



**DEPARTMENT OF
REGISTRAR-RECORDER/COUNTY CLERK**

**REQUEST FOR PROPOSALS –
PHASE 2 PROPOSAL EVALUATION AND
CONTRACTOR SELECTION**

FOR

**VOTING SOLUTIONS FOR ALL PEOPLE
(VSAP) IMPLEMENTATION AND SUPPORT
SERVICES**

RFP Phase 2 of 2: #17-008

January 2, 2018

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1.0 General Information

1.1 Introduction

This Request for Proposals # 17-008 (“**RFP**”) Phase 2 is issued by the Los Angeles County (“**County**”) Department of Registrar-Recorder/County Clerk (“**Department**”) to prequalified potential Prime Contractors as a result of the Phase 1 process for Voting Solutions for All People (“**VSAP**”) (formerly known as the Voting Systems Assessment Project). This engagement will consist of development, manufacturing, implementation and support services as set forth in the Statement of Work, which is attached hereto as Appendix A and incorporated herein by this reference. A high-level description of the expected work is also provided in Section 1.1.1. For more background information refer to Section 2.0.

This RFP Phase 2 establishes the criteria and procedures for submitting Proposals. The County will only accept Proposals for a single, comprehensive solution covering all the requirements identified in Appendix A (Statement of Work) of this RFP Phase 2. It is the duty of each Proposer to thoroughly review the entire RFP, including all Appendices, Exhibits and Addenda thereto, for terms, conditions and requirements that are included throughout.

The Selection Process and Evaluation Criteria of Proposals is described in Section 5.0. The County’s recommendation for Contractor selection is subject to final approval by the County’s Board of Supervisors (“**Board**”). The County desires to enter into an agreement with one (1) Prime Contractor for the VSAP Solution as described in this RFP Phase 2.

The County intends to award a multi-term contract for implementation, in addition to a Maintenance and Support (“**M&S**”) services contract with an initial term of five (5) years after the Warranty period, with the option, at the County’s discretion, for three (3) additional two (2) year terms for a potential total of eleven (11) years for M&S after the Warranty period. Any agreement will be a deliverables-based contract with a fixed fee for all work under the agreement. Payments to the Contractor will be tied to the Contractor having successfully achieved the deliverables.

The County may, at its sole discretion, cancel this VSAP Solicitation or RFP Phase 2 and reject all submissions. The County shall not be liable for any costs incurred by Proposers in connection with the preparation, submission, or presentation of any Proposal.

1.1.1 Description of Work

The services and components of the VSAP Solution in scope for this RFP Phase 2 are listed in Table 1 and Table 2 below, respectively, and further detailed in Appendix A (Statement of Work).

Table 1. Services In-Scope for the VSAP Solicitation

SERVICE	RESPONSIBILITY
1. Prime Contractor Services	<ul style="list-style-type: none">▪ Project management to ensure the project is delivered on time, within the fixed fee agreed upon in the Contract, and with high quality that meets the County’s requirements.▪ Manage Subcontractors (if any), including Subcontractor performance.▪ Work, under the direction of the VSAP Program Manager, with Partner Support resources involved in the VSAP Program (see Figure 3).▪ The Prime Contractor will be the primary point of contact with the County and provides ongoing project reports, covering all project elements.

SERVICE	RESPONSIBILITY
<p>2. Systems Integration, Coordination and Certification Services</p>	<ul style="list-style-type: none"> ▪ Integration of the overall VSAP Solution, inclusive of Election Contest and Ballot Management System (“ECBMS”), Ballot Marking Device (“BMD”), BMD Manager (“BMG”), Interactive Sample Ballot (“ISB”), Tally System, ePollbooks and thermal printers connected to the ePollbooks. ▪ Coordination of the VSAP Solution integration to ensure it works end-to-end by identifying any issues, communicating issues and resolution expectations to responsible parties (e.g., County, ePollbook vendor), and resolving issues that are within the scope of the Contractor (e.g., BMD, BMG, ISB, and interfaces between any VSAP component). ▪ Obtain Certification by the California Secretary of State (“CA SOS”) for the overall VSAP Solution, inclusive of ECBMS, BMD, BMG, ISB and Tally System. This will include all elements of the Technical Data Package such as the Use Procedures, as such terms are defined in the California Voting System Standards.

SERVICE	RESPONSIBILITY
3. Implementation Services	
Training and Procedure Development	<ul style="list-style-type: none"> ▪ Train-the-Trainer model for the BMD, BMG and ISB that is an input to a broader Elections Procedures Training Program, which will be developed in conjunction with the County. ▪ Development of System Documentation and User Guides for the BMD, BMG and ISB. ▪ Development of Integrated VSAP Solution Documentation ▪ Provide assistance and input into detailed processes and procedures for the overall VSAP Solution to be developed by the County.
Level 2 Help Desk	<ul style="list-style-type: none"> ▪ Tier 2 support for the BMD, BMG and ISB provided by the Contractor.
Facilities and Logistics	<ul style="list-style-type: none"> ▪ Facilities and logistics support during the period of transition from the County's current voting system to the VSAP Solution. This may include space for storing, programming, staging and de-processing equipment and on-site staffing support during voting system deployment.
4. Maintenance & Support	<ul style="list-style-type: none"> ▪ Maintenance and repair of BMDs, BMG and ISB application including updates and enhancements.
5. Additional Goods and Services	<ul style="list-style-type: none"> ▪ Additional tasks that are unanticipated at the time of this RFP Phase 2, as further described in <u>Appendix A</u> (Statement of Work), based on a negotiated work order agreed to at the County's discretion.

Table 2. Components In-Scope for the VSAP Solicitation

COMPONENT	RESPONSIBILITY
<p>1. Election Contest and Ballot Management System</p>	<ul style="list-style-type: none"> ▪ Validate the specifications for data integration in the Software Solution Design Document (“SSDD”). ▪ Implement the specifications and software integration interfaces (BMG, Tally, ISB). ▪ Certification by the CA SOS as an integrated component of the end-to-end VSAP Solution.
<p>2. Ballot Marking Device</p>	<ul style="list-style-type: none"> ▪ The engineering, manufacturing, assembly and implementation of the Ballot Marking Device software and hardware, inclusive of the printing mechanism, casing and carts used to store and deliver the BMDs, according to the County’s design specifications. ▪ Certification by the CA SOS.
<p>3. BMD Manager</p>	<ul style="list-style-type: none"> ▪ The development and implementation of the BMG software according to the County’s design specifications. ▪ Certification by the CA SOS.
<p>4. Interactive Sample Ballot</p>	<ul style="list-style-type: none"> ▪ The development and implementation of the ISB software that includes RAVBM and UOCAVA voting capabilities, according to the County’s design specifications. ▪ Certification by the CA SOS.
<p>5. Tally System</p>	<ul style="list-style-type: none"> ▪ Validate that the software, developed independently for the County, functions at the performance levels required as an integrated solution. ▪ The procurement of additional scanners and interfacing those scanners with the Tally System, as determined by the County. ▪ Implementation of remote/distributed scanning locations, as determined by the County ▪ Certification by the CA SOS as an integrated component of the end-to-end VSAP Solution.

1.2 Interpretive Conventions and Definitions

Whenever the terms “must,” “shall,” “will” or “is required” are used in this RFP Phase 2 in conjunction with a specification or performance requirement, the specification or performance requirement is mandatory. Failure to address or meet any mandatory requirement in a Proposal by the Proposer may be cause for County’s rejection of the RFP Phase 2 Proposal.

Whenever the terms “can,” “may,” or “should” are used in this RFP Phase 2 in conjunction with a specification or performance requirement, the specification or performance requirement is a desirable, but not mandatory, requirement. Accordingly, a Proposer’s failure to address or provide any items so referred to will not be the cause for rejection of the RFP Phase 2 Proposal, but may result in a less favorable evaluation.

Examples provided by using words and phrases, such as “including”, “include”, “includes”, or “e.g.” shall not be construed as limiting the term clarified thereby. For example, “including” shall be construed as “including, but not limited to.”

References in this RFP Phase 2 to Federal, State, County and/or other governmental laws, rules, regulations, ordinances, guidelines, directives, policies and/or procedures shall mean such laws, rules, regulations, ordinances, guidelines, directives, policies and/or procedures as they currently exist or hereafter may be amended from time-to-time.

Further defined terms are contained in Appendix P (Glossary and Acronyms). Unless the context requires otherwise, the definitions given in Appendix P shall control over any definitions that may be found in this RFP Phase 2 or any other appendix hereto.

1.3 RFP Point of Contact

The single County Point of Contact (POC) for all communications and questions related to this RFP Phase 2 is:

Veronica Williams, Contracts Manager

E-mail Address: contracts@rrcc.lacounty.gov

All communications and/or questions must be submitted in writing via the e-mail address above exclusively. Proposers are specifically directed not to contact any other County personnel for any matters related to this RFP Phase 2. **Failure to adhere to this policy may result in elimination of the Proposer from further consideration.**

1.4 RFP Timetable

Table 3 contains the anticipated milestones for the RFP Phase 2:

Table 3. RFP Phase 2 Schedule

No.	MILESTONE	DATE
1	Release of RFP Phase 2 to Prequalified Vendors	Tuesday, January 2, 2018
2	Registration for Optional Proposers’ Conference	Thursday, January 4, 2018, at 2:00 PM PST
3	Proposers’ Conference – Optional Web Conference	Friday, January 5, 2018, at 11:00 AM PST
4	Written Questions Due	Tuesday, January 16, 2018, at 2:00 PM PST

No.	MILESTONE	DATE
5	Registration for Mandatory Proposers' Conference	Wednesday, January 17, 2018, at 2:00 PM PST
6	Proposers' Conference – Mandatory Web Conference	Thursday, January 18, 2018, at 11:00 AM PST
7	County's Responses to Written Questions Posted	Tuesday, January 23, 2018
8	RFP Phase 2 Proposals Due	Friday, March 2, 2018, at 2:00 PM PST
9	Vendor Finalist Presentations	Friday, March 30, 2018
10	Notice of Contractor Selection	Friday, April 27, 2018
11	Contract Execution	Tuesday, June 5, 2018

1.5 Notice of Additions to or Rescheduling of Due Dates and Deadlines

The County reserves the right to establish new or rescheduled dates as it deems appropriate by a written addendum.

1.6 Access to County Intellectual Property

Prior to receiving County Intellectual Property (“**County IP**”) and as agreed to by prequalified potential Prime Contractors in the RFP Phase 1, Proposers must have signed a Non-Disclosure Agreement (“**NDA**”) at a company level and for each individual. Furthermore, each of Proposer’s team members must have also successfully completed a state and federal level fingerprint background check. The fingerprint background check is considered successfully completed when a report of results has been provided to the County by the California Department of Justice (“**CA DOJ**”), the County has reviewed the results and the County has cleared the individual for receipt of County IP. Proposer must use the Request for Live Scan Service form provided by the County to submit the request for background check to the CA DOJ as described in [Addendum 1](#) for Live Scans conducted in California.

Please note that, in order for Proposer staff to gain access to County IP for the purposes of preparing a response to this RFP Phase 2, fingerprint background checks must be successfully completed for each staff member requiring access. Because the time required for completion of a fingerprint background check is indeterminate, Proposers are encouraged to submit request forms immediately. The County is not responsible for Proposer delays in submitting request forms or for the timeliness of the background check process undertaken by the CA DOJ.

After the County verifies that each individual proposed for access to County IP has successfully completed the fingerprint background check and all NDAs have been signed at a company level and by each individual, the County will provide written instructions for obtaining access to the County IP.

2.0 VSAP History and Current Environment

The Department serves the County's voters with an effective but outdated voting system based on obsolete technology which must be replaced. While the County's current voting system serves the voters of the County with accuracy and integrity, the design of this system and the age of their technology do not offer the technical and functional flexibility necessary to continue to accommodate a growing and increasingly diverse County electorate. Traditionally, the solution was to acquire a commercially available voting system, yet in the last decade the number of available systems and the currency of their technologies has been less than desired. The County finds itself in a unique position to redefine the voting experience based on voter needs, expectations and abilities to provide convenience, clarity, security and privacy using 21st century technologies.

Launched in September 2009, VSAP was developed in response to the growing voting system needs and challenges faced by the County. Through public engagement and research, VSAP established a strong foundation of baseline data regarding voter and poll worker preferences and requirements. The Department also engaged with partners to gather data on the current funding, regulatory and voting systems market, and participated in a Request for Proposals ("RFP") issued by the City of Los Angeles ("City") in search of federally certified and state approved voting systems. None of the seven (7) voting systems evaluated met the City's requirements. The extensive research of voter behavior and the limited voting systems market, coupled with the size and diversity of the County, brought the Department to conclude that it was impossible to reasonably consider an existing commercial off-the-shelf ("COTS") voting system solution. Any voting system solution would entail a significant development or customization process in order to satisfy the County's needs, VSAP General Voting System Principles and technical requirements.

In response to these needs and challenges, VSAP has taken an unprecedented and comprehensive approach at modernizing the County's voting system. The vision of the project is to implement a voting solution using a transparent process that focuses on the needs and expectations of current and future County voters.

The intent of VSAP is to transform and modernize the voting experience in a manner that is responsive to the needs, desires and behaviors of its electorate. After several years of research, design and engineering (Phases 1 through 3), the County is now in Phase 4, a critical stage to determine and execute the approach to system engineering, manufacturing and certification. In the near term, and in parallel to Phase 4, the County will commence Phase 5 to conduct a phased implementation of the new voting experience model.

The County seeks not only to provide the new voting experience and system to its voters, but to develop them in a manner that allows other jurisdictions to adopt the same designs, or purchase the same solution, and provide similar voting systems and experiences to their constituents. Part of this vision is to retain ownership of the IP developed so that, under license, other jurisdictions may have systems manufactured for their use.

Public ownership of the envisioned system can serve as an important guardian of the democratic process. Aligned to the VSAP General Voting System Principles, the County seeks to instill public trust in the voting process and envisions this approach spreading across the country.

Figure 1. Testimony to the United States Presidential Commission on Election Administration

Testimony before the United States Presidential Commission on Election Administration

“Plagued by a stalled voting systems market and an aging voting system, in 2009, we launched a voting systems project that set out to transform the market as we know it by implementing a process that seeks to redesign the voting experience in Los Angeles County through voter input and stakeholder participation and envisions the development and implementation of open voting systems that elicit public trust and encourage greater participation.

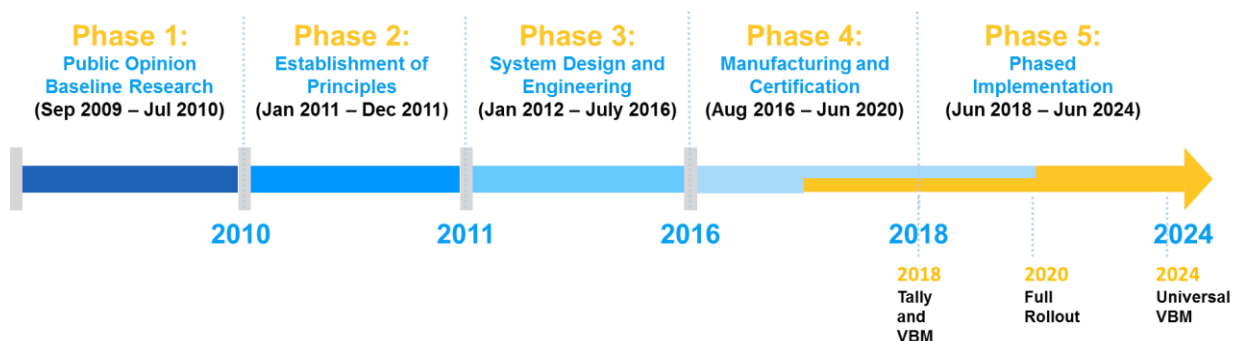
...We should be guided by the dynamics of the voting public we serve – seniors whose needs include accessibility and readability of materials; persons with disabilities who have a reasonable expectation of fair and respectful service that allows for a private and secure voting experience; busy professionals who seek options for voting that match their mobile lifestyles – before and on Election Day; citizens with an array of cultural and ethnic backgrounds who depend on increased language accessibility and voter assistance; and future voters whose expectations may include things not yet considered.”

Dean C. Logan
Registrar-Recorder/County Clerk, August 8, 2013

2.1 VSAP Overview and History

VSAP is a five-phase plan to modernize the County’s voting system and the voting experience through a voter-centered approach. Phases 1 through 3 are complete. Figure 2 summarizes VSAP phases and the overall timeline.

Figure 2. VSAP Timeline



2.1.1 Phase 1: Public Opinion Baseline Research

In Phase 1 of the project, the VSAP partnered with CalTech and MIT’s Voting Technology Project to gather an array of baseline data that would shape the overarching strategy for voting system modernization. This data was gathered from election stakeholders and subject matter experts including voters, poll workers, advocates, key community organizations and elections staff through a variety of research and engagement activities. This research focused on evaluating the current voting system and experience, and learning what users expect of the

future voting system. The research revealed that users expect more than just an upgrade in voting technology, and modernization efforts are needed to improve the entire voting experience.

2.1.2 Phase 2: Establishment of Principles

Building on the research and lessons from Phase 1: Public Opinion Baseline Research, the VSAP Advisory Committee (“**AdCom**”) was established to ensure the voice of the voter continued to guide the voting system design process. The AdCom is a formal engagement body composed of stakeholders and advocates in elections that represent different communities in Los Angeles County. As its first task, the AdCom took the results from the research conducted in Phase 1: Public Opinion Baseline Research and used that data to create and adopt the General Voting System Principles, which acts as a guide for voting system modernization. These principles ensure the new voting system meets the diverse needs of County voters.

Following the development of the General Voting System Principles, the Department began its search for a new voting system by assessing the voting systems market and regulatory environment in which these systems are implemented. The Department also evaluated the acquisition models by which it could acquire a new voting system that would meet the needs of the County and its voters. The Department collaborated with a research team of graduate students from the UCLA Luskin School of Public Affairs to conduct research on regulations governing voting systems testing and certification and the impact on the County’s goal to implement a new voting system. The research found that without changes to the regulatory environment, it would be very difficult for the Department to meet its goals of acquiring and implementing a new voting system consistent with the adopted principles. These factors along with feedback from the AdCom made a strong case for the Department to acquire a new voting system by engaging in a voting system development project.

2.1.3 Phase 3: System Design and Engineering

Phase 3 of the project marked a major transition from voting system research to the design and development of the new voting system, including a ballot marking device and related components. The work in Phase 3: System Design and Engineering of the project was spread across three (3) distinct and coordinated efforts: voting system design, stakeholder engagement and proactive legislative action.

In order to continue engaging stakeholders and incorporating the expertise needed in voting system design, the VSAP Technical Advisory Committee (“**TAC**”) was established. The TAC was established to provide VSAP with the necessary technical expertise in voting technology, security, transparency and accessibility during voting system design. The TAC is a diverse group composed of subject matter experts from a variety of industries and fields. The expertise and guidance provided by the TAC has been an invaluable component to the completion of Phase 3. In addition to engaging the members of the TAC, communication and outreach efforts engaged the public and kept them informed about project developments.

To begin to envision and design a new voting system and to remain aligned with VSAP values of transparency and citizen participation, VSAP launched an “Open Design Search” in January 2012. Utilizing sound data, the Open Design Search engaged, through an online crowdsourcing platform, a broad range of experts, designers and the general public to begin to gather ideas for the design of an innovative voting system to meet the unique needs of County’s large and diverse electorate. There were two (2) primary components to the Open Design Search: 1)

Open Innovation Challenge and 2) Voter Experience Brainstorming Workshops. This Open Design Search was conducted in partnership with the Information Technology Innovation Foundation's Accessible Voting Technology Initiative, Election Verification Network, OpenIDEO, and with funding from the Election Assistance Commission, and resulted in over 150 concepts for improving the voter experience for County voters.

In 2013, the Department identified and engaged IDEO, a global design and innovation firm specializing in human-centered design, to begin analyzing all the data and concepts gathered since project kick-off and to begin translating that information into refined designs. This work produced design and engineering specifications for a new voting experience which consists of a new BMD, an improved Vote by Mail ("VBM") ballot, an innovative ISB and a Tally System based on modern scalable technologies. Each of these components was the product of extensive research, stakeholder engagement, the human-centered design process, iterative prototyping and consultation with the VSAP AdCom and VSAP TAC. Together these components will provide voters with an improved and contemporary voting experience that is more accessible, reliable, secure and transparent.

2.1.4 Phase 4: Manufacturing and Certification

The County is currently in progress with Phase 4: Manufacturing and Certification. In October 2016, the Department engaged Gartner Inc., an information technology advisory firm, to develop a sourcing strategy and to provide guidance on implementation strategies through a readiness assessment. Development of the sourcing strategy entailed conducting research into the vendor landscape to better understand the current products and services available in the marketplace. This was further complemented through the County's release of a Request for Information ("RFI") in April 2017 to hear directly from vendors about their interest in potentially partnering with the County to bring the VSAP vision to fruition.

Part of Phase 4: Manufacturing and Certification also includes the completed RFP Phase 1 and this RFP Phase 2, by which the County may select the Prime Contractor who will manufacture and help implement the VSAP Solution. During this phase, the VSAP Solution will be deployed in vote center test labs, a mock election, a small pilot election in 2019, vote center demonstration centers and will achieve successful completion of the testing and certification process by the California Secretary of State, adhering to California Elections Code, Section 19000 et seq. ("**Elections Code**"), Certification of Voting Systems. At the end of this phase, the VSAP Solution will be ready for production in quantities to meet full rollout in the County no later than 2020.

2.1.5 Phase 5: Phased Implementation

The County envisions implementing VSAP in multiple phases in a manner that can best balance the implementation risks with the risks in continuing to conduct elections with the current, aging voting systems. The targeted VSAP phased implementation timeline is as follows:

- **November 2018 Election (VBM and Tally)** — Implementation by the County of the new VBM ballots, which includes associated software modifications to the ECBMS, and new Tally System (for all VBM ballots.)
- **2019 Vote Center Test Lab Testing 1** — Integration of the VSAP Solution by the Prime Contractor for testing by the County to assess the functionality and capacity of the VSAP Solution to support anticipated election processes in Vote Centers at scale. This test will not include the public.

- **2019 Vote Center Test Lab Testing 2** — Integration of the VSAP Solution by the Prime Contractor for further testing by the County, based on the learnings from 2019 Vote Center Test Lab Testing 1. The goal is to additionally assess the functionality and capacity of the VSAP Solution to support anticipated election processes in Vote Centers at scale. This test will not include the public.
- **2019 Mock Election** — Implementation by the Prime Contractor of 1,200 BMDs for a Mock Election in 2019. The Mock Election will cover approximately 30 – 60 vote centers and seeks to test the system functionality and operational processes and procedures in Vote Centers, as well as provide public awareness of the new experience prior to voting in a live election.
- **November 2019 Pilot** — Implementation and integration by the Prime Contractor of the new VBM ballots, new Tally System, BMDs deployed during early voting at Vote Centers, and the ISB. The November 2019 election is likely to be small, involving relative few districts, and requiring approximately 100 BMDs over several early voting centers. This pilot will provide learnings and opportunities for process improvement prior to full implementation in a Countywide Presidential Primary Election
- **December 2019 Vote Center Demonstration Centers** — Implementation by the Prime Contractor of up to 150 BMDs at up to 30 demonstration centers to educate and familiarize voters with the new Vote Center experience. The demonstration centers will be located throughout the County and will be open and available to the public.
- **March and November 2020 Election (Full Rollout)** — Full implementation and integration by the Prime Contractor of the new VBM ballots, new Tally System, BMDs deployed at Vote Centers and the ISB.

2.2 Current Environment

The County currently conducts elections using the InkaVote Plus system. Originally a punch card system called Votomatic, the County's voting system was converted in November 2003 so that votes are ink marked, instead of punched, on the IBM 312 Hollerith card, in response to decertification of all punch card voting systems by the California Secretary of State in 2003. A Precinct Ballot Reader ("**PBR**") and Audio Ballot Booth ("**ABB**") were added to the system in November 2006 (making the "Plus" in InkaVote Plus) to provide over vote and under vote protections and accessibility for voters with disabilities or language access needs, bringing the system into compliance with the Help America Vote Act of 2002.

The County currently has an inventory of 42,808 InkaVote vote recorder devices, 5,650 InkaVote PBRs and ABBs that are used to conduct elections at over 4,500 polling places across the County. Voters cast their vote by ink marking the paper ballots. The ink marked paper ballots are physically tallied by the Microcomputer Tally System ("**MTS**") at Department Headquarters.

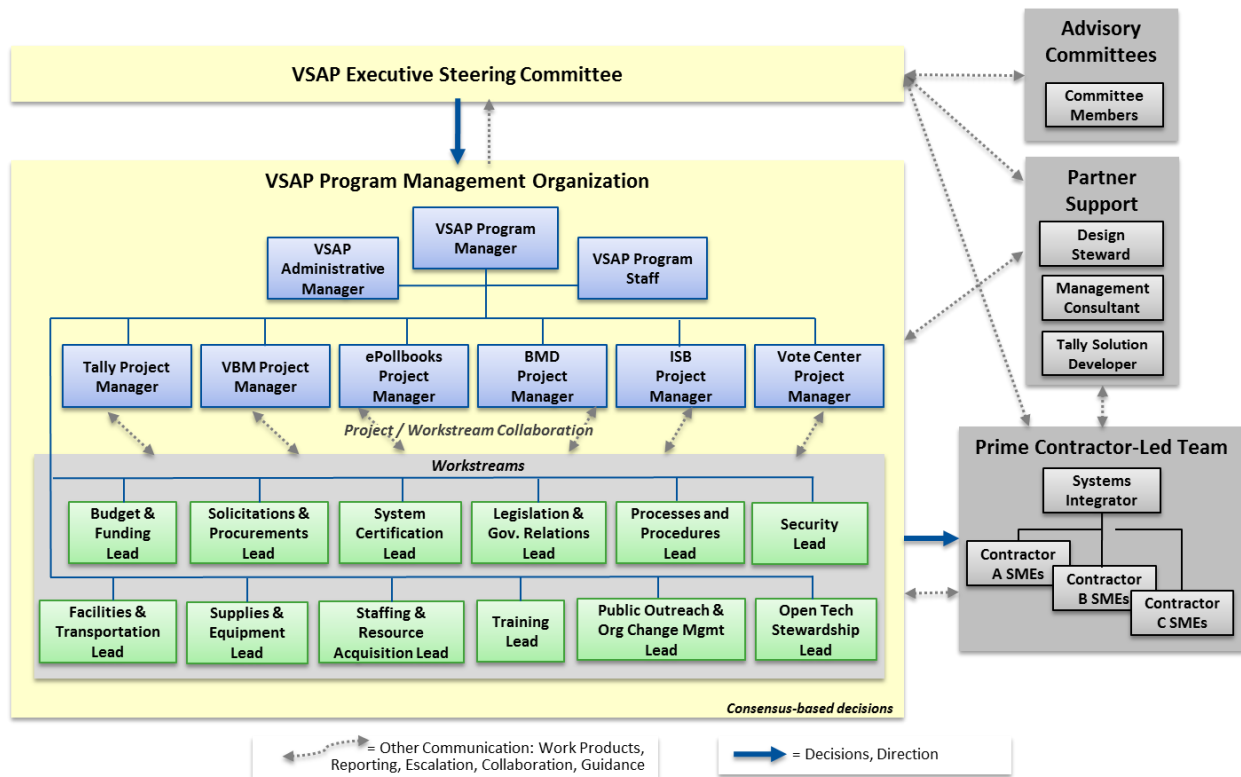
3.0 VSAP Governance and Organizational Approach

The VSAP Program governance structure consists of Project Managers and Workstream Leads reporting to a VSAP Program Manager, who in turn reports to the Executive Steering Committee, as depicted in Figure 3. The Executive Steering Committee consists of the Department head, his Chief Deputy and Assistant Registrar-Recorder/County Clerks. Project Managers focus on the scope necessary to implement a specific component of VSAP and Workstream Leads are responsible for providing services and support across all the projects. While resources have been assigned to the Program Management Organization, they are not fully dedicated to the VSAP Program.

The VSAP Program is also structured to receive, as necessary, guidance from its Advisory Committees. Furthermore, the County engages with partners for additional project support. This includes IDEO who provides design stewardship and Digital Foundry who is developing the Tally System.

The Program Management Organization overall will manage contracts and relations with the Prime Contractor and other contractors.

Figure 3. VSAP Governance and Program Management Organization



The responsibilities associated with the key roles in the VSAP Program Organization shown in Figure 3 are as follows:

1. The VSAP Executive Steering Committee is responsible for all of the following:

- a. Direct, lead and influence the VSAP Program’s overall strategy, scope, budget and schedule
 - b. Secure spending authority and resources for the VSAP Program
 - c. Coordinate cross-departmental or cross-functional initiatives
 - d. Manage internal and external relationships within the County and with the Prime Contractor
 - e. Champion the Program within the Department and with the Board of Supervisors
2. The VSAP Program Management Organization includes the Program Manager, Administrative Manager, program staff, Project Managers and Workstream Leads.
- a. The Program Manager, with support from the Administrative Manager and program staff, is responsible for all of the following:
 - Plans, monitors and controls VSAP Program execution and delivery in alignment with strategy, scope, budget and schedule
 - Critically reviews and guides the VSAP Program to success through clear direction
 - Ensures change management and training plans are in place and are executed successfully
 - Makes VSAP Program resources available
 - Reports on project status, risks, issues and associated mitigation to Executive Steering Committee
 - Reinforces the importance of the VSAP Program to middle management and staff
 - b. Each Project Manager is responsible for all of the following:
 - Plans, monitors controls and executes either pilot or full implementation projects
 - Assesses resource requirements and requests needed project resources
 - Directs staff working on projects through a matrix organization structure (i.e., directs staff assigned to the project while those staff have another line/operational manager)
 - Reports on project progress, risks, issues and associated mitigation to Program Manager
 - Coordinates with Workstream Leads and staff on workstream activities that affect the project
 - c. Each Workstream Lead is responsible for all of the following:
 - Coordinates with Project Managers to plan, monitor and execute workstream-specific support activities for any VSAP project
 - Assesses resource requirements and requests needed workstream resources
 - Directs workstream staff through a matrix organization structure (i.e., directs staff assigned to the workstream while those staff have another line/operational manager)

- Coordinates with Project Managers to report workstream-specific progress, risks, issues and associated mitigation to Program Manager
3. The Advisory Committees include the VSAP AdCom and VSAP TAC.
 - a. The overall role of the advisory committees is to do both of the following:
 - Provide a forum for discussion with and gathering input from key stakeholders
 - Provide advice and guidance to the Program, but do not have decision-making responsibility
 - b. The AdCom members represent various voter communities and advocacy organizations in the County.
 - c. The TAC consists of specialists in information technology, security, accessibility and usability.
 4. The partner support resources includes Design Stewards, third-party software developers and risk management/program support services.
 - a. The Design Stewards will do the following:
 - Provide professional consulting services, including design guidance regarding core design intent and research findings, to preserve the integrity of Phase 3: System Design and Engineering
 - Throughout the production engineering and manufacturing phases, in collaboration with the County, Contractor and other contractors, safeguard the original design intent as much as possible
 - Help the County understand and resolve trade-offs between design intent and engineering and manufacturing constraints during production build
 - b. Third-party software developers are currently engineering and programming the Tally System.
 - c. The County intends to contract with a consultant to provide Risk Management and Program Support Services. These services focus on on-going risk identification and mitigation for the VSAP Program, and planning, analysis and execution support for VSAP Program tasks.

3.1 VSAP Projects Scope and Teams

The VSAP Program consists of six (6) major projects:

1. **Tally System Project** — Develops and implements the software, hardware and processes necessary to scan and tally voted paper ballots with a high degree of accuracy, performance, security, transparency and reliability, and to scale appropriately to the size, complexity and turnout of the election. The Tally System will support scanning at a central tally facility, and also seeks to implement a distributed model where voted paper ballots are scanned at remote facilities and transmitted electronically for central tally.
2. **Vote By Mail Project** — Implements a new VBM program for the County involving a full-face (i.e., contest/candidate names on the ballot) and potentially multi-sheet VBM ballot sent to every voter in the County. The County will support monolingual English and bilingual ballots in federally mandated languages.

3. **ePollbook Project** — Leads the effort to identify and procure an ePollbook solution, and will plan and implement its deployment at Vote Centers throughout the County. As part of this effort, the ePollbook Project will also purchase and integrate peripheral COTS thermal printers that will be used to print the Ballot Activation Mechanism on BMD ballots.
4. **Ballot Marking Device Project** — Manages the engineering, manufacturing, acceptance testing and implementation of approximately 31,100 Ballot Marking Devices and the associated BMD ballots.
5. **Interactive Sample Ballot Project** — Engineers and implements the ISB solution as a responsive web application and integrates it with existing systems as necessary. This solution will support compliance with RAVBM and UOCAVA voting requirements.
6. **Vote Centers Project** — Develops and implements a Vote Center Plan, including VBM Drop Off locations, approved by the California Secretary of State. The County intends to engage separately with a consultant to carry out a Vote Center Placement Assessment.

The VSAP Project teams will address questions and undertake activities specifically in relation to the Vote Center Test Labs, the 2019 Mock Election, November 2019 Pilot (Local Election), Vote Center Demonstration Centers and full Countywide Rollout for the 2020 election cycle. The Project teams will focus first on the approaches needed to implement the 2019 Mock Election and November 2019 Pilot. At the same time, the Project teams will consider how the approaches can be leveraged, improved and expanded for use in Full Rollout.

Each Project team is made up of the following roles:

- **Project Management** — Project leads, along with their co-leads, are responsible for leading the planning and successful execution of the project, guiding the Project team members and subject matter experts (“SMEs”) in resolving issues and completing tasks within the project schedule, and are accountable to the VSAP Program governance structure for the overall success of their project. The Project Manager will be assigned to the Project for a significant portion of their time while the Project is underway, however is not fully dedicated to the VSAP Program.
- **Project Team Members** — Responsible for addressing questions and executing tasks within the scope of the project, identifying potential risks and issues, identifying and escalating cross-project questions/issues and engaging with SMEs for broader input/perspective. Project team members will be assigned to the project for some portion of their time.
- **Subject Matter Experts** — Support Project Manager and Project team members in addressing questions and executing tasks that require specific expertise. Provide input, expert guidance and execution assistance as needed throughout the project. SMEs are not assigned to the project for a significant portion of their time, but are expected to attend meetings and fulfill SME responsibilities within the agreed upon project schedule.

3.2 VSAP Workstreams Scope and Teams

There are twelve (12) VSAP workstreams:

1. **Budget and Funding Workstream** — Determines overall funding needs for VSAP Program, prepares budget requests and manages the finances of the VSAP Program.

2. **Solicitations and Procurements Workstream** — Assists the VSAP Project Managers and Workstream Leads with defining scope and requirements for goods and services and completing contract solicitations and procurements quickly and efficiently.
3. **System Certification Workstream** — Maintains communication with the CA SOS, and leads/coordinates VSAP system certification efforts.
4. **Legislation and Government Relations Workstream** — Builds and maintains relationships with the CA SOS and State Legislators, and works to have legislation modified as needed to support VSAP. At the local level, it will communicate with the Board of Supervisors, Cities and other districts as needed regarding VSAP progress, impacts and requirements.
5. **Processes and Procedures Workstream** — Maps all processes and develops, tests and certifies all procedures related to VSAP. Procedures document a series of steps that are needed to complete a process. Any business/operational process within the Department that will affect VSAP will require process mapping and procedures documentation.
6. **Facilities and Transportation Workstream** — Works with the Project teams to understand and clearly define project-related needs for facilities and transportation, and determines how to meet those needs with existing, modified and/or new facilities and transportation contracts.
7. **Supplies and Equipment Workstream** — Works with the Project teams to understand and clearly define project-related needs for supplies and equipment, and to determine how to meet those needs.
8. **Staffing and Resource Acquisition Workstream** — Works with the Project teams to understand and clarify VSAP staffing needs; prepare a Staffing Plan that identifies staff requirements, timing and sources for staff; and lead the acquisition of staff according to the Staffing Plan.
9. **Training Workstream** — Plans and ensures delivery of all training required for the VSAP Program.
10. **Public Outreach and Organizational Change Management Workstream** — Plans and executes a comprehensive public education campaign to prepare voters and other stakeholders for the new voting experience, and an internal communication program within the Department to ensure that the Department staff and poll workers are aware of planned changes and are ready to adopt the change when needed. The Workstream is also responsible for identifying the overall benefits to be achieved through VSAP and determining ways to measure those benefits.
11. **Open Technology Stewardship Workstream** — Develops an open technology strategy that is aligned with the Department's vision for the desired reach and impact of the VSAP Solution beyond the County and implements the strategy through appropriate licensing and governance models.
12. **Security Workstream** — Reviews the systems, facilities and processes of the VSAP design and implementation for compliance with best practices for physical and cybersecurity and process accountability and control, and recommends security risk mitigations, to support certification requirements and ensure public trust and confidence in the VSAP.

Each VSAP workstream will support the VSAP Projects in a specific focus area. Workstream teams will work closely with the Project teams, and will take primarily an execution role once the Project teams have made decisions and defined directions. The workstream teams are experts in their focus area, providing knowledge, experience and guidance in their area. Workstream teams will develop repeatable approaches that can be used across multiple Projects, ensuring consistency and allowing for leveraging and refining good practices. Workstream teams will develop these approaches considering the needs of pilot projects and considering how those approaches can be leveraged and extended to full implementation.

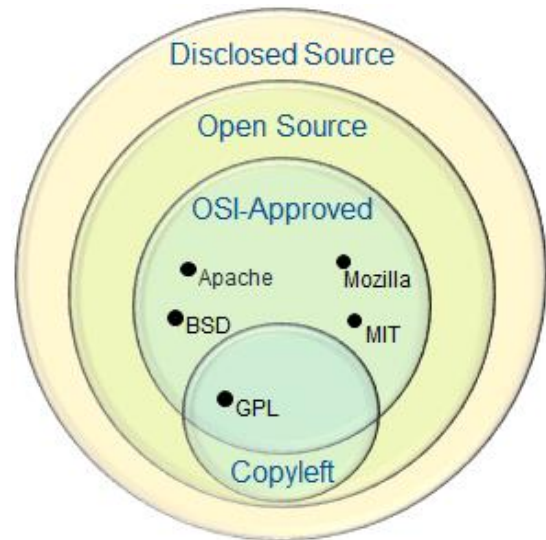
Each workstream team is made up of the following roles:

- **Workstream Leads** — Interface with VSAP Project Managers, understand how the needs of the projects are related to the workstream’s focus area, and support the execution of the Project teams’ decisions and direction. Workstream Leads are responsible for planning and guiding the activities of workstream team members. Workstream Leads are accountable to the VSAP Program governance structure for the overall achievement of workstream tasks within the VSAP Project timeframe. Workstream Leads will be assigned to the workstream for a large portion of their time while the workstream is active, however are not fully dedicated to the VSAP Program; density may vary over time.
- **Workstream Members** — Supports the VSAP Project teams as they address questions and execute tasks related to the workstream’s focus area. Workstream members strive to develop repeatable approaches that can be used across multiple projects to ensure consistency and ongoing improvement. Workstream members will be assigned to the workstream for some portion of their time.

4.0 Licensing

As is generally understood, all software is subject to copyright law. Copyright is a declaration of exclusive legal rights by the IP owner and the terms and conditions under which others may copy, modify and/or distribute the original IP. Through a “license,” copyright holders can permit other people to use, copy, modify and/or distribute their software and the scope of that license may be varied depending on the circumstances under which it is provided and its intended use and purpose.

The Elections Code authorizes the use of Disclosed Source software in the development of voting systems in California. Though the Elections Code provides no definition of “Disclosed Source,” it is understood to refer to source code made available for review and/or testing upon request by an authorized entity / individual, but does not permit the source code to be used operationally by other entities unless additionally and explicitly licensed by the owner of the code.



The County intends to retain the IP ownership rights of the VSAP Solution, with the exception of IP created for certain component hardware, such as the thermal printers. This intention of IP ownership is not made to enter the market as a vendor, but to ensure public ownership of the rights to manage the use and transparency of the voting systems developed to ensure public trust and protect public interest in this important component of the democratic process. At present, the County subscribes to the following guiding principles regarding the IP of the VSAP Solution:

1. The County owns the design of hardware and software, and it owns all of the source code developed or to be developed by way of the VSAP Solicitation for the VSAP Solution.
2. The County wants other jurisdictions to benefit from the VSAP Solution.
3. The County does not currently intend to be a vendor or a reseller of the VSAP Solution (without ruling out some options for cost recovery, e.g., royalties).
4. The County strongly prefers a capability to comply with open source software standards so that code can, at a future time, be shared in such a manner that the County can benefit back from improvements made to the VSAP Solution by others.

Accordingly, the County is considering several different open source license options under which to make the VSAP Solution software available for use by other jurisdictions and entities. Whatever license the County chooses to use, the transparency of the technology, and ability to share the IP and receive benefits of reciprocity, would need to be ensured. The County is also considering how an independent non-profit organization could serve as the repository, administrator and license holder of the resulting VSAP IP, recognizing that examples of successful open source technology solutions have had strong communities of users and developers that were supported by sound institutional structures and resources.

5.0 General Instructions and Proposal Submission Requirements

5.1 Truth and Accuracy of Representations

False, misleading, incomplete, or deceptively unresponsive statements made in connection with a Proposal shall be sufficient cause for rejection of the Proposal. The evaluation and determination in this area shall be at the County's sole discretion and its judgment shall be final. All Proposals shall be firm and final offers, shall be treated as such by the County, and may not be withdrawn for a period of one hundred eighty (180) days following the final Proposal submission date.

5.2 Solicitation Requirements Review

Any person or entity may seek a Solicitation Requirements Review by submitting Appendix E (Transmittal Form to Request a Solicitation Requirements Review) to the Department conducting the solicitation as described in this Section 5.2. A request for a Solicitation Requirements Review may be denied, at the Department's sole discretion, if the request does not satisfy all of the following criteria:

1. The request for a Solicitation Requirements Review is made within ten (10) business days of the issuance of the solicitation document.
2. The request for a Solicitation Requirements Review includes documentation, which demonstrates the underlying ability of the person or entity to submit a Proposal.
3. The request for a Solicitation Requirements Review itemizes in appropriate detail, each matter contested and factual reasons for the requested review.
4. The request for a Solicitation Requirements Review asserts either that:
 - d. Application of the minimum requirements evaluation criteria and/or business requirements unfairly disadvantages the person or entity.
 - e. Due to unclear instructions, the process may result in the County not receiving the best possible responses from prospective Proposers.

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

5.3 First Proposers' Conference – Optional

An optional RFP Phase 2 Proposers' Conference will be held to discuss the RFP Phase 2. Any members from the Proposer-Led Team, including proposed Subcontractors may attend.

The Proposers' Conference is for informational purposes only. Neither such event, nor any information provided through or during, is binding upon the County. The County is not responsible if the appropriate Proposers' staff does not attend and does not acquire knowledge of the information presented or discussed during such conference.

The first Proposers' Conference is scheduled as follows:

Date: Friday, January 5, 2018

Time: 11:00 AM PST

Location: Web conference only

RSVP: All Proposers intending to participate in the Proposers' Conference are encouraged to register by Thursday, January 4, 2018, at 2:00 PM PST by e-mail to contracts@rrcc.lacounty.gov. The e-mail should use the subject line "VSAP RFP Phase 2: Optional Proposers' Conference Registration - [Proposer Name]". The body of the e-mail should contain the following information for each attendee:

First and Last Name

Title

Company

Website

Phone Number

E-mail Address

Mailing Address

Note: The date and time of the Proposers' Conference are subject to change. Registered Proposers will be notified by e-mail of any changes via an addendum and addendums will be posted on the VSAP website <http://vsap.lavote.net/request-for-proposals/>.

5.4 Second Proposers' Conference – Mandatory

A mandatory RFP Phase 2 Proposers' Conference will be held to discuss the RFP Phase 2. At least one (1) representative from each Proposer-Led Team must attend this conference or such Proposer's Proposal will be rejected as non-responsive (disqualified) without review and eliminated from further consideration. Proposers may opt to have their Subcontractors participate in the Proposers' Conference. Subcontractor participation in the Proposers' Conference is not mandatory.

The Proposers' Conference is for informational purposes only. Neither such event, nor any information provided through or during, is binding upon the County. The County is not responsible if the appropriate Proposers' staff does not attend and does not acquire knowledge of the information presented or discussed during such conference.

The Proposers' Conference is scheduled as follows:

Date: January 18, 2018

Time: 11:00 AM PST

Location: Web conference only

RSVP: All Proposers participating in the Proposers' Conference must register by Wednesday, January 17, 2018, at 2:00 PM PST by e-mail to contracts@rrcc.lacounty.gov. The e-mail should use the subject line "VSAP RFP Phase 2: Mandatory Proposers' Conference Registration – [Proposer Name]". The body of the e-mail should contain the following information for each attendee:

First and Last Name

Title

Company

Website

Phone Number
E-mail Address
Mailing Address

Note The date and time of the Proposers' Conference are subject to change. Registered Proposers will be notified by e-mail of any changes via an addendum and addendums will be posted on the VSAP website <http://vsap.lavote.net/request-for-proposals/>.

It is the responsibility of the proposer to check the website, periodically, for changes/additions.

5.5 Proposers' Questions

Proposers may submit written questions regarding this RFP Phase 2 by e-mail to the RFP Phase 2 point of contact identified in Section 1.3 above. When submitting questions, please specify the RFP Phase 2 page number and section number in question and quote the language that prompted the question. Questions may address concerns that the evaluation criteria and/or business requirements would unfairly disadvantage Proposers or, due to unclear instructions, may result in the County not receiving the best possible responses from Proposer.

All questions must be received in writing by **Tuesday, January 16, 2018 at 2:00 PM PST**. Direct phone calls and e-mails to any other County staff other than described in Section 1.3 are prohibited and may result in elimination of the Proposer from further consideration.

All questions, without identifying the submitting company, will be compiled with the appropriate answers and issued as an addendum to this RFP Phase 2. The date for the County's responses to such questions listed in Section 1.4 is not binding on the County, and the County makes no guarantee that it will respond to questions by that date. County reserves the right to group similar questions when providing answers.

5.6 Preparation of the Proposals

Three (3) separate VSAP Phase 2 Proposals must be submitted — an Administrative Proposal (Part 1), a Technical Proposal (Part 2) and a Cost Proposal (Part 3). All three Proposals must be separately bound and submitted in the prescribed format. Any Proposal that deviates from this format may be rejected without review at the County's sole discretion.

5.6.1 Cost of Proposal Preparation

Any and all costs incurred by Proposers in preparing or submitting a Proposal shall be the Proposer's sole responsibility whether or not any award results from this RFP Phase 2 or the VSAP Solicitation. The County shall not reimburse such costs.

5.6.2 Multiple Responses

Each Proposer may only submit one (1) response as a proposed Prime Contractor. If the Proposer submits more than one (1) response as a proposed Prime Contractor, the County may reject one, multiple or all responses submitted by the Proposer. This requirement does not limit a Proposer's ability to collaborate with one (1) or more other Proposers to serve as a Subcontractor on one (1) or more additional proposals in which they are not the Proposer.

5.6.3 Subcontractor

Contractors included in a Proposal submitted by a Proposer, as a member of a Proposer-Led Team, will be considered a Subcontractor. All subcontracted work, and Subcontractors anticipated to perform that work, must be identified in the Proposal.

Prequalified Proposers may include ANY of the following in their Proposal to RFP Phase 2:

- Subcontractors previously included in the Proposer's response to RFP Phase 1 and prequalified as part of the Proposer-Led Team.
- Specialty Vendors prequalified by the County through RFP Phase 1 and subsequently selected as a Subcontractor by the Proposer responding to this RFP Phase 2.
- Specialty Vendors who were not prequalified by the County through RFP Phase 1 and were subsequently chosen as a Subcontractor by the Proposer responding to RFP Phase 2.
- Other contractors who did not participate in RFP Phase 1 and were chosen as a Subcontractor by the Proposer responding to this RFP Phase 2.

5.7 Administrative Proposal Format (Part 1)

The content and sequence of the Administrative Proposal shall include all completed, signed and dated forms identified in Appendix D (Required Forms).

- Exhibit 1 — Proposer's Organization Questionnaire/Affidavit and CBE Information
- Exhibit 2 — *Please refer to the Technical Proposal (Section 5.8.5.2)*
- Exhibit 3 — Prospective Contractor List of Contracts
- Exhibit 4 — Prospective Contractor List of Terminated Contracts
- Exhibit 5 — Certification of No Conflict of Interest
- Exhibit 6 — Familiarity with the County Lobbyist Ordinance Certification
- Exhibit 7 — Request for Preference Program Consideration
- Exhibit 8 — Proposer's EEO Certification
- Exhibit 9 — Attestation of Willingness to Consider GAIN/GROW Participants
- Exhibit 10 — Contractor Employee Jury Service Program Certification Form and Application for Exception
- Exhibit 11 — *Please refer to the Cost Proposal (Section 5.9)*
- Exhibit 12 — Certification of Independent Price Determination and Acknowledgement of RFP Restrictions
- Exhibits 13 – 19 (Intentionally Omitted)
- Exhibit 20 — Certification of Compliance with the County's Defaulted Property Tax Reduction Program
- Exhibit 21 — Bidder's Acknowledgment of County's Commitment to Zero Tolerance Policy on Human Trafficking

5.7.1 Proposer’s Organization Questionnaire/Affidavit and Required Support Documentation (Appendix D, Exhibit 1)

The Proposer shall complete, sign and date Exhibit 1 (Proposer’s Organization Questionnaire/Affidavit and CBE Information) in Appendix D (Required Forms). The person signing the form must be authorized to sign on behalf of the Proposer and to bind the Proposer in a contract.

Taking into account the structure of the Proposer’s organization, Proposer shall determine which of the below referenced supporting documents the County requires. If the Proposer’s organization does not fit into one of the categories listed in Section 5.7.1.1, upon receipt of the Proposal 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 Proposal submission, Proposers must request the appropriate documents from the California Secretary of State and provide a statement on the status of the request.

5.7.1.1 Required Support Documents (Appendix D, Exhibit 1)

Corporation or Limited Liability Company (LLC)

The Proposer must submit the following documentation with the Administrative Proposal following the completed Exhibit 1:

- A copy of a “Certificate of Good Standing” with the state of incorporation/organization.
- 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.

5.7.2 Prospective Contractor List of Contracts and Prospective Contractor List of Terminated Contracts (Appendix D, Exhibits 3 and 4)

The Proposer shall complete Exhibit 3 (Prospective Contractor List of Contracts) and Exhibit 4 (Prospective Contractor List of Terminated Contracts) in Appendix D (Required Forms) with information regarding the Proposer’s business only (not any other members of the Proposer-Led Team).

5.8 Technical Proposal Format (Part 2)

The content and sequence of the Technical Proposal must follow the structure as outlined below. The sections must abide by the instructions contained within the Technical Proposal Response Template.

1. Cover Page
2. Cover Letter
3. Table of Contents
4. Executive Summary (Section A)
5. Proposer-Led Team Qualifications (Section B)
6. Proposer's Approach to Provide Required Services (Section C)
7. Proposer-Led Team Organization and Staffing (Section D)
8. Project Change Management Plan (Section E)
9. Project Schedule (Section F)
10. Proposer's Green Initiatives (Section G)
11. Terms and Conditions in the Sample Contract: Acceptance of/or Exceptions to (Section H)
12. General Assumptions (Section I)

5.8.1 Cover Page

- Identify the RFP Phase 2 title and number, Proposer name and Proposer mailing address and the date of the Proposal.
- Provide the name, title, company name, mailing address, phone number and e-mail address of the individual responsible for the completion of the Proposer's response. The listed person will also serve as the County's contact for any questions about the Proposal.
- Include the signature, name, title, company name, D&B Hoovers company profile name (if different) and mailing address for an individual authorized to legally bind the company. Include a "wet" blue ink signature on one copy of the Proposal marked "ORIGINAL."

5.8.2 Cover Letter

- A statement regarding the Proposer's legal status, tax identification number and principal place of business with applicable W-9 forms (<http://www.irs.gov/pub/irs-pdf/fw9.pdf>) attached.
- A list of all Subcontractors, if any, that the Proposer will use for the products and services included in this RFP Phase 2 if the County selects the Proposer.
- An attestation that all members of the Proposer-Led Team are organized, and have offices, in the United States. No Parent Company of any member of the Proposer-Led Team may be incorporated in any of the prohibited countries as defined in RFP Phase 1. Parent Companies may have other Subsidiaries incorporated in prohibited countries, but any such Subsidiaries must have no control of, or influence on, any member of the Proposer-Led Team.

- A statement that the Proposer agrees to develop and hold all software in the United States.
- A statement that the Proposer agrees to County ownership of all existing County IP and IP developed as work for hire as a result of the contract.
- For each proposed Subcontractor, the Proposer must attach a letter from the Subcontractor, signed by an individual authorized to legally bind the Subcontractor, with the following included in the letter:
 - The Subcontractor's legal status, tax identification number and principal place of business address
 - The name, title, phone number, e-mail address and mailing address of a person who is authorized to legally bind the Subcontractor to contractual obligations
 - A description of the work the Subcontractor will do
 - A commitment by the Subcontractor to do the work assigned to it in the Proposal if the Proposer is selected
 - A statement that the Subcontractor has read and understood this RFP Phase 2 and will comply with its requirements
 - A statement that the Subcontractor will maintain any permits, licenses and certifications required to perform its portion of the work
 - A statement that the Subcontractor agrees to County ownership of all existing County IP and IP developed as work for hire as a result of the contract.

5.8.3 Table of Contents

- List all parts of the Proposal, including response forms and attachments, identified by volume and page number. Match the structure of the Response Template for ease of Proposal evaluation. Ensure all sections, figures, charts, graphs, etc. are identified.

5.8.4 Executive Summary (Section A)

- Provide a brief (five (5) to ten (10) page) summary of the key aspects of the Proposer's Technical Proposal. The Executive Summary should include an overview of the Proposer's approach to deliver the scope described in this RFP Phase 2, qualifications, experience, proposed team and advantage of this Proposal to the County.

5.8.5 Proposer-Led Team Qualifications (Section B, includes B.1 – B.4)

- Demonstrate that the Proposer has the experience and financial capability to complete the work described in its Proposal. The following sections must be included:

5.8.5.1 Proposer-Led Team's Background and Experience (Section B.1)

- Describe the Proposer-Led Team's relevant experience as it relates to projects similar to the products and services described in this RFP Phase 2. Explain why this Team was assembled in its current form — including the experience provided by each included organization and any experience the entities have working together. Discuss how this Team will collaborate successfully on the products and services outlined in this RFP Phase 2.

- Describe the locations where the Proposer-Led Team proposes performing work associated with the Statement of Work of this RFP Phase 2. If the location(s) for a specific task changes during the contract term, provide a timeline reflecting where the task will be performed during each time period. Identify the Proposer-Led Team's expectations for space requirements at the County's facilities, if any.
- Describe any existing or recent (within the last five (5) years) business relationships the Proposer or any of its Affiliates and proposed Subcontractors have with the County of Los Angeles.

5.8.5.2 Proposer's References (Section B.2)

- Provide at least three (3) references that clearly demonstrate the Proposer's ability to perform the VSAP Statement of Work (Appendix A) described in this RFP Phase 2.
- If the Proposal includes the use of Subcontractor(s), include at least one (1) reference for each proposed Subcontractor from a project with a scope of work equivalent to the scope of work proposed of the Subcontractor in the Proposal. The reference chosen should clearly demonstrate the Subcontractor's ability to perform the relevant portion of the Proposal.
- The Proposer and its Subcontractors may not use themselves or any of the other entities that are part of the Proposal as reference organizations. It is the Proposer's sole responsibility to ensure that the reference organization's name, and the point of contact's name, title, phone number and e-mail address, is accurate for each reference.
- County may disqualify a Proposer as non-responsive and/or non-responsible if:
 1. References fail to substantiate Proposer's description of the services provided,
 2. References fail to support that Proposer has a continuing pattern of providing capable, productive and skilled personnel, or
 3. The County is unable to reach any point of contact with reasonable effort (provided that 3 attempts to contact such person during normal working hours shall be deemed to be reasonable effort) within 3 business days. It is the Proposer's responsibility to inform each point of contact to be available during normal working hours (9 AM – 5 PM PST).

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

- Submit an Independent Auditor's Report and audited financial statements, including any management letters associated with the Auditor's Report with the applicable notes for the last three (3) fiscal years, balance sheet, income statement and statement of changes in financial position. If the Proposer has not had an audit conducted within the past three (3) fiscal years, instead provide the following un-audited financial statements for the last three (3) fiscal years:
 1. Balance Sheet
 2. Income Statement
 3. Statement of Changes in Financial Position
- Provide, for corporations required to report to the Securities and Exchange Commission (SEC), copies of the two (2) most recent SEC Form 10-K Annual Reports and

information regarding any change in ownership anticipated in the twelve (12) months following the Proposal due date.

- Provide a statement that the Proposer will obtain a Performance Bond if required by County.

5.8.5.4 Proposer’s Pending Litigation and Judgments (Section B.4)

- Identify by name, case and court jurisdiction any litigation still pending in which Proposer is involved and judgments against Proposer in the past ten (10) years that are relevant to the scope of this VSAP Solicitation (e.g., litigation or judgments related to intellectual property). Provide a statement describing the size and scope of any pending or threatened litigation against the Proposer or principals of the Proposer. County has the right to disqualify a Proposer, deduct points, or further investigate any litigation issues.

5.8.6 Proposer’s Approach to Provide Required Services (Section C)

- Read Appendix A (Statement of Work) and provide Proposer’s detailed response in the designated areas in Appendix A as to how the Proposer will perform and meet the required services. All areas of the Statement of Work must be addressed and, if the Proposer is selected, performed by a member of the Proposer-Led Team.
- Provide Section C as an Attachment to the Technical Proposal.

5.8.7 Proposer-Led Team Organization and Staffing (Section D)

5.8.7.1 Project and M&S Organization and Staffing Plan (Sections D.1 and D.2)

- Provide a Staffing Plan and associated organization chart detailing the number of personnel, levels, roles, responsibilities and team reporting relationships within the Proposer-Led Team. The Staffing Plan should suggest an approach for key VSAP Program staff to work “shoulder-to-shoulder” with the Proposer’s staff. The Staffing Plan also should identify all Key Personnel for the Proposer and their proposed Project roles.

Table 4 provides Key Personnel positions specific to the VSAP Project, corresponding roles and responsibilities and minimum qualifications for each. These roles are considered essential to the work being performed as defined in the Statement of Work. Key Personnel are to be dedicated full-time to the County (unless otherwise noted in the following table or agreed to by the County). The Proposer must ensure Key Personnel have, and maintain, relevant current license(s) and/or certification(s).

Table 4. Proposer’s Key Personnel Roles for the VSAP Project

TITLE	ROLES AND RESPONSIBILITIES	QUALIFICATIONS
<p>Engagement Director</p>	<ul style="list-style-type: none"> ■ Serves as the primary point of contact with County leadership, governance bodies and other staff for activities related to contract administration, overall project management and scheduling, correspondence between the County and the Prime Contractor, dispute resolution and status reporting to County for the duration of the Contract ■ Is authorized to commit the resources of the Prime Contractor in matters pertaining 	<ul style="list-style-type: none"> ■ Minimum of five (5) years direct project oversight and authority over projects in excess of 10 million dollars ■ Experience managing subcontractor relationships on at least two (2) successful large and complex projects ■ Special consideration will be given to those who have previously managed

TITLE	ROLES AND RESPONSIBILITIES	QUALIFICATIONS
	<p>to the implementation performance of the Contract</p> <ul style="list-style-type: none"> ■ Is responsible for addressing any issues that cannot be resolved with the Prime Contractor’s Project Manager ■ Is responsible for all Subcontractor relationships 	<p>integrated projects that have included design, manufacturing, implementation and operations (maintenance & support)</p> <p><i>(Does not need to be dedicated 100% to VSAP)</i></p>
<p>Project Manager</p>	<ul style="list-style-type: none"> ■ Provides onsite management of the Project and is the chief liaison for County during the Project ■ Is authorized to make day-to-day Project decisions ■ Is responsible for facilitating the Project by using the project management processes, organizing the Project and managing the team work activities consistent with the approved Project Control Document ■ Is responsible for scheduling and reporting Project activities, coordinating use of personnel resources, identifying risks and issues and solving problems and facilitating implementation of the VSAP Solution ■ Hosts weekly onsite status meetings, participates in monthly executive status meetings and hosts or participates in (as needed) ad-hoc meetings ■ Assigns Contractor staff to the above meetings as appropriate ■ Develops and distributes an agenda and minutes for each weekly status meeting ■ Provides expert guidance ensuring that all requirements as defined by the County are correctly implemented in the VSAP Solution ■ Advises the County regarding best practices and recommends modifications to business processes, which improve the overall operations ■ Develops and maintains thorough project planning documentation that includes, but is not limited to, Project Control Document, including a fully resourced Project schedule ■ Immediately notifies the VSAP Program Manager on any deviation from agreed-upon scope, schedule, budget, or level of quality 	<ul style="list-style-type: none"> ■ Current Project Management Professional (“PMP”) certification from the Project Management Institute (“PMI”), or equivalent ■ A total of five (5) years of demonstrated experience in: <ul style="list-style-type: none"> ❑ Project Management of a project that encompassed the full system development life cycle from initiation through post implementation with a public-sector client in the U.S. and/or ❑ Account management for a public sector client in the U.S., including a minimum of three (3) years of elections-related system experience ■ Preference will be given to candidates with experience managing elections-related projects. Manufacturing experience is also a desired attribute.

TITLE	ROLES AND RESPONSIBILITIES	QUALIFICATIONS
Solution Architect	<ul style="list-style-type: none"> ■ Is responsible for the technical aspects of the VSAP Solution for all components that are in-scope for the Prime Contractor ■ Drives the solution architecture and mapping of required functionality to solution design ■ Establishes documentation and coding standards for the Project team and ensures the team adheres to the standards 	<ul style="list-style-type: none"> ■ Five (5) years of demonstrated experience as a solutions architect for an enterprise solution ■ Preference will be given to candidates with experience with hardware or software that was deployed in the field at multiple locations. Implementation of elections-related systems is also a desired attribute.
Voting Subject Matter Expert	<ul style="list-style-type: none"> ■ Is responsible for providing voting- and elections-related expertise to the Project in terms of interpretation of requirements, development of design (where needed) and implementation of the VSAP Solution 	<ul style="list-style-type: none"> ■ Five (5) years of demonstrated experience with election-related systems, including development of such election-related systems ■ Preference will be given for candidates with experience with implementing elections-related systems in California, particularly in the system certification process <i>(Does not need to be dedicated 100% to VSAP after implementation of the VSAP Solution begins)</i>

- Provide a Staffing Plan and associated organization chart detailing the number of personnel, levels, roles and responsibilities, and team reporting relationships for M&S. Identify all Key Personnel for M&S for the Proposer, personnel for the County and their proposed roles.

Table 5 provides Key Personnel positions for the M&S team, corresponding roles and responsibilities and minimum qualifications for each. The County expects these key resources to be members of the Proposer-Led Team to ensure continuity.

Table 5. Proposer’s Key Personnel Roles for the VSAP Maintenance and Support

TITLE	ROLES AND RESPONSIBILITIES	EXPECTED QUALIFICATIONS
Engagement Director	<ul style="list-style-type: none"> ■ Serves as the primary point of contact with County leadership, governance bodies and other County staff for activities related to contract administration, overall project management and scheduling, correspondence between County and the Prime Contractor, dispute resolution and status reporting to the County for the duration of the Contract ■ Is authorized to commit the resources of the Prime Contractor in matters pertaining 	<ul style="list-style-type: none"> ■ Minimum of five (5) years direct project oversight and authority over ongoing relationships with clients where its firm has implemented enterprise solutions ■ Previously managed ongoing M&S for an elections-related system <i>(Does not need to be dedicated</i>

TITLE	ROLES AND RESPONSIBILITIES	EXPECTED QUALIFICATIONS
	<p>to the performance of the Contract</p> <ul style="list-style-type: none"> ■ Is responsible for addressing any issues that cannot be resolved with the Prime Contractor’s Operations Manager ■ Is responsible for all Subcontractor relationships 	<p>100% to VSAP)</p>
<p>Service Delivery Manager</p>	<ul style="list-style-type: none"> ■ Serves as a liaison with the County and the Prime Contractor during the M&S phase ■ Is available and responsive to County requests for consultation and assistance ■ Is responsible for establishing and maintaining a positive client relationship ■ Provides responses to operational and administrative inquiries that arise ■ Manages staff assigned to all day-to-day Maintenance and Support activities ■ Plays an active role in day-to-day management of the Contractor’s in-scope components in order to be knowledgeable and aware of all issues, concerns and requirements ■ Meets with County staff or such other person County may designate on a regular basis to provide oral and written status reports and other information as required ■ Manages the relationships with Subcontractors 	<ul style="list-style-type: none"> ■ Five (5) years managing a M&S team for an enterprise solution within a public-sector client in the U.S. ■ Preference will be given for a candidate with elections-related system experience, particularly experience with hardware or software that was deployed in the field at multiple locations
<p>Solution Architect</p>	<ul style="list-style-type: none"> ■ Provides detailed applications knowledge in support of complex application issues/incidents ■ Reviews all potential changes (e.g., configuration, warranty fixes and enhancements) to the Prime Contractor’s in-scope components from a technical perspective and provides technical design/assessments ■ Is available to the Project team for consultation on future enhancements (e.g., changes to meet requirements to Election Law) ■ Maintains documentation and coding standards and ensures the team adheres to the standards 	<ul style="list-style-type: none"> ■ Five (5) years of experience architecting/designing enterprise solutions ■ Five (5) years of experience implementing elections-related systems ■ Preference will be given to candidates with experience with hardware or software that was deployed in the field at multiple locations. Implementation of elections-related systems is also a desired attribute. <p><i>(Does not need to be dedicated 100% to VSAP)</i></p>

The Proposer must be committed to keeping staff turnover at a minimum for the duration of the Contract. The Proposer shall provide a list of its staff, their qualifications and work experience at the beginning of the VSAP Project and at the beginning of M&S. The list shall be updated

and shared with the County whenever there are personnel changes. Any proposed replacements for Key Personnel (whether for the VSAP Project or for M&S) shall have qualifications that meet or exceed those they replace and must be approved by the County prior to the transition. The Proposer shall remove and replace personnel, if requested by the County, within the agreed upon timeframe once the request for removal has been submitted.

5.8.7.2 Proposer's Key Personnel (Section D.3)

- Identify Key Personnel for the products and services outlined in this RFP Phase 2 including Subcontractors, if applicable, as described in this RFP Phase 2. This includes:
 1. Organization
 2. Name
 3. Title in the organization
 4. Proposed role including applicable components and/or services
 5. Role in the last three (3) projects
 6. A description of any past work the applicable individual has performed with other members of the Proposer-Led Team or their staff.

5.8.7.3 Staff Experience (Section D.4)

- Complete two (2) of the Staff Experience reference tables (included in Section D.4) for each identified and proposed Key Personnel as indicated in this RFP Phase 2 (including both the Proposer and Subcontractor staff). If references are available for multiple projects with a similar project scope, size and complexity, the County would prefer Public Sector or Public Agency references.
- Indicate, for each project experience listed, the client name and client contact information, whether the project was for a public sector agency, the project name, start and end dates that the team member performed the role, duration of the experience and whether the project included design and development, manufacturing, implementation services and/or M&S.

5.8.7.4 Resumes (Section D.5)

- Attach professional resumes of all Proposer-Led Team personnel included in the organization charts submitted above.

5.8.7.5 Staff Management and Contingency Plan (Section D.6)

- Describe policies and procedures regarding hiring, professional development and human resource management, including processes for ensuring that the VSAP Project will not be affected by fluctuations in the Proposer's staffing and other project assignments. The response also should include a discussion of the Proposer's management of Subcontractor staffing.
- Provide a contingency plan that shows the ability and process to add more staff if needed to ensure it can meet the Project's deliverable due dates and implementation dates.
- Provide a description of the Proposer's plan to monitor the Project, and how a determination to deploy contingency staff will be made. The Proposer's response also

must describe any variation in staff management through the first five (5) years of M&S services to be provided after the Project.

5.8.8 Project Change Management Plan (Section E)

- Describe Proposer's experience with project change management, including the strategy used for tracking, reviewing and approving project scope and schedule.
- Explain the approach to project change management for the VSAP Project, including any reasons for deviation from Proposer's previous experience (if applicable).
- Include a sample project change management for the VSAP Project.

5.8.9 Project Schedule (Section F)

- Submit a schedule for the VSAP Project. This schedule should demonstrate that the Proposer has a thorough understanding of the Statement of Work and what must be done to satisfy and implement the Project requirements within the timelines expected by the County. The schedule must extend through at least the first year of M&S and clearly delineate what is included in a typical M&S year.
- The schedule should show all task details with responsibilities, timelines, durations, milestone dates and deliverables including respective BMD quantities; as well as all critical dependencies for the Project's milestones and deliverables. The schedule must be an attachment to the Proposer's Technical Proposal and tabbed as such in the submission. It also must be submitted as an electronic soft copy (Microsoft Project ® or equivalent and Adobe ® PDF) version in the Proposer's electronic submission of the Technical Proposal.

5.8.10 Proposer's Green Initiatives (Section G)

- Describe the Proposer-Led Team's current environmental policies and practices and any related initiatives proposed to be used in the completion of the tasks described in the Statement of Work.

5.8.11 Terms and Conditions in the Sample Contract: Acceptance of/or Exceptions to (Section H)

- It is the duty of every Proposer to thoroughly review the Sample Contract ([Appendix C](#)) to ensure compliance with all terms, conditions and requirements. In submitting a Proposal, the Proposer agrees to accept, as stated, the County's terms and conditions in the Sample Contract, except as noted in Section H of the Technical Proposal.
- The Proposer's response must include:
 - A statement offering the Proposer's acceptance of **or** exceptions to all terms and conditions listed in the [Appendix C](#) (Sample Contract).
 - For each exception, the Proposer shall provide:
 - An explanation of the reason(s) for the exception;
 - The proposed alternative language; and
 - A description of the impact, if any, to the Proposer's price in the Cost Proposal. Note: No detailed cost information shall be included in the Technical Proposal.

Any relevant costs must be included in the Cost Assumptions tab in the Cost Proposal Response Template.

- Indicate all exceptions to the Sample Contract by providing a “red-lined” version of the language in question. The County relies on this procedure and any Proposer who fails to make timely exceptions as required herein will be barred from making further exceptions, except as allowed at the County’s sole discretion.

The County reserves the right to determine if Proposers’ exceptions are material enough to deem the Proposal non-responsive and not subject to further evaluation.

The County reserves the right to make changes to the Sample Contract and its appendices and exhibits at its sole discretion.

5.8.12 General Assumptions (Section I)

- Document any assumptions made in preparing a response to the Technical Proposal (not including assumptions documented in the response to the Statement of Work under Section C).

5.9 Cost Proposal Format (Part 3)

The content and sequence of the Cost Proposal must follow the structure as outlined below. The content must abide by the instructions contained within the Cost Proposal Response Template.

5.9.1 Cover Page

- Identify the RFP Phase 2 title and number; name and mailing address of the Proposer; and the date of the Proposal.
- Provide the name, mailing address, phone number and e-mail address of the person responsible for the completion of the Proposal. This person will be the point of contact for the County.
- Provide the name, title, company name and mailing address of the person signing this cover page. Such person must be authorized to bind the Proposer. Include the original, "wet" signature on the "ORIGINAL" copy of the Cost Proposal and a photocopied signature on all other copies of the Cost Proposal.

5.9.2 Cost Workbook

- Detail the costs associated with the Proposal, including any assumptions that may affect them in the following worksheets:
 - Total Cost Summary: Worksheet that summarizes the Proposer's fixed-fee Cost Proposal based on software, hardware and deliverables.
 - Deliverables Payment Tables: Worksheet for Proposer to do all of the following:
 - Indicate the one-time costs for the deliverables in the Proposer's response to the Statement of Work.
 - Note when the work associated with the one-time implementation costs is expected to be completed. For purposes of this Workbook, the completion dates should be tied to the completion of the underlying work as shown in the Project Schedule submitted under Section F of the Technical Response Template.

- ❑ Ballot Marking Device Production: Worksheet for Proposer to indicate all hardware costs. The Proposer must make clear the cost for each of the specified hardware components in the RFP Phase 2 Appendix A (Statement of Work). The Proposer also must enumerate the cost to build each complete Ballot Marking Device unit based on the provided ranges.
 - ❑ Labor Category Rates: Worksheet for Proposer to itemize hourly rate structures for proposed Project personnel. Blended rates also must be provided for on-site work (including travel expenses) and off-site work (not including travel expenses).
 - ❑ Optional M&S: Worksheet for Proposer to itemize the costs associated with the potential three (3) 2-year extension periods of M&S, as noted in Section 5.2 of the Statement of Work.
 - ❑ Cost Assumptions: Worksheet for Proposer to itemize all Proposer Cost Assumptions upon which its pricing is dependent.
- Any agreement will be a deliverables-based contract with a fixed fee for all work under the agreement. Payments to the Proposer will be tied to the Proposer having successfully achieved the deliverables.

5.10 Firm Offer-Withdrawal of Proposal

Until the Proposal submission deadline, errors in Proposals may be corrected by a request in writing to withdraw the Proposal and by submission of another Proposal with the mistakes corrected by the Proposal deadline listed in Table 3. Corrections will not be accepted once the deadline for submission of Proposals has passed.

5.11 Proposal Submission

1. The Proposer must submit ten (10) hard copies and one (1) electronic (Adobe® PDF) soft copy of its Administrative Proposal enclosed in a sealed envelope or box, plainly marked in the upper left corner with the name and mailing address of the Proposer and bear the words:

"ADMINISTRATIVE PROPOSAL FOR RFP PHASE 2 (#17-008) – PROPOSAL EVALUATION AND CONTRACTOR SELECTION FOR VSAP IMPLEMENTATION AND SUPPORT SERVICES (PART 1)"

One (1) hard copy of the Administrative Proposal must be clearly identified on the cover and packaged as the ORIGINAL and must contain a “wet” original signature, in blue ink, by a person authorizing submission on behalf of the Proposer. The soft copy (e.g., searchable Adobe® PDF) must be submitted on a USB storage device. The Proposer should make reasonable attempts to ensure that the soft copy media is “locked” or “read-only” to avoid unintentional changes to the Proposal.

2. The Proposer must submit ten (10) hard copies and one (1) electronic (Adobe® PDF) soft copy of its Technical Proposal enclosed in a sealed envelope or box, plainly marked in the upper left corner with the name and mailing address of the Proposer and bear the words:

"TECHNICAL PROPOSAL FOR RFP PHASE 2 (#17-008) – PROPOSAL EVALUATION AND CONTRACTOR SELECTION FOR VSAP IMPLEMENTATION AND SUPPORT SERVICES (PART 2)"

One (1) hard copy of the Technical Proposal must be clearly identified on the cover and packaged as the ORIGINAL and must contain a “wet” original signature, in blue ink, by a person authorizing submission on behalf of the Proposer. The soft copy (e.g., searchable PDF) must be submitted on a USB storage device. The Proposer should make reasonable attempts to ensure that the soft copy media is “locked” to avoid unintentional changes to the Technical Proposal.

3. The Proposer must submit ten (10) hard copies and one (1) electronic (Microsoft Excel® and Adobe® PDF) soft copy of the Cost Proposal separately from the Technical Proposal in a sealed package, plainly marked in the upper left corner with the name and mailing address of the Proposer and bear the words:

"COST PROPOSAL FOR RFP PHASE 2 (#17-008) – PROPOSAL EVALUATION AND CONTRACTOR SELECTION FOR VSAP IMPLEMENTATION AND SUPPORT SERVICES (Part 3)"

One (1) hard copy of the Cost Proposal must be clearly identified on the cover and packaged as the ORIGINAL and must contain a “wet” original signature, in blue ink, by a person authorizing submission on behalf of the Proposer. The soft copy (Microsoft Excel® and Adobe® PDF) must be submitted on a USB storage device. The Proposer should make reasonable attempts to ensure that the soft copy media is “locked” to avoid unintentional changes to the Cost Proposal.

Proposals shall be hand delivered at or mailed to the address below by the scheduled closing date and time for receipt of Proposals, as listed in Table 3:

County of Los Angeles, Department of Registrar-Recorder/County Clerk
12400 Imperial Hwy, Contracts Section Suite 5115
Norwalk, CA 90650
Attention: Veronica Williams, Contracts Manager

It is the sole responsibility of the Proposer to ensure that its Proposal is received before the submission deadline. Proposers shall bear all risks associated with delays in delivery by any person or entity, including the U.S. Mail. Any Proposals received after the scheduled closing date and time for receipt of Proposals, as listed in Table 3, will not be accepted and returned to the sender unopened. Timely hand delivered Proposals are acceptable. No facsimile (fax) or electronic mail (e-mail) copies will be accepted.

All Proposals shall be firm and final offers, shall be treated as such by the County, and may not be withdrawn for a period of one hundred eighty (180) days following the last day to submit Proposals.

5.11.1 Additional Copies of Proposals

Additional copies of the Proposal may be requested for contracting purposes. The County will notify the Proposer when additional copies are needed.

6.0 Selection Process and Evaluation Criteria

6.1 Selection Process

The County reserves the sole right to judge the contents of the Proposals submitted pursuant to this RFP Phase 2 and to review, evaluate and select the successful Proposal(s). The selection process will begin with receipt of the Proposal on the timeline set forth in Table 3.

Evaluation of the Proposals will be made by an evaluation committee selected by the County. The committee will evaluate the Proposals and will use the evaluation approach described herein to select a Prime Contractor. All Proposals will be evaluated based on the criteria listed below. All Proposals will be scored and ranked in numerical sequence from high to low. The County may also, at its option, invite Proposers being evaluated to make a verbal presentation or conduct site visits to Proposer location(s), if appropriate. The evaluation committee may utilize the services of appropriate experts to assist in this evaluation.

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

The recommendation to award a Contract will not bind the Board to award a Contract to the Proposer.

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

6.2 Adherence to Minimum Qualifications (Pass-Fail)

RFP Phase 2 is open to potential Prime Contractors who have been prequalified and passed the Minimum Qualifications in RFP Phase 1. Proposers may select Subcontractors as discussed in Section 5.6.3 Subcontractor.

6.3 Disqualification Review

A Proposal may be disqualified from consideration because the County determined it was non-responsive at any time during the review/evaluation process. If the County determines that a Proposal is disqualified due to non-responsiveness, the County shall 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 County's sole discretion, be denied if the request does not satisfy all of the following criteria:

1. The person or entity requesting a disqualification review is a Proposer.
2. The request for a disqualification review is submitted timely (i.e., by the date and time specified in the written determination.)
3. The request for a disqualification review asserts that the County'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 shall be completed and the determination shall be provided to the requesting Proposer, in writing, prior to the conclusion of the evaluation process.

Proposer can also be disqualified for Paragraph 9.8 (Determination of Proposer Responsibility).

6.4 Technical Proposal Evaluation and Criteria (70%)

The County will evaluate Proposals in the context of the best value overall approach for the Statement of Work to ensure Proposals meet the entirety of products and services requested. The County will evaluate the Technical Proposals based on the following best value criteria:

Table 6. Technical Proposal Evaluation

GLOBAL CRITERIA	WEIGHTS	MANDATORY RESPONSE SECTIONS EVALUATED	MAX. ALLOWABLE POINTS*
Proposer's Qualifications	10%	Background & Experience (Section B)	500
		References (Section B)	500
		Financial Capability (Section B)	(750)
		Pending Litigation and Judgment (Section B)	(250)
Approach to Services	50%	Executive Summary (Section A)	200
		Project Initiation and Management (Section C)	400
		Development (Section C)	1,000
		Implementation (Section C)	1,000
		Warranty, Maintenance and Support and Additional Services (Section C)	1,000
		Organization and Staffing (Section D)	600
		Project Change Management Plan (Section E)	100
		Project Schedule (Section F)	600
		Green Initiatives (Section G)	100
Contract Red-Line	10%	Terms and Conditions in the Sample Contract: Acceptance of/or Exceptions to (Section H)	1,000

* Points shown in parentheses represent a possible deduction of points up to the total shown.

6.5 Cost Proposal Evaluation Criteria (30%)

The maximum number of possible points in the cost category will be awarded to the lowest cost Proposal. All other Proposals will be compared to the lowest cost and points will be awarded accordingly using the following formula to convert each cost response into points:

$$(\text{Lowest Cost Proposal Price} \div \text{Proposer's Cost Proposal Price}) \times 300$$

However, should one or more of the Proposers request and be granted a preference that may be requested through Exhibit 7 (Request for Preference Consideration) of Appendix D (Required Forms), 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 shall any preference be combined to exceed fifteen percent (15%) of the lowest responsible bid meeting specifications.

6.6 Department's Proposed Contractor Selection Review

1. Departmental Debriefing Process

Upon completion of the evaluation, the Department shall notify the non-selected Proposers in writing that the Department is entering negotiations with another Proposer. Upon receipt of the letter, any non-selected Proposer may submit a written request for a debriefing within the timeframe specified in the letter. A request for a debriefing may, in the Department's sole discretion, be denied if the request is not received within the specified timeframe.

The purpose of the debriefing is to compare the requesting Proposer's Proposal to the VSAP Solicitation with the evaluation document. The requesting Proposer shall be debriefed only on its Proposal. Because Contract negotiations are not yet complete, Proposals from other Proposers shall not be discussed, although the Department may inform the requesting Proposer of its relative ranking.

During or following the debriefing, the Department will instruct the requesting Proposer of the manner and timeframe in which the requesting Proposer must notify the Department of its intent to request a Proposed Contractor Selection Review, if the requesting Proposer is not satisfied with the results of the debriefing.

2. Proposed Contractor Selection Review

Any Proposer that has timely submitted a notice of its intent to request a Proposed Contractor Selection Review as described here may submit a written request for a Proposed Contractor Selection Review, in the manner and timeframe as shall 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:

- a. The person or entity requesting a Proposed Contractor Selection Review is a Proposer.
- b. The request for a Proposed Contractor Selection Review is submitted timely (i.e., by the date and time specified by the Department.)
- c. The person or entity requesting a Proposed Contractor Selection Review asserts in appropriate detail with factual reasons one or more of the following grounds for review:
 - i. The Department materially failed to follow procedures specified in its VSAP Solicitation. 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 VSAP Solicitation.
 - (3) Use of evaluation criteria that were different from the evaluation criteria disclosed in the VSAP Solicitation.
- ii. 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 Prime Contractor.
 - iii. A member of the evaluation committee demonstrated bias in the conduct of the evaluation.
 - iv. Another basis for review as provided by State or Federal law; and
- d. 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, most responsive and most responsible bid or the highest-scored Proposal, as the case may be.

Upon completing the Proposed Contractor Selection Review, the Department representative shall 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 shall additionally instruct the Proposer of the manner and timeframe for requesting a County Independent Review (see Section 6.7 below).

6.7 County Independent Review Process

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

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

- a. The person or entity requesting a County Independent Review is a Proposer.
- b. The request for a County Independent Review is submitted timely (i.e., by the date and time specified by the Department.)
- c. The person or entity requesting review by a County Independent Review has limited the request to items raised in the Proposed Contractor Selection Review and new items that (a) arise from the Department's written decision and (b) are one of the appropriate grounds for requesting a Proposed Contractor Selection Review as listed above.

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

7.0 County's Rights and Responsibilities

7.1 Representations Made Prior to Contract Execution

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

7.2 Final Contract Award by the Board of Supervisors

Notwithstanding a recommendation of a Department, agency, individual, or other, the Board retains the right to exercise its judgment concerning the selection of a Proposal and the terms of any resultant agreement, 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 Contract.

7.3 County's Option to Reject Proposals

Proposers are hereby advised that this RFP Phase 2 is a solicitation for Proposals only, and is not intended, and is not to be construed as, an offer to enter into a contract or as a promise to engage in any formal competitive bidding or negotiations pursuant to any statute, ordinance, rule, or regulation. The County may, at its sole discretion, reject any or all Proposals submitted in response to this RFP Phase 2 or may, in its sole discretion, reject all Proposals and cancel this RFP Phase 2 or the VSAP Solicitation in its entirety. The County shall not be liable for any costs incurred by the Proposer in connection with the preparation and submission of any Proposal. The County reserves the right to waive inconsequential disparities in a submitted Proposal.

7.4 County's Right to Amend Request for Proposals

The County has the right to amend the RFP Phase 2 by written addendum. The County is responsible only for that which is expressly stated in the VSAP Solicitation documents and any authorized written addenda thereto. Such addendum shall be made available to each person or organization which County records indicate has received this RFP Phase 2. Should such addendum require additional information not previously requested, failure to address the requirements of such addendum may result in the Proposal being found non-responsive and not being considered, as determined in the sole discretion of the County. The County is not responsible for and shall not be bound by any representations otherwise made by any individual acting or purporting to act on its behalf.

7.5 Background and Security Investigations

Prior to any Contractor staff member gaining access to County IP or beginning work under the Contract resulting from this VSAP Solicitation, the staff member must have successfully completed a state and federal level fingerprint background check. The fingerprint background check is considered successfully completed when a report of results has been provided to the County by the CA DOJ, the County has reviewed the results and the County has cleared the individual for receipt of County IP. The Contractor must use the Request for Live Scan Service form provided by the County to submit the request for background check to the CA DOJ. See [Addendum 1](#) for more information regarding background checks. The cost of background

checks is the responsibility of the Contractor. Contractor staff must also sign a NDA at the company and individual level prior to obtaining County IP and beginning work on the project.

7.6 County's Quality Assurance Plan

After Contract award, the County or its agent will monitor the Prime Contractor's performance under the Contract on a periodic basis. Such monitoring will include assessing Prime Contractor's compliance with all terms and conditions in the Contract and performance standards identified in the Statement of Work. Contractor's deficiencies which the County determines are significant or continuing and that may jeopardize performance of the Contract will be reported to the Board. The report will include improvement/corrective action measures taken by the County and Prime Contractor. If improvement does not occur consistent with the corrective action measures, the County may terminate the Contract in whole or in part, or impose other penalties as specified in the Contract.

8.0 Proposer's Requirements and Certifications

8.1 Notice to Proposers Concerning the Public Records Act

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

Notwithstanding the above, absent extraordinary circumstances, all Proposals will become a matter of public record when the Department's Prime Contractor 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."

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

8.2 Mandatory Requirement to Register on County's WebVen

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

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

8.3 Protest Policy Review Process

1. Under Board Policy No. 5.055 (Services Contract Solicitation Protest), any prospective Proposer may request a review of the requirements under a solicitation for a Board-approved services contract, as described in Paragraph 8.3.3 (Grounds for Review) below. Additionally, any actual Proposer may request a review of a disqualification or of a proposed contract award under such a solicitation, as described respectively in the paragraphs below. It is the responsibility of 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 contract award.

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

3. Grounds for Review:

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

- Review of Solicitation Requirements (reference Section 5.2)
- Review of Disqualified Proposal (reference Section 6.3)
- Review of Proposed Contractor Selection (reference Section 6.6)

8.4 Injury and Illness Prevention Program

Contractor shall be required to comply with the State of California's Cal OSHA's regulations. California Code of Regulations Title 8 Section 3203 requires all California employers to have a written, effective Injury and Illness Prevention Program ("IIPP") that addresses hazards pertaining to the particular workplace covered by the program.

8.5 Confidentiality and Independent Contractor Status

As appropriate, Contractor shall be required to comply with Paragraph 7.6 (Confidentiality) and Paragraph 8.22 (Independent Contractor Status), contained in Appendix C (Sample Contract).

8.6 Conflict of Interest

No County employee whose position in the County enables him/her to influence the selection of a Contractor for this RFP Phase 2, or any competing RFP, nor any spouse of economic dependent of such employees, shall be employed in any capacity by a Proposer or have any other direct or indirect financial interest in the selection of a Contractor. Proposer shall certify that he/she is aware of and has read Section 2.180.010 of the County Code as stated in Exhibit 5 (Certification of No Conflict of Interest) of Appendix D (Required Forms).

8.7 Determination of Proposer Responsibility

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.
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. The County's review may take into consideration any information it obtains or that is brought to its attention and that it deems relevant, whether or not obtained in a response to this RFP. 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 shall not be the basis of a determination that the Proposer is not responsible.

The County may declare a Proposer to be non-responsible for purposes of this Contract if the Board, in its sole 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.

3. If there is evidence that the apparent highest ranked Proposer may not be responsible, the Department shall notify the Proposer in writing of the evidence relating to the Proposer's responsibility, and its intention to recommend to the Board that the Proposer be found not responsible. The Department shall 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.
4. If the Proposer presents evidence in rebuttal to the Department, the Department shall evaluate the merits of such evidence and, based on that evaluation, make a recommendation to the Board. The final decision concerning the responsibility of the Proposer shall reside with the Board.
5. These terms shall also apply to proposed Subcontractors of Proposers on County contracts.

8.8 Proposer Debarment

1. The Proposer is hereby notified that, in accordance with Chapter 2.202 of the County Code, the County may debar the Proposer from bidding or proposing on, or being awarded, and/or performing work on other County contracts for a specified period of time, which generally will not exceed five (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 finds, in its sole 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.
2. If there is evidence that the apparent highest ranked Proposer may be subject to debarment, the Department shall notify the Proposer in writing of the evidence which is the basis for the proposed debarment, and shall advise the Proposer of the scheduled date for a debarment hearing before the Contractor Hearing Board.
3. The Contractor Hearing Board shall conduct a hearing where evidence on the proposed debarment is presented. The Proposer and/or Proposer's representative shall be given

an opportunity to submit evidence at that hearing. After the hearing, the Contractor Hearing Board shall prepare a tentative proposed decision, which shall contain a recommendation regarding whether the Proposer should be debarred, and if so, the appropriate length of time of the debarment. The Proposer and the Department shall be provided an opportunity to object to the tentative proposed decision prior to its presentation to the Board.

4. After consideration of any objections, or if no objections are received, a record of the hearing, the proposed decision and any other recommendation of the Contractor Hearing Board shall be presented to the Board. The Board shall have the right to modify, deny or adopt the proposed decision and recommendation of the Contractor Hearing Board.
5. If a Proposer has been debarred for a period longer than five (5) years, that Proposer may, after the debarment has been in effect for at least five (5) years, submit a written request for review of the debarment determination to reduce the period of debarment or terminate the debarment. The County may, in its discretion, reduce the period of debarment or terminate the debarment if it finds that the Proposer has adequately demonstrated one or more of the following: 1) elimination of the grounds for which the debarment was imposed; 2) a bona fide change in ownership or management; 3) material evidence discovered after debarment was imposed; or 4) any other reason that is in the best interests of the County.
6. The Contractor Hearing Board will consider requests for review of a debarment determination only where 1) the Proposer has been debarred for a period longer than five (5) years; 2) the debarment has been in effect for at least five (5) years; and 3) the request is in writing, states one or more of the grounds for reduction of the debarment period or termination of the debarment, and includes supporting documentation. Upon receiving an appropriate request, the Contractor Hearing Board will provide notice of the hearing on the request. At the hearing, the Contractor Hearing Board shall conduct a hearing where evidence on the proposed reduction of debarment period or termination of debarment is presented. This hearing shall be conducted and the request for review decided by the Contractor Hearing Board pursuant to the same procedures as for a debarment hearing.
7. The Contractor Hearing Board's proposed decision shall contain a recommendation on the request to reduce the period of debarment or terminate the debarment. The Contractor Hearing Board shall present its proposed decision and recommendation to the Board. The Board shall have the right to modify, deny, or adopt the proposed decision and recommendation of the Contractor Hearing Board.
8. These terms shall also apply to proposed Subcontractors of Proposers on County contracts.
9. [Appendix H \(Listing of Contractors Debarred in Los Angeles County\)](#) provides a link to the County's website where there is a listing of contractors that are currently on the Debarment List for the County.

8.9 Adherence to County's Child Support Compliance Program

Proposers shall: 1) fully comply with all applicable State and Federal reporting requirements relating to employment reporting for its employees; and 2) comply with all lawfully served Wage and Earnings Assignment Orders and Notice of Assignment and continue to maintain compliance during the term of any Contract that may be awarded pursuant to this VSAP

Solicitation. Failure to comply may be cause for termination of a Contract or initiation of debarment proceedings against the non-compliant Contractor (County Code Chapter 2.202).

8.10 Gratuities

8.10.1 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 the Contract or that the Proposer's failure to provide such consideration may negatively affect the County's consideration of the Proposer's submission. A Proposer shall 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 the Contract.

8.10.2 Proposer Notification to County

A Proposer shall immediately report any attempt by a County officer, employee or agent to solicit such improper consideration. The report shall 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.

8.10.3 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.

8.11 Notice to Proposers Regarding the County Lobbyist Ordinance

The Board has enacted an ordinance regulating the activities of people who lobby County officials. This ordinance, referred to as the "Lobbyist Ordinance," defines a County Lobbyist and imposes certain registration requirements upon individuals meeting the definition. The complete text of the ordinance can be found in County Code Chapter 2.160. In effect, each person, corporation or other entity that seeks a County permit, license, franchise or contract must certify compliance with the ordinance. As part of this solicitation process, it will be the responsibility of each Proposer to review the ordinance independently as the text of said ordinance is not contained within this RFP Phase 2. Thereafter, each person, corporation or other entity submitting a response to this solicitation, must certify that each County Lobbyist, as defined by County Code Section 2.160.010, retained by the Proposer is in full compliance with Chapter 2.160 of the County Code and each such County Lobbyist is not on the Executive Office's List of Terminated Registered Lobbyists by completing and submitting Exhibit 6 (Familiarity with the County Lobbyist Ordinance Certification) of Appendix D (Required Forms), as part of their Proposal.

8.12 Federal Earned Income Credit

The Contractor shall notify its employees, and shall require each Subcontractor to notify its employees, that they may be eligible for the Federal Earned Income Credit under the federal income tax laws. Such notice shall be provided in accordance with the requirements set forth in Appendix I (IRS Notice 1015).

8.13 Consideration of GAIN-GROW Participants for Employment

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

Proposers who are unable to meet this requirement shall not be considered for contract award. Proposers shall submit a completed Exhibit 9 (Attestation of Willingness to Consider GAIN-GROW Participants) of Appendix D (Required Forms), along with their Proposal.

8.14 Recycled Bond Paper

Proposer shall be required to comply with the County's policy on recycled bond paper as specified in Paragraph 8.39 (Recycled Bond Paper) of Appendix C (Sample Contract).

8.15 Safely Surrendered Baby Law

The Contractor shall notify and provide to its employees, and shall require each Subcontractor to notify and provide to its employees, information regarding the Safely Surrendered Baby Law, its implementation in the County, and where and how to safely surrender a baby. The information is set forth in Appendix J (Safely Surrendered Baby Law) of this solicitation document. Additional information is available at www.babysafela.org.

8.16 Jury Service Program

1. The prospective Contract is subject to the requirements of the County's Contractor Employee Jury Service Ordinance ("Jury Service Program") (Los Angeles County Code, Chapter 2.203). Prospective Contractors should carefully read Appendix G (Jury Service Ordinance) and Paragraph 8.8 (Compliance with the County's Jury Service Program) of Appendix C (Sample Contract), both of which are incorporated by reference into and made a part of this RFP Phase 2. 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.

2. The Jury Service Program requires Contractors and their Subcontractors to have and adhere to a written policy that provides that its employees shall receive from the Contractor, on an annual basis, no less than five (5) days of regular pay for actual jury service. The policy may provide that employees deposit any fees received for such jury service with the Contractor or that the Contractor deducts from the employee's regular pay the fees received for jury service. For purposes of the Jury Service Program, "employee" means any California resident who is a full-time employee of a Contractor and "full-time" means forty (40) hours or more worked per week, or a lesser number of hours if: 1) the lesser number is a recognized industry standard as determined by the County, or 2) the Contractor has a long-standing practice that defines the lesser number of hours as full-time. Therefore, the Jury Service Program applies to all of a Contractor's full-time California employees, even those not working specifically on the County project.

Full-time employees providing short-term, temporary services of ninety (90) days or less within a twelve (12) month period are not considered full-time for purposes of the Jury Service Program.

3. There are two (2) ways in which a Contractor might not be subject to the Jury Service Program. The first is if the Contractor does not fall within the Jury Service Program's definition of "Contractor." The Jury Service Program defines "Contractor" to mean a person, partnership, corporation of other entity which has a contract with the County or a subcontract with a County Contractor and has received or will receive an aggregate sum of fifty thousand dollars (\$50,000) or more in any twelve (12) month period under one or more County contracts or subcontracts. The second is if the Contractor meets one of the two exceptions to the Jury Service Program. The first exception concerns small businesses and applies to Contractors that have 1) ten (10) or fewer employees; and, 2) annual gross revenue in the preceding twelve (12) months which, if added to the annual amount of this Contract is less than five hundred thousand dollars (\$500,000) and 3) is not an "affiliate or subsidiary of a business dominant in its field of operation." The second exception applies to Contractors that possess a collective bargaining agreement that expressly supersedes the provisions of the Jury Service Program. The Contractor is subject to any provision of the Jury Service Program not expressly superseded by the collective bargaining agreement.
4. 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 10 (Contractor Employee Jury Service Program Certification Form and Application for Exception) of Appendix D (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.

8.17 Notification to County of Pending Acquisitions-Mergers by Proposing Company

The Proposer shall notify the County of any pending acquisitions-mergers of their company. This information shall be provided by the Proposer in Exhibit 1, (Proposer's Organization Questionnaire/Affidavit and CBE Information) of Appendix D (Required Forms). Failure of the Proposer to provide this information may eliminate its Proposal from any further consideration. Proposer shall have a continuing obligation to notify County of changes to the information contained in Exhibit 1 (Proposer's Organization Questionnaire/Affidavit and CBE Information) during the pendency of this RFP Phase 2 by providing a revised Exhibit 1 (Proposer's Organization Questionnaire/Affidavit and CBE Information) to the County upon the occurrence of any event giving rise to a change in its previously-reported information.

8.18 Defaulted Property Tax Reduction Program

The prospective Contract is subject to the requirements of the County's Defaulted Property Tax Reduction Program ("Defaulted Tax Program"), (County Code, Chapter 2.206). Prospective Contractors should carefully read Appendix O (Defaulted Tax Program Ordinance) and the pertinent provisions in Paragraph 8.51 (Warranty of Compliance with County's Defaulted Property Tax Reduction Program) and 8.52 (Termination for Breach of Warranty to Maintain Compliance with County's Defaulted Tax Program) of Appendix C (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.

Proposers shall be required to certify that they are in full compliance with the provisions of the Defaulted Tax Program and shall maintain compliance during the term of any contract that may be awarded pursuant to this solicitation or shall certify that they are exempt from the Defaulted Tax Program by completing Exhibit 20 (Certification of Compliance with the County's Defaulted Property Tax Reduction Program) in Appendix D (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-compliant Contractor (County Code, Chapter 2.202).

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

8.19 Time Off for Voting

The Contractor shall notify its employees, and shall require each Subcontractor to notify and provide to its employees, information regarding the time off for voting law (Elections Code Section 14000). Not less than ten (10) days before every statewide election, every Contractor and Subcontractors shall keep posted conspicuously at the place of work, if practicable, or elsewhere where it can be seen as employees come or go to their place of work, a notice setting forth the provisions of Section 14000.

8.20 Proposer's Acknowledgment of County's Commitment to Zero Tolerance Policy on Human Trafficking

On October 4, 2016, the Board approved a motion taking significant steps to protect victims of human trafficking by establishing a zero tolerance policy on human trafficking. The policy prohibits Contractors engaged in human trafficking from receiving contract awards or performing services under a County contract.

Contractors are required to complete Exhibit 21 (Zero Tolerance Policy on Human Trafficking Certification) in Appendix D (Required Forms), certifying that they are in full compliance with the County's Zero Tolerance Policy on Human Trafficking provision as defined in Section 8.54 (Compliance with County's Zero Tolerance Policy on Human Trafficking) of Appendix C (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.

9.0 County's Preference Programs

9.1 Overview of County's Preference Programs

1. The County has three preference programs. The Local Small Business Enterprise (“**LSBE**”), Disabled Veterans Business Enterprise (“**DVBE**”) and Social Enterprise (“**SE**”). The Board encourages business participation in the County's contracting process by continually streamlining and simplifying its selection process and expanding opportunities for these businesses to compete for County opportunities.
2. The Preference Programs (LSBE, DVBE and SE) require that a business must complete certification prior to requesting a preference in a solicitation. This program and how to obtain certification are further explained in Section 9.2, paragraph 6.2, 9.4 and 9.5 of this solicitation.
3. In no case shall 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.
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.
5. The County also has a Policy on Doing Business with Small Business that is stated in Appendix F.

9.2 Local Small Business Enterprise (LSBE) Preference Program

1. The County will give LSBE preference during the VSAP Solicitation to businesses that meet the definition of a LSBE, consistent with Chapter 2.204.030C.1 of the County Code. An LSBE is defined as a business: 1) certified by the State of California as a small business and has had its principal place of business located in the County for at least one year; or 2) certified as a small business enterprise with other certifying agencies pursuant to the Department of Consumer and Business Affairs's (“**DCBA**”) inclusion policy that: a) has its principal place of business located in the County and b) has revenue and employee sizes that meet the State's Department of General Services requirements. The business must be certified by the Department of Consumer and Business Affairs as meeting the requirements set forth above prior to requesting the LSBE Preference in a solicitation.
2. To apply for certification as an LSBE, businesses should contact the Department of Consumer and Business Affairs at <http://dcba.lacounty.gov>
3. Certified LSBEs may only request the preference if the certification process has been completed and certification is affirmed. Businesses must complete and submit Exhibit 7, Request for Preference Program Consideration in Appendix D — Required Forms and submit a letter of certification from the DCBA with their Proposal.
4. Information about the State's small business enterprise certification regulations is in the California Code of Regulations, Title 2, Subchapter 8, Section 1896 et seq., and is also available on the California Department of General Services Office of Small Business Certification and Resources Web site at <http://www.pd.dgs.ca.gov/smbus/default>.

9.3 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.

9.4 Social Enterprise (SE) Preference Program

1. The County will give preference during the solicitation process to businesses that meet the definition of a SE, consistent with Chapter 2.205 of the County Code. A SE is defined as:
 - a. A business that qualifies as a SE and has been in operation for at least one year (1) providing transitional or permanent employment to a Transitional Workforce or providing social, environmental and/or human justice services.
 - b. A business certified by the Department of Consumer and Business Affairs (DCBA) as a SE.
2. The DCBA shall certify that a SE meets the criteria set forth above.
3. Certified SEs may only request the preference if the certification has been completed and certification is affirmed. Businesses must complete and submit Exhibit 7, Request for Preference Program Consideration in Appendix D — Required Forms and submit a letter of certification from the DCBA with their Proposal.
4. Further information on SEs also available on the DCBA's website at: <http://dcba.lacounty.gov>

9.5 Disabled Veteran Business Enterprise (DVBE) Preference Program

1. The County will give preference during the solicitation process to businesses that meet the definition of a DVBE, consistent with Chapter 2.211 of the County Code. A DVBE vendor is defined as:
 - a. A business which is certified by the State of California as a DVBE.
 - b. A business which is verified as a service-disabled veteran-owned small business (SDVOSB) by the Veterans Administration.
 - c. A business certified as DVBE with other certifying agencies pursuant to the Department of Consumer and Business Affairs' (DCBA) inclusion policy that meets the criteria set forth by the agencies in a and b above.
2. The DCBA shall certify that a DVBE is currently certified by the State of California, by the U.S. Department of Veteran Affairs, or is determined by the DCBA' inclusion policy that meets the criteria set forth by the agencies in Section 9.5.1, a or b above.
3. Certified DVBEs may only request the preference if the certification process has been completed and certification is affirmed. Businesses must complete and submit Exhibit 7, Request for Preference Program Consideration in Appendix D — Required Forms and submit a letter of certification from the DCBA with their Proposal.

4. Information about the State's DVBE certification regulations is found in the California Code of Regulations, Title 2, Subchapter 8, Section 1896 et seq., and is also available on the California Department of General Services Office of Disabled Veteran Business Certification and Resources Website at <http://www.dgs.ca.gov/pd/Home.aspx>
5. Information on the Department of Veteran Affairs SDVOSB certification regulations is found in the Code of Federal Regulations, 38CFR 74 and is also available on the Department of Veterans Affairs Website at: <http://www.vetbiz.gov/>

10.0 Appendices

The following appendices are included with this RFP Phase 2 — Proposal Evaluation and Contractor Selection:

- Appendix A. Statement of Work
- Appendix B. Statement of Work Exhibits
- Appendix C. Sample Contract
- Appendix D. Required Forms
- Appendix E. Transmittal Form to Request a Solicitation Requirements Review
- Appendix F. County of Los Angeles Policy on Doing Business with Small Business
- Appendix G. Jury Service Ordinance
- Appendix H. Listing of Contractors Debarred in Los Angeles County
- Appendix I. IRS Notice 1015
- Appendix J. Safely Surrendered Baby Law
- Appendix K. Living Wage Ordinance (Intentionally Omitted)
- Appendix L. Determination of Contractor Non-Responsibility and Contractor Debarment
- Appendix M. Guidelines for Assessment of Proposer Labor Law/Payroll Violations
- Appendix N. Background and Resources — California Charities Regulation (Intentionally Omitted)
- Appendix O. Defaulted Property Tax Reduction Program
- Appendix P. Glossary and Acronyms