



REQUEST FOR PROPOSALS

FOR

CENSUS UNDERCOUNT ANALYSIS SERVICES

FOR THE

LOS ANGELES CITY COUNCIL REDISTRICTING COMMISSION

ISSUED BY

LOS ANGELES CITY COUNCIL REDISTRICTING COMMISSION

Request for Proposals
Census Undercount Analysis Services
for the
Los Angeles City Council Redistricting Commission

DATE ISSUED: May 27, 2021

TITLE: Census Undercount Analysis Services

DESCRIPTION: A statistical analysis of the 2020 Census enumeration in the City of Los Angeles to ascertain the possible undercounting of City residents.

**DEADLINE FOR
SUBMITTING
PROPOSAL:** June 21, 2021
5:00 P.M. (Pacific Time)

**PROPOSAL
DELIVERY
ADDRESS:** Los Angeles City Hall
200 N. Spring Street, Room 275
Los Angeles, CA 90012
Attention: Frank Cardenas

**TELEPHONIC
ASSISTANCE:** Frank Cardenas
(213) 220-4444

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LOS ANGELES CITY COUNCIL REDISTRICTING COMMISSION**

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**LOS ANGELES CITY COUNCIL REDISTRICTING COMMISSION
REQUEST FOR PROPOSALS FOR
CENSUS UNDERCOUNT ANALYSIS SERVICES**

1. INTRODUCTION

Once every ten years following the federal census, in a process known as redistricting, the City of Los Angeles (“City”) adjusts the boundary lines of the fifteen council districts of the City. The City Charter vests the task of redistricting with the Los Angeles City Council Redistricting Commission (“Commission”); an appointed, 21-member body charged with the responsibility of designing new, recommended boundaries of council districts.

The Commission’s Core Purpose is to independently draw proposed council district boundaries based on census data that will allocate constituents proportionately while also accounting for the unique histories, experiences and interests of communities, such that those interests will have the highest probability of being served by elected representatives and the City.

Boundaries for the council districts must be made as equal in population as possible and practicable so that communities have equal access to political representation. How and where districts are drawn can shape communities' ability to elect the representatives of their choice. The testimony and input of the residents of the City is critical to creating a redistricting plan that provides fair and effective representation for all residents of the City.

The Commission has further adopted the following Vision and Core Values to inform and drive its fulfillment of its legal responsibilities and its Core Purpose:

Vision: To strengthen the governance of the City by empowering its communities to have their diverse needs served through fair and inclusive representation.

Core Values:

- | | |
|----------------|---------------------|
| • Equity | • Dignity |
| • Integrity | • Data-driven |
| • Transparency | • Solution-oriented |
| • Respect | • Interdependence |
| • Compassion | |

In keeping with its stated Core Purpose, Vision and Core Values, and in order to accomplish its charge under the Charter and applicable laws, the Commission has identified a need for technical assistance in ascertaining the possibility that City residents were not adequately counted in the 2020 Census enumeration. The City therefore wishes to engage the services of one or more qualified contractors to provide Undercount Analysis Consulting Services for the Commission. Respondents to this Request for Proposals (“Proposers”) should demonstrate a history of successful service to other clients, preferably with experience in providing this service to other government entities.

The City’s intent is to enter into a contract with one or more selected Proposers for a term of four months, with additional one month options. **Even those contractors having current contracts with the City must respond to this Request for Proposals (“RFP”), and be selected, in order to continue their work for the City beyond the termination date of their current contracts.**

This RFP specifies the need for each Proposer to provide background information such as experience and qualifications. Proposers must submit written proposals in accordance with the requirements set forth in this document. Otherwise, a proposal may be judged non-responsive and removed from further consideration.

The primary location of the Commission is at Los Angeles City Hall, 200 N. Spring Street, Room 275, Los Angeles, CA 90012.

All forms referred to in this RFP are available at www.labavn.org. Please go to www.labavn.org to register and to complete the necessary forms for replying to this RFP.

Questions regarding this RFP shall be submitted by e-mail only and directed to Frank Cardenas at: frank.cardenas@lacity.org.

Proposers must register on the City of Los Angeles Business Assistance Virtual Network (LABAVN) at www.labavn.org in order to complete the proposal process and receive changes to the RFP.

1.A Request for Proposal (RFP) Schedule

This schedule indicates estimated dates for the RFP and contracting process. The City reserves the right to adjust this schedule as necessary.

Date	Event
May 27, 2021	Release RFP to potential Proposers
June 21, 2021	RFP RESPONSES DUE
June 21-24, 2021	RFP evaluations
June 22, 2021	Interviews, if any
June 29, 2021	Execute contract(s)

1.B Pre-Award Negotiations

Prior to award of the contract(s), the successful vendor(s) may be required to attend negotiation meetings. The purpose of the meeting(s) will be to discuss and negotiate contract requirements, prices, service level agreements, detailed scope of work specifications, ordering, invoicing, delivery, receiving and payment procedures, etc., in order to insure successful administration of the contract.

1.C Contractor Evaluation Program

When the initial term of the contract has concluded pursuant to this RFP, the City will conduct an evaluation of the contractor's

performance. The City may also conduct evaluations of the contractor's performance during the term of the contract. As required by Section 10.39.2 of the Los Angeles Administrative Code, evaluations will be based on a number of criteria, including the quality of the work product or service performed, the timeliness of performance, financial issues, and the expertise of personnel that the contractor assigns to the contract. A contractor who receives a "Marginal" or "Unsatisfactory" rating will be provided with a copy of the final City evaluations and allowed 14 calendar days to respond. The City will use the final City evaluation, and any response from the contractor, to evaluate proposals and to conduct reference checks when awarding other service contracts.

2. SERVICES TO BE PROVIDED

The Contractor will provide professional and technical services to the Commission, the Commission's staff, and other contractors as directed by the Commission.

The Commission seeks proposals from qualified demographers and statisticians redistricting that demonstrate their skills, experience, and qualifications as well as their approach, methods, and procedures to meet the demands of the responsibilities and deliverables in this RFP.

1. Contractor Responsibilities

Proposers must provide information that enables the Commission to substantiate that the Proposer has the minimum skills, experience, and resources as outlined in Section 4.A below, to successfully accomplish the services required by this Section 2 on an as-needed basis.

- a. Using appropriate statistical tools which may include, but not be limited to, modeling, surveys, administrative records review and analysis, information from the Census Bureau and other parties concerning the 2020 enumeration generally and in Los Angeles specifically, demographic analysis, dual-system analysis, and enumeration quality indicators, response-rate analysis, No-Response Follow-Up, Census Unedited File analysis, Census Edited File analysis, regression analysis and bias presence and correlation,. Proposers must develop an analytical report describing any factors indicating the possibility that the Census 2020 enumeration may not

be likely to result in an accurate counting of City residents.

- b. Professionalism and Collaboration: Proposer, Proposer's staff, and subcontractors (if any), must comport themselves at all times in a professional and respectful manner when interacting with the Commission (individually or collectively), their staff, the public, and the Commission's legal counsel and other contractors. Proposer and Proposer's staff and subcontractors (if any) will work collaboratively with the Commission, its staff, and the Commission's other contractors.
- c. Staff Support: It is the responsibility of the Proposer to ensure sufficient staffing to support the Commission's redistricting effort and to meet the objectives of the RFP.
- d. Work Plans: Work plans will be required throughout the term of the contract and will be developed in collaboration between the Proposer and the Commission. The course of work and deliverables are required to be provided as mutually agreed upon in writing by the Proposer and the Commission.
- e. Progress Reports: The Contractor shall provide progress reports on a scheduled or as-needed basis as determined by the Commission. This may be in the form of a progress schedule of reports, meetings on a regular basis, and/or a Final Summary Report once the project is completed. Any request for a written or verbal report must be acknowledged within twenty-four (24) hours of the request.
- f. Timely Invoices for Services: Accounting staff shall be available during regular business hours to discuss the progress of invoices, assist in resolving invoice issues, and to provide documentation regarding billable services.
- g. Proposer's Statements of Responsibilities: Proposer's responses to all items under this Section 2 shall be included within the executed agreement.

2. Commission Responsibilities

- a. Commission Oversight. The Commission's Executive Director, with

oversight by the Commission, will be assigned to this project and, along with other key Commission personnel, will directly supervise and work with the Proposer as active participants to provide project continuity at the operating level.

- b. In-Process Review. The Commission may, at its sole discretion, assign an individual, individuals, or entity to provide an independent evaluation of analysis or report being submitted by the Proposer to the Commission for its consideration. The individual, individuals, or entity will be considered a separate consultant to the Commission and the Proposer must provide unfettered access to any completed report and their respective supporting documentation during any phase of the redistricting process.

3. EVALUATION CRITERIA

The retention by the Commission of any entity submitting a proposal shall be based upon the following criteria. Each proposal will be reviewed, evaluated and assigned a score under the criteria below. The highest scoring applicants, based on their scores from criteria 3.A, 3.B, 3.C and 3.E, may be invited to interview.

3.A Record of Past Experience - 25%

3.B Capacity to Perform (meets or exceeds Minimum Requirements and Desirable Qualifications described in Section 4.A Qualifications of the Proposer.) - 35%

3.C Pricing - 20%

3.D Interview - 15%

3.E References – 5%

The appropriate Commission staff will review all submitted proposals. Thereafter, Commission staff may schedule interviews with selected Proposers. Interviews are typically conducted in person at our Office. Interviews may be conducted telephonically or synchronous video, if necessary.

4. QUALIFICATIONS OF THE PROPOSER

4.A Minimum Qualifications

Proposers must provide information that enables the Commission to substantiate that the Proposer has the minimum skills, experience and resources to successfully accomplish the services required by this RFP. Proposers are therefore required to include in their proposal a Statement of Understanding of the Problem and Methodological Approach to the Undercount Analysis as set forth in 5.C below.

4.B Desirable Qualifications

If applicable, the Proposer should select three (3) of similar projects and provide further information for these three “reference” projects. For each reference project the Proposer should provide a contact name, address, and phone number for a principal member of the reference project. (The contact person must be an individual in a senior capacity who was directly involved in drawing the lines and must be available by phone for two business days after the Proposal opening).

5. CONTENT OF RESPONSE

5.A Cover Letter

Each response to this RFP must be accompanied by a cover letter that contains a general statement of the purposes for submission and include the following information:

5.A.1 Name, address, telephone number, and legal business status (individual, limited liability partnership, corporation, etc.) of the Proposer.

5.A.2 Name, title, address and telephone number of the person or persons authorized to represent the Proposer in contract negotiations with the Commission with respect to the RFP and any subsequently awarded contract. The cover letter shall also indicate any limitation of authority for the person named.

5.A.3 A representative or officer of the Proposer must sign the cover letter.

5.A.4 That representative shall have been authorized to bind the candidate to all provisions of the RFP, any subsequent changes and to the contract, if an award is made.

5.A.5 All of the signatures referenced above must be submitted as originals and signed in black or blue ink.

5.B Additional Content

5.B.1 A list of current references that includes:

- Client's name and address;
- Contact person;
- Title of contact person;
- Telephone number;
- Dates of services provided;
- Brief description of work completed for the client; and
- A statement of express permission for the City to contact identified previous customer and request information on the performance of the Proposer.

5.B.2 Number of qualified employees who will be performing the work. Explanation of qualifications.

5.B.3 Length of tenure of each qualified employee who will be performing the work.

5.B.4 Disclose whether the firm, or individuals with the firm, have received a suspension, revocation, or disciplinary action from any government entity, which would affect a license to perform the services required by this RFP.

5.C Statement of Understanding of the Problem and Methodological Approach to the Undercount Analysis

5.C.1 The Proposer must demonstrate in its Statement of Understanding of the Problem and Methodological Approach to the Undercount Analysis its facility and experience with the methods used to measure adequacy of coverage in census enumerations as described in the following:

Two principal methods are used to measure adequacy of coverage in census enumerations. One method derives coverage estimates from post-enumeration surveys using dual system estimation. The other method is called Demographic Analysis (DA). DA represents a macro-level approach, where population estimates are developed for the census date by aggregating various types of demographic data.

Demographic analysis is a technique used to develop an understanding of the age, sex, and racial composition of a population and how it has changed over time through the basic demographic processes of birth, death, and migration. Demographic Analysis (usually abbreviated as DA) also refers to a specific set of techniques for developing national population estimates by age, sex, and race from administrative records to be used to assess coverage in the decennial census. The DA estimates are used to produce estimates of net coverage error, which are calculated as the percent difference between the DA estimates and the census counts.

The DA population estimates are constructed using vital statistics records on births and deaths, estimates of net international migration, and Medicare enrollment data (for the population aged 75 and over). Traditionally, the DA estimates have been produced by sex and single year of age for the race categories Black and non-Black. Starting in 2010, the DA program produces estimates by Hispanic origin (Hispanic/Non-Hispanic) for a limited number of ages. New data sources, changes in the racial and ethnic make-up of the nation, and evolving patterns of international migration present both challenges and opportunities for DA.

The DA program uses current and historical vital records, data on international migration, and Medicare records to produce national estimates of the population on April 1, 2020 by age, sex, the DA race categories, and Hispanic origin. The results will be compared to the census counts to evaluate net coverage error.

The Dual System Estimation is implemented in Post-Enumeration Survey (PES) to estimate the True Population of persons in households. The Chandrasekaran-Deming estimator, assuming independence, is expressed as follows:

$$\hat{N}_{++} = \hat{N}_{+1} \left(\frac{\hat{N}_{1+}}{\hat{N}_{11}} \right)$$

This statistically representative, independent survey is conducted after major census operations are finished; the results are then matched, household by household, with the original census results, to determine how many people were missed, counted twice, or counted in the wrong place. Those findings are then applied to demographically similar census blocks across the country to derive broader estimates of undercounts and overcounts. The survey specifics and title have changed each decade since 1980, but the underlying methodology remains the same. The PES produces accuracy estimates by race and ethnicity, age cohorts, gender, and housing tenure (owner vs. renter), as well as for key census operations, such as bilingual mailing and Update/Enumerate areas. The measures are available for the nation, states, and large cities and counties. However, no State had a net under/overcount that was statistically different from zero in 2010. In general, accuracy figures below the national level should be cited with caution, if at all, because of PES sample size limitations.

5.C.2 The Proposer must demonstrate in its Statement of Understanding of the Problem and Methodological Approach to the Undercount Analysis its facility and experience with the phenomenon of Differential Undercount as described in the

following:

The Differential Undercount has been described as the gap between census accuracy for non-Hispanic Whites and for all other race groups, between low- and high-income households, is called the differential undercount.

If the census missed relatively equal percentages of people in all communities and demographic groups — urban, suburban, and rural; poor and wealthy; predominantly White and predominantly Black or Latino; young children and seniors — the result might not be 100% accurate, but at least it would be satisfactory for key purposes for which census figures are used.

Demographic analysis and Post-Enumeration Surveys both show that the census misses racial and ethnic minorities, low-income households (indicated by the proxy of homeowner vs. renter), and children (especially ages 0-4), at disproportionately high rates.

In 2000 and 2010, non-Hispanic Whites were actually overcounted, according to the bureau's analysis. The gap between census accuracy for non-Hispanic Whites and for all other race groups, between low- and high-income households, is called the differential undercount.

For example, based on the PES results, the 2010 Census missed 2.06 percent of the Non-Hispanic Black population. It also overcounted the Non-Hispanic White population by 0.83 percent. Therefore, the differential undercount was about three percent.

5.C.3 The Proposer must demonstrate in its Statement of Understanding of the Problem and Methodological Approach to the Undercount Analysis its facility and experience with quality indicators can be used to assess the performance of the 2020 Census operations and their impact on quality as described in the following:.

1. Self-Response Data Collection – the Census Bureau has released extensive response rate data on self-response rates for a number of geographic levels including state, county, cities, townships, and census tracts. It is widely recognized that self-response from the household provides the most accurate data, and low self-response is a predictor that an area will be hard-to-enumerate.
2. Field Data Collection – quality measures can be calculated for each of the census field operations. For illustrative purposes, NRFU data that will be available before apportionment counts are released are considered here. Two types of quality indicators that can be produced for NRFU are: (1) indicators based on the outcome of the actual NRFU enumeration, and (2) indicators based on the NRFU process (referred to as paradata).
 - a. NRFU enumeration outcome measures include the final result of how each NRFU housing unit was enumerated. These metrics should be calculated for census tracts, counties, and states, which would allow analysis of the variation across areas. Indicators include, but are not limited to:
 - Percentage enumerated by proxy, excluding vacant and non-existing housing units
 - Percent of enumerations that are pop-count-only
 - Percentage enumerated using administrative records
 - Percentage missing critical information, such as Name or Date of Birth
 - Percentage of addresses in the entire NRFU universe, including vacant and nonexistent HUs identified in the NRFU process, that were obtained during the Closeout phase
 - Percent of addresses that were unresolved after data collection concludedVacant and non-existing housing unit enumeration:
 - Percent of NRFU addresses that are enumerated as vacant housing units

- Percent of NRFU vacant housing unit enumerations obtained from administrative records
- Percent of NRFU addresses that are enumerated as nonexistent.
- Percent of NRFU nonexistent housing unit enumerations obtained from administrative records
- Vacancy rate calculated based on the total number of occupied and vacant addresses (can this be compared to the ACS given the pandemic)

b. NRFU process indicators (sometimes referred to as paradata) offer further information about the field data collection. Paradata includes information on how the NRFU operation was conducted and would include such information as the number of attempts made to enumerate each NRFU case or the number of times an enumerator received a refusal. Another example would be whether the household was not enumerated because of a refusal or a non-contact. It is important to assess the variation in such paradata across census tracts as well as to assess any clustering effects for particular areas. Paradata should be summarized by census tract, which would allow for analysis for a wide range of geographic areas.

3. Post-Data Collection Processing – the post-data collection processing starts with an input of the data collection files (both self-response and in-field) and performs a number of edits and quality checks to produce the redistricting data. The first file created during this process is the Census Unedited File (CUF), which is used to produce the apportionment counts. This file is then improved through additional edits and quality checks to produce the Census Edited File (CEF), which is used to produce the redistricting data.

a. CUF Quality Indicators are available before the apportionment counts are released. These data could be used to calculate the percent of the total records for areas such as census tracts, counties, or states and include:

- Percent of addresses
- Percent of records identified as duplicate enumerations across different
- Percent of records that do not contain sufficient information for deduplication records that required status or count imputation
- Percent of person records created by count imputation
- Percent of records that will require whole person imputation
- Percent of records missing a complete name (first and last)
- Percent of records from administrative records
- Percent of administrative records lacking complete names or date of birth

b. CEF Quality Indicators are available before the redistricting data are released. These data could be used to calculate the percent of the total records for areas such as census tracts, counties, or states and include:

- Percent of whole person imputations
- Percent of records that required item imputation for Race, Hispanic Origin, Sex, and Age respectively.
- Percent of records missing date of birth
- Demographic breakdown of households enumerated by administrative records

5.D Project Personnel

5.D.1 Resumés

A completed resumé is required for each contract participant, including subcontractors, who will exercise a major administrative role or major policy or consultant as identified by

the contractor. The resumés shall be attached to the contract for public record and made a part of the contract as Exhibit _____. The Commission, in its sole discretion, reserves the right to reject any individual proposed to be assigned to the engagement.

5.D.2 Relevance of Contribution

Resumés must specify project experience illustrating that the Proposer, Proposer's staff and/or Proposer's sub-contractor (if any) have knowledge and/or expertise in the area of Census data analysis, including enumeration undercount analysis. Include a list of all personnel and their assigned role and responsibility as related to participating in this engagement.

- 5.D.3** The Proposer should list any prospective subcontractors it plans to use in performing the work, including a listing of the individuals the subcontractor proposes to assign to the engagement and the location where the work will be performed. The Commission, in its sole discretion, reserves the right to reject subcontractors proposed by the Proposer. Subcontractors, if used, shall be subject to all terms, conditions, and qualifications required by this RFP.

5.E Cost Breakdown

- The proposal must include a fee schedule for all services and an explanation of such fees. Any service costs, such as research work time, copy fees, obtaining case files, etc., shall be specified. Proposers are encouraged to provide a detailed fee schedule for all services they provide. Proposals may not include hourly rates for travel time.
- Upon award of contract, invoices which contain charges or services not authorized under the contracted fee schedule attached to the executed contract will be disapproved.
- The Commission's anticipated range for the services specified herein is \$50,000-\$60,000, with a maximum budget of \$60,000. In

the event the Proposer identifies tasks that require additional funding, please present them as options.

5.F City Contracts Held Within the Last 10 Years:

Please list all of the City contracts held by the respondent within the last 10 years. In addition, please specify the following information:

- The City entity or department that administered the contract;
- The contract number;
- The dollar amount of the contract;
- Date and periods during which the contract was in effect; and
- A short description of the services provided.

5.G Conflict and Impartiality Statement

The Commission's Conflict and Impartiality Statement, as described in Section 9, is required to be completed by the Proposer.

6. MANDATORY CITY CONTRACTING REQUIREMENTS

6.A Sections 6.A.1 through 6.A.19 describe mandatory requirements for contracting with the City of Los Angeles. Please access more detailed Information and forms which must be completed by the Proposer at www.labavn.org. Please note that, in addition to being completed and submitted with your proposal, several of these documents must also be completed and uploaded to labavn.org.

6.A.1 Business Inclusion Program Outreach

It is the policy of the City to provide Minority Business Enterprises (MBEs), Women Business Enterprises (WBEs), Small Business Enterprises (SBEs), Emerging Business Enterprises (EBEs), Disabled Veteran Business Enterprises (DVBES), and all Other Business Enterprises (OBEs) an equal

opportunity to participate in the contractual process. All respondents are strongly encouraged to

make an effort to include members of these groups in any subcontracting work to be performed if awarded the contract.

6.A.2 Local Business Preference Program

The Local Business Preference Program Ordinance (Los Angeles Administrative Code Section 10.47) establishing the Local Business Preference Program for the City's procurement of goods, equipment and services, including construction, when the contract involves an expenditure in excess of \$150,000.00 is available alongside this Request For Proposals on www.labavn.org. If you are qualified or can be provisionally qualified as a Local Business please indicate that in your proposal.

Participation Criteria for Local Business Preference Program

To be eligible for participation in this program, the Bureau of Contract Administration ("BCA") requires that the prospective local business submit an affidavit attesting as such on the LABAVN website. An affidavit form is available to be downloaded on the LABAVN website at www.labavn.org. Determination of qualification as a local business by any other entities, other than BCA, or by any other means other than submission of an affidavit on LABAVN shall not be accepted for purposes of participation in the LBPP. Affidavit forms are prioritized according to the date they are received. The local business must be listed on LABAVN as such prior to the proposal deadline in order to participate in the LBPP. In cases where the affidavit was submitted prior to the proposal deadline but has not been verified by BCA and the local business designation would result in a change of award recommendation, status as a local business will be based on the date it was submitted.

6.A.3 Information on Business Locations and Workforce

It is the policy of the City of Los Angeles to encourage businesses to locate or remain in the City. Therefore, the Los Angeles City Council requires all City departments to gather information on the headquarters address and certain information on the employees of the firms contracting with the City (Council File No.92-0021). The following information is to be included in each proposal:

The headquarters address of respondent's firm and the total number of people employed by the firm, regardless of work location;

The percentage of the respondent's total work force employed within the City of Los Angeles and the percentage residing within the City; and

The address of any branch offices located within the City of Los Angeles and the total number employed in each Los Angeles branch office, the percentage of the work force in each Los Angeles branch office that is employed within the City, and the percentage residing within the City.

6.A.4 Statement of Non-Collusion

With each response, Non-Collusion Affidavit shall be submitted and signed by the respondent under penalty of perjury stating that:

- The response is genuine, not a sham or collusive;
- The response is not made in the interest or on behalf of any person not named therein;
- The respondent has not directly or indirectly induced or solicited any person to submit a false or sham response or to refrain from responding; and
- The respondent has not in any manner sought by collusion to secure an advantage over any other respondent.

6.A.5 Non-Discrimination, Equal Employment Practices and Affirmative Action Policies

Bidders/Proposers are advised that any contract awarded pursuant to this procurement process shall be subject to the applicable provisions of Los Angeles Administrative Code Section 10.8.2., Non-discrimination Clause.

Non-construction services to or for the City for which the consideration is \$1,000.00 or more shall comply with the provisions of Los Angeles Administrative Code Sections 10.8.3, Equal Employment Practices Provisions.

Non-construction services to or for the City for which the consideration is \$100,000.00 or more shall comply with the provisions of Los Angeles Administrative Code Sections 10.8.4., Affirmative Action Program Provisions.

6.A.6 Child Support Assignment Orders

Respondents are advised that any contract awarded pursuant to this RFP will be subject to the applicable provisions of Los Angeles Administrative Code Section 10.10., Child Support Assignment Orders.

6.A.7 Service Contract Worker Retention and Living Wage Ordinances

Unless approved for an exemption, contractors under contracts primarily for the furnishing of services to or for the City and that involve an expenditure or receipt in excess of \$25,000.00 and a contract term of at least three months, lessees and licensees of City property, and certain recipients of City financial assistance, shall comply with the provisions of Los Angeles Administrative Code Sections 10.37 *et seq.*, Living Wage Ordinance (LWO) and 10.36 *et seq.*, Service Contractor Worker Retention Ordinance (SCWRO). Bidders/Proposers shall refer to attached "SCWRO/LWO.pdf"

for further information regarding the requirements of the Ordinances.

Bidders/Proposers who believe that they meet the qualifications for one of the exemptions described in the LWO List of Statutory Exemptions shall apply for exemption from the Ordinance by submitting with their proposal the Bidder/Contractor Application for Non-Coverage or Exemption (Form OCC/LW-10), or the Non-Profit/One-Person Contractor Certification of Exemption (OCC/LW-13).

Please direct any questions about compliance forms and Social Policy Ordinances to the City's Bureau of Contract Administration by phone at (213) 847-2625 or by email at bca.eeoe@lacity.org.

6.A.8 Equal Benefits Ordinance and First Source Hiring Ordinance

Bidders/Proposers are advised that any contract awarded pursuant to this procurement process shall be subject to the applicable provisions of Los Angeles Administrative Code Section 10.8.2.1, Equal Benefits Ordinance (EBO).

All Bidders/Proposers shall complete and **upload** the Equal Benefits Ordinance Affidavit (EBO/FSHO Compliance) available on the LABAVN website at www.labavn.org prior to award of a City contract valued at \$5,000.00. The Equal Benefits Ordinance Affidavit shall be effective for a period of twelve months from the date it is first uploaded onto the LABAVN website. Bidders/Proposers do not need to submit supporting documentation with their bids or proposals. However, the City may request supporting documentation to verify that the benefits are provided equally as specified on the Equal Benefits Ordinance Affidavit.

Bidders/Proposers seeking a waiver from the requirements of EBO shall visit the Bureau of Contract Administration's web site a www.bca.lacity.org and download the form. The EBO Waiver Request Form must be returned with the bid/proposal.

Unless approved for an exemption, contractors under contracts primarily for the furnishing of services to or for the City, the value of which is in excess of \$25,000.00 and a contract term of at least three months, and certain recipients of City Loans or Grants, shall comply with the provisions of Los Angeles Administrative Code Sections 10.44 *et seq.*, First Source Hiring Ordinance (FSHO). The First Source Hiring Ordinance Compliance Affidavit (EBO/FSHO Compliance), shall only be required of the Bidder/Proposer that is selected for award of a contract. If required, Contractors shall complete and upload the First Source Hiring Ordinance Affidavit available on the LABAVN website at www.labavn.org prior to execution of a contract.

Please direct any questions about compliance forms and Social Policy Ordinances to the City's Bureau of Contract Administration by phone at (213) 847-2625 or by email at bca.eeoe@lacity.org.

6.A.9 Americans with Disabilities Act

The City is a covered entity under Title II of the Americans with Disabilities Act, 42 U.S.C.A. Section 12131 *et seq.* Respondents awarded a contract through this RFP must comply with the Americans with Disabilities Act and execute a certification regarding compliance with the Americans with Disabilities Act prior to the execution of a contract.

Please direct any questions about compliance forms and Social Policy Ordinances to the City's Bureau of Contract Administration by phone at (213) 847-2625 or by email at bca.eeoe@lacity.org.

6.A.10 Contractor Responsibility Ordinance

Every Request for Proposal, Request for Bid, Request for Qualifications or other procurement process is subject to the provisions of the Contractor Responsibility Ordinance, Section 10.40 *et seq.*, of Article 14, Chapter 1 of Division 10 of the

Los Angeles

Administrative Code, unless exempt pursuant to the provisions of the Contractor Responsibility Ordinance.

This Contractor Responsibility Ordinance requires that all respondents complete and return, with their response, the responsibility questionnaire for service contracts. Failure to return the completed questionnaire may result in the response being deemed non-responsive. The Contractor Responsibility Ordinance also requires that if a contract is awarded pursuant to this procurement, that the contractor must update responses to the questionnaire, within 30 calendar days, after any changes to the responses previously provided if such change would affect contractor's fitness and ability to continue performing the contract. Pursuant to the Contractor Responsibility Ordinance, by executing a contract with the City, the contractor pledges, under penalty of perjury, to comply with all applicable federal, state and local laws in performance of the contract, including but not limited to laws regarding health and safety, labor and employment, wage and hours, and licensing laws which affect employees. Further, the Contractor Responsibility Ordinance requires each contractor to: (1) notify the awarding authority within 30 calendar days after receiving notification that any governmental agency has initiated an investigation which may result in a finding that the contractor is not in compliance with Section 10.40.3 (a) of the Contractor Responsibility Ordinance; and (2) notify the awarding authority within 30 calendar days of all findings by a government agency or court of competent jurisdiction that the contractor has violated Section 10.40.3 (a) of the Contractor Responsibility Ordinance.

Please direct any questions about compliance forms and Social Policy Ordinances to the City's Bureau of Contract Administration by phone at (213) 847-2625 or by email at bca.eeoe@lacity.org.

6.A.11 Slavery Disclosure Ordinance

Unless otherwise exempt, in accordance with the provisions of the Slavery Disclosure Ordinance (“SDO”), any contract awarded pursuant to this RFB/RFP/RFQ will be subject to the Slavery Disclosure Ordinance, Section 10.41 of the Los Angeles Administrative Code.

All Bidders/Proposers shall complete and **upload**, the Slavery Disclosure Ordinance Affidavit available on the LABAVN website at www.labavn.org prior to award of a City Contract.

Bidders/Proposers seeking a waiver from the requirements of the SDO shall visit the Bureau of Contract Administration’s web site at www.bca.lacity.org and download the form. The SDO Exemption Form (OCC/SDO-2) must be returned with the bid/proposal.

Please direct any questions about compliance forms and Social Policy Ordinances to the City’s Bureau of Contract Administration by phone at (213) 847-2625 or by email at bca.eeoe@lacity.org.

6.A.12 Bidder Certification – CEC Form 50

A bidder who submits a response to this solicitation (bidders) must submit with its proposal a completed CEC Form 50 acknowledging that the bidder agrees to comply with the disclosure requirements and prohibitions established in the Municipal Lobbying Ordinance, attached, if the bidder qualifies as a lobbying entity under Los Angeles Municipal Code Section 48.02 (exemptions in Los Angeles Municipal Code Section 48.03 and Los Angeles Administrative Code Section 10.40.4 do not apply). A response submitted without a completed CEC Form 50 shall be deemed nonresponsive.

6.A.13 Bidder Contributions - CEC Form 55 - City Charter Sections 470(c)(12)

A person who submits a response to this solicitation (bidders) is subject to Charter section 470(c)(12) and related ordinances. As a result, a bidder may not make campaign

contributions to and or engage in fundraising for certain elected City officials or candidates for elected City office from the time the bidder submits the response until either the contract is approved or, for a successful bidder, 12 months after the contract is signed. The bidder's principals and subcontractors performing \$100,000.00 or more in work on the contract, as well as the principals of those subcontractors, are also subject to the same limitations on campaign contributions and fundraising.

Bidders must submit CEC Form 55 to the awarding authority at the same time the response is submitted. The form requires bidders to identify their principals, their subcontractors performing \$100,000.00 or more in work on the contract, and the principals of those subcontractors. Bidders must also notify their principals and subcontractors in writing of the restrictions and include the notice in contracts with subcontractors. Responses submitted without a completed CEC Form 55 shall be deemed nonresponsive. Bidders who fail to comply with City law may be subject to penalties, termination of contract, and debarment. Additional information regarding these restrictions and requirements may be obtained from the City Ethics Commission at (213) 978-1960 or ethics.lacity.org.

6.A.14 Iran Contracting Act of 2010

In accordance with California Public Contract Code Sections 2200-2208, all bidders submitting proposals for, entering into, or renewing contracts with the City of Los Angeles for goods and services estimated at \$1,000,000.00 or more are required to complete, sign, and submit the "Iran Contracting Act of 2010 Compliance Affidavit".

Please direct any questions about compliance forms and Social Policy Ordinances to the City's Bureau of Contract Administration by phone at (213) 847-2625 or by email at bca.eeoe@lacity.org.

6.A.15 Government and Business Taxation Forms

The selected Proposer(s) will be required to demonstrate compliance with the City's business tax laws by acquiring/maintaining one of the following: Business Tax Registration Certificate; Vendor Registration Number; or Certificate of Exemption. The Certificate or Registration Number must remain in force during the entire period of the contract.

Proposers must submit the following documents at the same time the proposal is submitted:

- Form W-9: IRS Request for Taxpayer Identification and Certificate
- Evidence of having applied for or obtained a tax registration account number (City of L.A. Tax Registration Certificate number and/or Vender Registration number)
- Form 590: State of California Withholding Exemption Certificate or Form 587: Non-resident Withholding Certification

6.A.16 Insurance

The respondent will furnish the City evidence of insurance coverage as follows: \$1,000,000.00 for General Liability, \$1,000,000.00 for Automobile Liability and statutory coverage for Workers' Compensation. Please submit an ACORD 25 Certificate of Liability insurance form with your bid proposal delineating the required coverage. Furthermore, have your insurance agent or broker access Track4LA® at <http://track4la.lacity.org> and follow the instructions to register and submit the appropriate proof of insurance on your behalf. If a contractor has no employees and decides not to cover himself/herself for worker's compensation, please complete the form titled "Request for Waiver of Worker' Compensation Insurance Requirement" located at: <http://cao.lacity.org/risk/waivewc.pdf>

6.A.17 Standard Provisions City Contracts

If awarded a contract, Proposer agrees to comply with the **Standard Provisions for City Contracts (Rev. 10/17 [v.3])**, attached hereto as Attachment A and made a part hereof.

6.A.18 Record Retention Practices

Proposer must provide a detailed description of its record and invoice retention practices. This section shall include information pertaining to the nature of documentation utilized by the Proposer (electronic, logs, files, etc.), the type of information retained in each file, the procedures for physically maintaining all active and closed files, and a description of long term storage practices.

Upon selection for interview, Proposers may be requested to provide sample documentation reflecting record retention practices utilized by the firm in their standard course of providing service. Sample documentation should reflect matters which took place at least one year prior to the date of interview, and be properly redacted to preserve any confidentiality with existing/prior clients.

6.A.19 Recycled Paper

Contractor shall submit all written documents on paper with a minimum of 30% post-consumer recycled content. Existing Contractor letterhead or stationery that accompanies these documents is exempt from this requirement. Pages should be double-sided. Neon or fluorescent paper shall not be used in any written documents submitted.

6.A.20 Additional Data

Any other relevant information the Proposer believes essential to assist in the evaluation of the proposal shall be clearly stated. If there is no additional data the Proposer wishes to present, this section will consist of the statement, "There is no other data we wish to present."

7. **ADMINISTRATIVE GUIDELINES FOR SUBMITTAL**

The City of Los Angeles requires that all contractual proposals adhere to the following guidelines:

7.A Acceptance of Terms and Conditions:

The submission of a proposal pursuant to this RFP shall constitute acknowledgment and acceptance of all terms and conditions set forth herein.

7.B Proposals must be in writing and in English.

7.C Proposals should use recycled paper, be stapled not bound, be double-sided with black and white print, without three-ring spiral or plastic binders, without card stock or colored paper and include **one (1) original, four (4) copies, and one (1) CD Rom version or USB flash drive**. If received by the filing deadline, none of these materials will be returned to the sender. If received after the filing deadline, the proposal will be returned to the sender unopened.

7.D Proposals must contain firm offers for all services to be performed for the duration of the proposed contract. The RFP and the resulting proposals, or any part thereof, may be incorporated into and made a part of the contract. The City reserves the right to further negotiate the terms and conditions of the contract with the selected Proposer(s). The City also reserves the right to withdraw this RFP at any time, to reject all proposals, to reject any proposal for noncompliance with RFP provisions, or to choose not to award a contract if such action is determined to be in the best interest of the City and to waive any informality in the process when to do so is in the interests of the City.

7.E Submission Deadline

The original proposal, four (4) complete copies, and one (1) CD Rom or USB flash drive version must be hand or courier delivered by **June 21, 2021 at 5:00 p.m. (Pacific Time)** to the following address:

Los Angeles City Hall

200 N. Spring Street, Room 275
Los Angeles, CA 90012
Attention: Frank Cardenas

The outside of the sealed package containing material regarding this RFP must contain the following designation:

**“Proposal for Census Undercount Analysis Services
for the Los Angeles City Council Redistricting Commission”**

7.F Responsibility for Timely Submittal of Proposal

Persons who hand deliver proposals will be issued a “Notice of Receipt of Proposal.” All proposals submitted will be marked with a time and date stamped. Timely submission of proposal is the sole responsibility of the Proposer. **No fax or e-mail proposals will be accepted.**

Late proposals will not be considered for contract award. **All proposals hand delivered after 5:00 p.m. on the due date will not be accepted.** The City reserves the right to determine the timeliness of all proposal submissions.

8. PROHIBITION OF COMMUNICATION DURING RFP EVALUATION PERIOD

After the submittal of proposals and continuing until a contract has been awarded, all City personnel involved in the project will be specifically directed against holding any meetings, conferences or technical discussions with any Proposer except as provided in the RFP. Proposers shall not initiate communication in any manner with City personnel regarding this RFP or the proposals during this period of time, unless authorized by this RFP. **Failure to comply with this requirement will automatically terminate further consideration of that firm’s or individual’s proposal. This is not intended to prevent current contractors from conducting on-going business under existing contracts.**

9. INDEPENDENCE / CONFLICTS OF INTEREST DISCLOSURE

The Commission’s Conflict and Impartiality Statement (attached hereto as

Attachment B and made a part hereof) is required to be completed by the Proposer and each participant who will exercise a major administrative role or major policy or consultant role, as identified by the Proposer, including subcontractors, to the agreement.

- 9.A** Provide information on whether your firm represents any interests that may constitute a conflict of interest in your contracting with the City, the Port of Los Angeles, Los Angeles World Airports, the Los Angeles Department of Water and Power, or any other City agency or affiliated entity.
- 9.B** Provide information on whether you or your firm are currently a party to an active claim or lawsuit against the City of Los Angeles or any of its related public or proprietary agencies.
- 9.C** The Proposer must disclose and shall have a continuing duty to disclose any financial, business, or other relationship of the Proposer, subcontractor, or individual employees that may have an impact on the work to be performed, including whether the Proposer, subcontractor, or individual employees have represented a political party or an interest group funded by or working on behalf of a political party, candidate or office holder.
- 9.D** In this disclosure, the Proposer must include information regarding situations that might create an appearance of a lack of independence, regardless of whether the Proposer believes that the situation creates an actual conflict of interest, and how the Proposer intends to manage such situations. If the Proposer believes that there may be an appearance of a conflict of interest or lack of independence based on any previous or ongoing work the Proposer has performed, the Proposer shall specifically address how it plans to address and manage that appearance, including, but not limited to, how appropriate safeguards would be applied by the Proposer to guard against that appearance.
- 9.E** If the Proposer believes that no conflict of interest or appearance of lack of independence as described above exists, then a statement to that effect must be made in the Proposer's proposal.
- 9.F** The Commission shall have the right to disqualify or terminate a contractor if it believes that the best interests of the State require that the contractor be disqualified or terminated because the Proposer has a conflict of interest or because a situation exists that creates the appearance of a lack of independence and also to disqualify any proposed personnel on that basis.

9.G A potential conflict identified pursuant to this section is not an automatic disqualification, but is information the Commission will consider in the selection process.

9.H The Commission shall have the right to disqualify or terminate the selected Proposer and any subcontractor with or without cause.

10. GENERAL CITY RESERVATIONS

10.A City reserves the right to verify the information in the response.

10.B If a firm knowingly and willfully submits false information or other data, the City reserves the right to reject that response. If a contract was awarded as a result of false statements or other data submitted in response to this RFP, the City reserves the right to terminate that contract.

10.C Submission of a response to this RFP shall constitute acknowledgment and acceptance of the terms and conditions set forth herein. Responses and the offers contained therein shall remain valid for a period of 120 days from the date set for receipt of responses. Firms awarded a contract pursuant to this RFP will be required to enter into a written contract with the City approved as to form by the City Attorney. This RFP and response, or any parts thereof, may be incorporated into and made a part of the final contract. The City reserves the right to further negotiate the terms and conditions of the contract. The final contract offer of the City may contain additional terms or terms different from those set forth herein.

10.D The City reserves the right to waive any informality in the process when to do so is in the best interest of the City.

10.E The City reserves the right to withdraw this RFP at any time without prior notice and the right to reject any and all Responses. The City makes no representation that any contract will be awarded to any firm responding to this RFP. The City reserves the right to extend the deadline for submission. Firms will have the right to revise their response in the event the deadline is extended.

10.F A Proposer may withdraw its response prior to the specified due date and time. A written request to withdraw, signed by an authorized

representative of the Proposer, and must be submitted to the Commission at the address specified herein for submittal of proposal. After withdrawing a previously submitted proposal, the Proposer may submit another proposal at any time prior to the specified submission deadline.

- 10.G** All costs of response preparation shall be borne by the Proposer. The City shall not, in any event, be liable for any pre-contractual expenses incurred by the Proposer in the preparation and/or submission of the response.
- 10.H** Unnecessarily elaborate or lengthy responses or other presentations beyond those needed to give sufficient and clear response to all of the RFP requirements are not desired. The response must set forth accurate and complete information as required in this RFP. Unclear, incomplete, and/or inaccurate documentation may not be considered for contract award.
- 10.I** Responses shall be reviewed and rated by the City as submitted. Firms may make no changes or additions after the deadline for receipt.
- 10.J** A firm will not be recommended for a contract award, regardless of the merits of the response submitted, if it has a history of contract noncompliance with the City or other funding source or poor past or current performance with the City or other funding source.
- 10.K** The City reserves the right to retain all responses submitted and the responses shall become the property of the City. Any department or agency of the City has the right to use any of the ideas presented in the responses submitted in response to this RFP. All responses received by the City will be considered public records subject to disclosure under the Public Records Act. (California Government Code Section 6250 *et seq.*) Applicants must identify any material they claim is exempt from disclosure under the Public Records Act. In the event such exemption is claimed, the applicant may be required to seek a protective order if the City determines that the subject material must be disclosed.

- 10.L** In the event that one or more contracts are awarded, ownership and title of all reports, documents, plans, drawings, specifications, and estimates produced as part of the contract will automatically be vested in the City of Los Angeles, and no further agreement will be necessary to transfer ownership to any City entity.
- 10.M** Any contract awarded pursuant to this RFP is subject to the Contractor Evaluation Ordinance, Los Angeles Administrative Code Section 10.39, which requires awarding authorities to evaluate contractor's performance and retain such evaluative information in a data bank for future reference.
- 10.N** The City may award a contract on the basis of proposals submitted, without discussions, or may negotiate further with those Proposers within a competitive range. Proposals should be submitted on the most favorable terms the Proposer can provide.

11. ATTORNEYS' FEES

If City shall be made a party to any litigation commenced by or against Proposer arising out of Proposer's operations and as a result of which Proposer is held liable, in whole or in part, by settlement, adjudication, or otherwise, then Proposer shall pay all costs and reasonable attorneys' fees incurred by or imposed upon City in connection with such litigation. Each party shall give prompt notice to the other of any claim or suit instituted against it that may affect the other party.

12. AWARD OF CONTRACT

The Proposers to whom a contract is awarded, if any, shall be required to enter into a written contract with the City of Los Angeles in a form approved by the City Attorney. This RFP and the proposal, or any part thereof, may be incorporated into and made a part of the final contract. However, the City reserves the right to further negotiate the terms and conditions of the contract with the selected Proposer. The contract will, in any event, include fixed prices to be paid by the City for the Proposer to perform the services as provided herein under "Services Required."

The "Standard Provisions for City Contracts" (Rev. 10/17 [v3]), will be incorporated and made part of the final contract. Proposer should review the

Standard Provisions for City Contracts which can be downloaded from www.labavn.org as part of this RFP.

All contractors must additionally comply with the “Municipal Lobbying Ordinance” (Los Angeles Municipal Code §§ 48.09 (H)). Proposer should review the Municipal Lobbying Ordinance, which can be download at the following Los Angeles City Ethics Commission link: http://ethics.lacity.org/pdf/laws/law_mlo.pdf

13. PROPOSAL CHECKLIST

All documents listed must be included with your proposal. Please indicate non-applicable (N/A) on any documents that do not apply to your company.

Form/Document Description

One (1) Original, four (4) Copies of the Original Proposal, one (1) CD Rom Version or USB flash drive, and Related Documents, including, but not limited to:

- Qualifications of the Proposer—Include all referenced information;
- Cover Letter with Appropriate Signatures;
- Cost Breakdown;
- City Contracts Held Within the last 10 Years;
- Conflict and Impartiality Statement;
- Information on Business Locations and Workforce Information;
- Statement of Non-Collusion with Appropriate Signatures;
- Certification of Compliance with Child Support Obligations;
- Service Contractor Worker Retention Ordinance (SCWRO) and Living Wage Ordinance Documents;
- Equal Benefits Ordinance Documents and First Source Hiring Ordinance Compliance Affidavit;
- Certification of Compliance with ADA;
- Contractor Responsibility Ordinance Documents;
- Slavery Affidavit;
- Bidder Certification Form – CEC Form 50;
- Bidder Contributions Form – CEC form 55;

- Iran Contracting Act of 2010 Compliance Affidavit;
- Government and Business Taxation Forms;
- Insurance Forms;
- Record Retention Practices;
- Recycled Paper; and
- Statement Regarding Additional Data.

DRAFT