enriqueta "Kiki" Helland, via email: solicitationsTeam@dmh.lacounty.gov

2 GENERAL INFORMATION

2.1 Purpose

The Los Angeles County (LAC or County) Department of Mental Health (DMH or Department) is issuing this Work Order Solicitation (WOS) to solicit Proposals for a Work Order (WO) with an organization who can provide the required training to certify eligible mental health clinicians in the practice of the Child-Parent Psychotherapy (CPP) model of psychotherapy and for training Clinical Supervisors in the supervision of CPP trained clinicians.

This WOS:

- 2.1.1 Specifies the Proposer's minimum requirements, provides information regarding some of the requirements of the WO and explains the solicitation process.
- 2.1.2 Contains instructions to Proposers on how to prepare and submit their Proposal.
- 2.1.3 Explains how the Proposals will be reviewed and selected.
- 2.1.4 The following Appendices are included in the WOS:
 - A Sample WO:** Lists the terms and conditions in the Contract.
 - B Required Forms:** Forms contained in this section 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 Non-profit agencies with compliance with SB 1262 – the Nonprofit Integrity Act of 2004 and identify available resources.

2.2 Terms and Definitions

Throughout this WOS, references are made to certain persons, groups, or departments/agencies. For convenience, a description of specific definitions can be found in Appendix A (Sample WO), Paragraph 2 (Definitions).

2.3 Work Order Term

The WO term will be for a period of three (3) years and will commence immediately upon award.

2.4 Work Order Rates

The selected Contractor's rates will remain firm and fixed for the term of the WO unless otherwise amended by both parties.

2.5 Days of Operation

The selected Contractor and LACDMH will develop a training schedule upon WO award. The selected Contractor is not required to provide services on [County-recognized holidays](#). LACDMH staff will provide a list of the County holidays to the selected Contractor at the time the WO is approved, and annually, at the beginning of the calendar year.

2.6 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).

2.7 Business Associate Agreement Under the Health Insurance Portability and Accountability Act of 1996 (HIPAA)

Contractor will be required to comply with the Administrative Simplification requirements of the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) as in effect and as may be amended, as contained in the MHSA MA.

3 PROPOSER'S MINIMUM MANDATORY REQUIREMENTS

Interested and qualified Proposers that can demonstrate their ability to successfully provide the required services outlined in Exhibit A (SOW and Attachments) of Appendix A (Sample Work Order), of this WOS are invited to submit Proposals, provided they meet the following requirements.

- 3.1** Proposer must have an executed MHSA MA as of the date of release of this WOS (DATE).

Submission not required. LACDMH will verify.

- 3.2** Proposer must be certified CPP Training of Trainers curriculum.

Proposer must submit proof of certification for staff that may provide services through an awarded Work Order.

- 3.3** Proposer must have at least 5 years of experience, within the last 10 years, providing CPP training to large groups equivalent to LACDMH.

Proposer must submit a list of prior CPP Trainings administered within the last 10 years, including course curriculum, dates, number of participants, training format (i.e., in-person, virtual, etc.), percentage of participants successfully completing the training.

- 3.4** Proposer must provide copies of the company's most current and prior two fiscal years financial statements so that LACDMH can conduct a review of the

Proposer's financial capability. Proposer with annual operating revenues based on the following parameters **must submit** either compiled, reviewed, or audited financial statements:

- Compiled statements - annual operating revenues averaging up to **\$49,999**.
- Reviewed statements - annual operating revenues averaging from **\$50,000 to \$499,999**.
- Audited statements - annual operating revenues averaging **\$500,000** or more. The opinion of the CPA must be included. If the opinion is qualified in any way, an explanation regarding the nature of the qualification must be provided.

Do not submit Income Tax Returns to meet this requirement. Financial statements will be kept confidential if stamped on each page.

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

- 3.5 If Proposer's compliance with a County Contract has been reviewed by the Department of the Auditor-Controller within the last 10 years, Proposer 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 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 verify.

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 Proposal 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 of Supervisors retains the right to exercise its judgment concerning the selection of a Proposal and the terms of any resultant WO, and to determine which Proposal 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 WO.

4.3 County Option to Reject Proposals

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

4.4 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 WO. The cost of background checks is the responsibility of the Proposer.

5 NOTIFICATION TO PROPOSERS

5.1 Notice to Proposers 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 Proposer's Proposal will become a matter of public record when (1) WO negotiations are complete; (2) (Department) receives a letter from the recommended Proposer's authorized officer that the negotiated WO is the firm offer of the recommended Proposer; and (3) (Department) releases a copy of the recommended Proposer's Proposal 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 Proposals will become a matter of public record when the Department's Proposer recommendation appears on the Board agenda.

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

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

5.2 Contact with County Personnel

Any contact regarding this WO or any matter relating thereto must be in writing and may be e-mailed as follows:

Enriqueta “Kiki” Helland
SolicitationsTeam@dmh.lacounty.gov

If it is discovered that Proposer 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 Proposal from further consideration.

5.3 Mandatory Requirement to Register on County’s WebVen

Prior to WO award, all potential Contractors must register in the County’s WebVen. The WebVen contains the Proposer’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 Review Process

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

5.4.2 Throughout the review process, the County has no obligation to delay or otherwise postpone an award of WO based on a Proposer protest. In all cases, the County reserves the right to make an award when it is determined to be in the best interest of the County 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 Proposal (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 of economic dependent of such employees, will be employed in any capacity by a Proposer or have any other direct or indirect financial interest in the selection of a Contractor. Proposer must certify that 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 Proposer Responsibility

5.6.1 A responsible Proposer is a Proposer who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity and experience to satisfactorily perform the Contract. It is the County's policy to conduct business only with responsible Proposers.

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

5.6.3 The County may declare a Proposer to be non-responsible for purposes of this Contract if the Board of Supervisors, in its discretion, finds that the Proposer 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 Proposer's quality, fitness or capacity to perform a Contract with the County, any other public entity, or a nonprofit corporation created by the County, or engaged in a pattern or practice which negatively reflects on same; (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 Proposer may not be responsible, the Department will notify the Proposer in writing of the evidence relating to the Proposer's responsibility, and its intention to recommend to the Board of Supervisors that the Proposer be found not responsible. The Department will provide the Proposer and/or the Proposer's representative with an opportunity to present evidence as to

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

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

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

5.7 Proposer Debarment

5.7.1 The Proposer is hereby notified that, in accordance with [Chapter 2.202 of the County Code](#), the County may debar the Proposer from Proposing on, or being awarded, and/or performing work on other County Contracts for a specified period of time, which generally will not exceed five (5) years but may exceed five (5) years or be permanent if warranted by the circumstances, and the County may terminate any or all of the Proposer's existing Contracts with County, if the Board of Supervisors finds, in its discretion, that the Proposer 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 Proposer's quality, fitness or capacity to perform a Contract with the County, any other public entity, or a nonprofit corporation created by the County, or engaged in a pattern or practice which negatively reflects on same; (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.

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 Proposer with the implication, suggestion or statement that the Proposer's provision of the consideration may secure more favorable treatment for the Proposer in the award of a Contract or WO or that the Proposer's failure to provide such consideration may negatively affect the County's consideration of the Proposer's submission. A Proposer 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 Proposer Notification to County

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

5.8.3 Form of Improper Consideration

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

5.9 Notice to Proposers Regarding the County Lobbyist Ordinance

The Board 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 Contract must certify compliance with the ordinance. As part of this solicitation process, it will be the responsibility of each Proposer to review the ordinance independently as the text of said ordinance is not contained within this 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 Proposer 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 or WO award, Proposers must demonstrate a proven record of hiring participants in the County's Department of Public Social Services Greater Avenues for Independence (GAIN) or 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 they meet the minimum qualifications for that opening. Proposers must attest to a willingness to provide employed GAIN/START participants access to the Proposers' employee mentoring program, if available, to assist these individuals in obtaining permanent employment and/or promotional opportunities.

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

5.11 Jury Service Program

- 5.11.1** The prospective WO 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 MHSA MA, both of which are incorporated by reference into and made a part of this WO. The Jury Service Program applies to both Contractors and their Subcontractors. Proposals that fail to comply with the requirements of the Jury Service Program will be considered non-responsive and excluded from further consideration.

- 5.11.2** Contractor must certify compliance with County's Contractor Employee Jury Service Ordinance in Exhibit 2 (Proposer's Certification of Compliance). 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

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

5.13 Proposer'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 (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 (Proposer's Certification of Compliance 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 (Sample Contract), both of which are incorporated by reference into and made a part of this solicitation. The Defaulted Tax Program applies to both Contractors and their Subcontractors.
- 5.14.2** Proposers 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 (Proposer's 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 Proposer's Acknowledgement of County's Commitment to Zero Tolerance Policy on Human Trafficking

5.15.1 On October 4, 2016, the Los Angeles County Board of Supervisors 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 (Proposer's 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 (Sample Contract). Further, Contractors are required to comply with the requirements under said provision for the term of any Contract awarded pursuant to this solicitation.

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 Proposer’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 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 (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 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 Proposer 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 CBE Program, which includes business enterprises owned by disabled veterans, disadvantaged business enterprises, minority and women-owned businesses, and lesbian, gay, bisexual, transgender, queer, and questioning-owned business enterprises. The County has established an annual goal that 25 percent of all County must be reflected in Exhibit 6 (Community Based Enterprise (CBE) Information) form in Appendix B (Required Forms).

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

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

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 paragraph 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's (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 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 fifteen (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 a SE for solicitations not subject to the federal restriction on geographical preferences, consistent with [Chapter 2.205 of the Los Angeles County Code](#).

6.4.2 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 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.

6.5 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 Proposers 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 his/her judgment will be final.

7.3 Proposers' Questions

Proposers may submit written questions regarding this WOS by e-mail to: Enriqueta "Kiki" Helland, 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 Proposal

All Bids must be submitted in the prescribed format (Paragraph 7.7 – Proposal Submission). 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)

Provide an estimated annual line-item budget (see Required Forms Exhibit 7) that includes all services/trainings as described in the Statement of Work.

Bids will be examined to determine the lowest price. Should one or more of the Proposers request and be granted the Local Small Business Enterprise Preference, Social Enterprise Preference, or Disabled Veteran Business Enterprise Preference (see Section 6 COUNTY 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 of the Proposers 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 Proposers 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.

The Work Order 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.

7.6.3 Proposer's Qualifications (Section B)

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

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

1. Provide documentation to demonstrate that the Proposer meets the minimum requirements stated in Paragraph 3 (Proposer's Minimum Requirements) of this WOS and has the capability to perform the required services as a corporation or other entity.

This section will be scored on a pass/fail basis. If Proposer does not meet all minimum requirements, the Proposal will be disqualified in its entirety.

2. Taking into account the structure of the Proposer's organization, Proposer must determine which of the below referenced supporting documents the County requires. If the Proposer'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 Proposer's business organization and authority of individuals to sign Contracts.

If the below referenced documents are not available at the time of Bid submission, Proposers 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 Proposer must submit the following documentation with the Bid:

- a. A copy of a "Certificate of Good Standing" with the state of incorporation/organization.
- b. 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 Proposer must submit a conformed copy of the Certificate of Limited Partnership or Application for Registration of Foreign Limited Partnership as filed with the California Secretary of State, and any amendments.

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

- A. Proposer must provide three (3) letters of reference where the same or similar scope of services was provided.

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

County may disqualify a Proposer if:

- 1) references fail to substantiate Proposer's description of the services provided; or
 - 2) references fail to support that Proposer has a continuing pattern of providing capable, productive and skilled personnel.
- B. LACDMH will, review the Contractor Alert Reporting Database (CARD), if applicable, reflecting past performance history on County Contracts, and a review of terminated Contracts.

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

7.6.3.3 Proposer's Pending Litigation and Judgments (Section B.3)

The County will conduct a review of Proposer's pending litigation and judgements. Proposer must identify by name, case and court jurisdiction any pending litigation in which Proposer is involved, or judgments against Proposer in the past five (5) years. Additionally, Proposer must provide a statement describing the size and scope of any pending or threatening litigation against the Proposer or principals of the Proposer.

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

Do leave this area blank if Proposer does not have items to report. Please provide a statement indicating this.

Depending on the size and scope of items reported here, LACDMH may request additional information, may deduct points from final score, or disqualify the proposal 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 the form must be authorized to sign on behalf of the Proposer and to bind the applicant in a Contract.**

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
- Exhibit 8 Intentionally Omitted

7.7 Proposal Submission

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:

A Portable Document Format (PDF) copy or zip files, in an encrypted format of the complete bid will be emailed:

To: solicitationsteam@dmh.lacounty.gov, by the date and time specified in Paragraph 1.0 (WOS Timetable) of this WOS.

Subject: “[Agency Name] – “WOS for CPP CE Training Services.”

- 7.7.1** Proposers must also note all confidential, proprietary and trade secret information that should be redacted, as part of its proposal submission, if applicable. Proposers must specifically note only those parts of the Proposal that are actually trade secrets, confidential, or proprietary in nature. Blanket or categorical redactions and/or statements of confidentiality, or the marking of each page of the proposal as "Trade Secret," "Confidential," or "Proprietary," are not acceptable, and will be rejected in the sole discretion of the County.
- 7.7.2** It is the sole responsibility of the submitting Proposer to ensure that its Proposal is received before the submission deadline. Any Proposals received after the scheduled closing date and time for receipt of Proposals will not be accepted and Proposer will be notified. No facsimile (fax) copies will be accepted.
- 7.7.3** All Proposals will be firm offers and may be withdrawn any time through a written request.
- 7.7.4** Until the Proposal submission deadline, errors in Proposals may be corrected by a request in writing to withdraw the Proposal and by submission of another set of Proposals with the mistakes corrected. Corrections will not be accepted once the deadline for submission of Proposals has passed.

8 SELECTION PROCESS OVERVIEW

8.1 Review Process

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

8.2 Adherence to Minimum Requirements

County will review the Proposer's Exhibit 1 (Organization Questionnaire/Affidavit) of Appendix B (Required Forms) and determine if the Proposer meets the minimum requirements as outlined in Paragraph 3 of this WOS.

Failure of the Proposer to comply with the minimum requirements may eliminate its Proposal from any further consideration. The County may elect to waive any informality in a Proposal if the sum and substance of the Proposal 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 ten (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 proposal;
- 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 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 Solicitation Requirements Review will be completed, and the Department's determination will be provided to the requesting person or entity, in writing, within a reasonable time prior to the Proposal due date.

9.2 Disqualification Review

A Proposal may be disqualified from consideration because a Department determined it was a non-responsive Proposal at any time during the

review/evaluation process. If a Department determines that a Proposal was disqualified due to non-responsiveness, the Department will notify the Proposer in writing.

Upon receipt of the written determination of non-responsiveness, the Proposer 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 Proposer, in writing, prior to the conclusion of the evaluation process.

9.3 Proposed Contractor Selection Review

Any Proposer 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 Proposal format requirements.
 - 2) Failure to correctly apply the standards, and/or follow the prescribed methods, for evaluating the Proposals 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 Proposals, resulting in the Proposer 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 Proposer would have been the lowest cost, responsive and responsible Proposal or the highest-scored Proposal, as the case may be.

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

9.4 County Independent Review

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

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 Proposer.