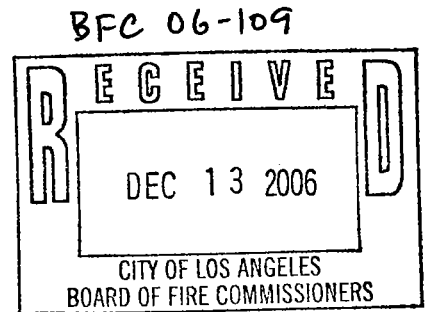


LOS ANGELES FIRE DEPARTMENT

WILLIAM R. BAMATTRE
FIRE CHIEF



December 4, 2006

TO: The Honorable Board of Fire Commissioners
City of Los Angeles

FROM: William R. Bamattre, Fire Chief

SUBJECT: **Helitanker Aircraft Services Request for Proposal Approval**

SUMMARY

Over the past six years the Los Angeles Fire Department (Department) has contracted for Helitanker aircraft services to augment the Department's air attack assets during Southern California's brush fire season. The attached Request for Proposals (RFP) seeks to continue the availability of this valuable resource.

The Department's aircraft inventory consists of four (4) Bell 412 helicopters, each with a 360-gallon water-dropping capacity, and one (1) smaller Bell 206 helicopter. The helitanker that is the subject of this RFP, by comparison, will have a water-dropping capacity of at least 2,000 gallons with refilling velocity of 120 seconds or less.

During October and November 2003, southern California was ravaged by one of the worst set of firestorms in the State's history. In 2004 and 2005, major brushfires again threatened lives, structures, and property although not as destructive as 2003. Aerial assault resources were critical in the successful efforts employed bringing the firestorms and subsequent major brush fires under control.

RECOMMENDATIONS

It is respectfully recommended that the Honorable Board of Fire Commissioners approve the findings and direct the Department to release the attached RFP to obtain the services of an outside contractor.

FINDINGS

The RFP is similar in scope to prior proposals in requesting proposers to submit bids on providing helitanker services for a set performance period inclusive of a predetermined number of flight hours. The helitanker will be based at Air Operations facilities, Van Nuys Airport. The helitanker, pilots, and mechanic crew will remain on 'Stand-by' condition for a minimum of ten (10) hours a day, seven (7) days a week, for the duration of the performance period.

The RFP contains two specific features designed to enhance helitanker services during the fire brush season, and thus, afford the communities of Los Angeles increased protection. Namely increasing the helitanker performance period to ensure greater flexibility and availability during brushfire season, and to extend the contract period to leverage fiscal consideration to either neutralize or reduce the impact of the enhanced performance period.

Performance period/pre-paid flight hours:

The two previous helitanker contracts provided service coverage for a 129-day performance period each year, during which the helitanker was staged at Air Operations and remained in 'Standby' mode unless directed to respond to an incident. The contract included 110 flight hours to respond to brushfires as needed.

This RFP intends to expand the availability of helitanker services during the Southern California brushfire season. The potential bidders are requested to submit pricing structures for a) 129-day performance period and 110 pre-paid flight time; b) 150-day performance period and 90-hours pre-paid flight time; and, c) 170-day performance period and 70-hours pre-paid flight hours.

Contract duration:

The two previous helitanker services contracts were a three-year contract with annual incremental increases and a one-year contract with two one-year extensions for the same fixed price.

This RFP solicits bids on a three-year contract. The contract terms are consistent with the preponderance of City Contracts. Bidders will provide cost breakdowns reflecting either incremental yearly cost adjustments or a fixed cost for the three-year period. The contract terms provide the successful bidder with an attractive contract and the knowledge that their aircraft is reserved over the long-term. Alternatively, the City will have helitanker services available irrespective of industry turmoil and known fixed annual costs. The RFP also provides the City with a right to cancel clause. The City retains the flexibility to execute this clause should less expensive options arise or newer technology becomes available.

Staff cannot estimate whether these enhancements will result in cost neutral or cost savings to the Department. The City Attorney's Office has reviewed and approved the RFP scope of work and terms and conditions as written.

CONCLUSION

The approval and release of the attached RFP will provide the Department with the means to continue the use of this valuable resource, obtain the necessary services and augment the Department's air attack assets during the brush season.

Respectfully Submitted,



WILLIAM R. BAMATTRE
Fire Chief

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Attachment

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**REQUEST FOR PROPOSALS
RFP NO. 2006-38-002**

**FIRE FIGHTING HELITANKER AIRCRAFT
SERVICES**

PREPARED BY

**CITY OF LOS ANGELES
LOS ANGELES FIRE DEPARTMENT
ADMINISTRATIVE SERVICES BUREAU**

DRAFT NOVEMBER 2006

MONTH AND DAY, 2006

Page 1 of 27

DRAFT

TABLE OF CONTENTS

| Section | Description | Page |
|----------|--|------|
| 1 | OVERVIEW AND BACKGROUND | |
| | 1.1 Overview | |
| | 1.2 Background | |
| 2 | DESCRIPTION/SPECIFICATION/WORK STATEMENT | |
| | 2.1 Scope of Contract | |
| | 2.2 Certification and Operations | |
| | 2.3 Pilots, Aircraft, and Aircraft Support-General Requirements | |
| | 2.4 Cooperation | |
| 3 | PROPOSER QUALIFICATIONS | |
| | 3.1 Acceptable Proposers | |
| | 3.2 Staffing | |
| 4 | GENERAL PROPOSAL CONDITIONS | |
| | 4.1 Acceptance of Terms and Conditions | |
| | 4.2 Financial Responsibility | |
| | 4.3 City's Right of Withdrawal and Rejection of Proposals | |
| | 4.4 Proposer's Right to Withdrawal of Proposal | |
| | 4.5 Disposition of Proposals and Disclosure of Information | |
| | 4.6 Requests for Technical Assistance During the Proposal Preparation Process | |
| | 4.7 Conferences During the Evaluation Period | |
| | 4.8 Proposal Conditions and Limitations | |
| | 4.9 Proposal Interpretations and Addenda | |
| | 4.10 Preparation of Proposal | |
| | 4.11 Workspace/Support Services Not Provided by the City | |
| 5 | CONTENTS OF PROPOSAL | |
| | 5.1 In Writing | |
| | 5.2 Response Requirements to the RFP Qualifications | |
| | 5.3 Cover Letter | |
| | 5.4 Work Plan of Services to be Provided | |
| | 5.5 Cost Breakdown | |
| | 5.6 Qualifications of the Proposer | |
| | 5.7 Qualifications of Key Personnel | |
| | 5.8 Additional Data Proposer Wishes to Present | |
| | 5.9 Information on Business Location and Workforce | |
| | 5.10 Statement of Non-Collusion | |
| | 5.11 Nondiscrimination/Equal Employment Practices/Affirmative Action | |
| | 5.12 Child Support Obligations | |
| | 5.13 Living Wage Ordinance (LWO) and Service Contract Worker Retention Ordinance (SCWRO) | |
| | 5.14 Equal Benefits Ordinance (EBO) | |

DRAFT

| | | | |
|-----------|------|--|--|
| | 5.15 | Slavery Disclosure Ordinance (SDO) | |
| | 5.16 | Contractor Responsibility Ordinance (CRO) | |
| | 5.17 | Contractor Evaluation Ordinance | |
| | 5.18 | Insurance Certificates | |
| | 5.19 | Americans with Disabilities Act | |
| | 5.20 | Minority Business Enterprise (MBE), Women Business Enterprise (WBE), and all Other Business Enterprise (OBE) | |
| 6 | | PRE-PROPOSAL CONFERENCE | |
| | 6.1 | Pre-Proposal Conference | |
| | 6.2 | Reasonable Accommodations for Persons with Disabilities | |
| 7 | | DEADLINE FOR SUBMISSION OF PROPOSALS | |
| | 7.1 | Deadlines and Address for Submittal of Proposal | |
| | 7.2 | Number of Copies Required | |
| 8 | | EVALUATION PROCESS AND CRITERIA | |
| | 8.1 | Evaluation Process | |
| | 8.2 | Evaluation Criteria | |
| 9 | | NOTIFYING UNSECCESFUL PROPOSERS | |
| 10 | | APPEAL PROCESS | |
| 11 | | CONTRACT TERMS | |
| 12 | | PROPOSER CHECKLIST | |
| | 12.1 | General Information | |
| | 12.2 | Required content of Proposal | |
| | 12.3 | Required Related Documents | |

DRAFT

Request for Proposals (RFP) No. 2006-38-002

FIRE FIGHTING HELITANKER AIRCRAFT SERVICES

DATE OF ISSUE: Month, Day, and Year

TITLE: FIRE FIGHTING HELITANKER AIRCRAFT SERVICES

DESCRIPTION: The purpose of this RFP is to solicit proposals from qualified providers interested in contracting with the City of Los Angeles to provide fire fighting helitanker aircraft services for the Los Angeles Fire Department.

SUBMISSION DEADLINE: Month, Day, Year, Time p.m. (Pacific Time)
BY HAND-DELIVERY – NO EXCEPTIONS

SUBMISSION ADDRESS: Irma Munoz, Administrative Analyst
Administrative Services Bureau
Los Angeles Fire Department
200 North Main Street, Room 1640
Los Angeles, California 90012

**PRE-PROPOSAL
CONFERENCE:** Month, Day, Year, Time (Pacific Time)
Los Angeles Fire Department
Building Name
Street Address
Los Angeles, California

RFP COORDINATOR: Irma Munoz, Administrative Analyst
Administrative Services Bureau
Telephone: (213) 978-3427
Fax No.: (213) 978-3414

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RFP NO. 2006-38-002 FIRE FIGHTING HELITANKER AIRCRAFT SERVICES FOR THE LOS ANGELES FIRE DEPARTMENT

SECTION 1 - OVERVIEW AND BACKGROUND

1.1 Overview

The Request for Proposals' (RFP) intention is the solicitation of qualified providers interested in contracting with the City of Los Angeles (City) to provide Fire Fighting Helitanker Aircraft Services (helitanker) for the Los Angeles Fire Department (the Department).

The Department expects to select a contractor to provide helitanker services for a three-year (3) term beginning July 1, 2007. The Bureau of Emergency Services and Bureau of Administrative Services will administer the RFP and the Department's Air Operations Commander will administer the resulting contract.

1.2 Background

Each year, the City faces the effects of a brush fire season in the Very High Fire Hazard Severity Zone and adjacent areas. All properties located in or near the Very High Fire Hazard Severity Zone have the potential of being significantly impacted by wind-driven brush fires. To mount an air assault on these brush fires, the Department has in its inventory four (4) Bell 412 helicopters, each with a 360-gallon water-dropping capacity, and one (1) smaller Bell 206 helicopter. The helitanker that is the subject of this RFP, by comparison, shall have a water-dropping capacity of at least 2,000 gallons.

In an effort to augment the air attack assets the Department could bring to bear on a brush fire incident, the City authorized the Department to release the original RFP in 2001 to find a qualified contractor that could provide and operate a helitanker, during the annual brush fire season (approximately July through January).

During October and November 2003, Southern California was ravaged by one of the worst set of firestorms in the State's history. In subsequent years, 2004 and 2005 major brush fires threatened lives, structures and property although not as destructive. Aerial assault resources were critical in the successful efforts employed bringing the firestorms under control. Of major concern to the Department is the necessity to have at its employ a contractor who can quickly replace parts and/or aircraft in a time of emergency to minimize the period the aircraft is out of service. Quick maintenance turn-around times are extremely important when life and property is under threat from a wildfire.

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SECTION 2 – DESCRIPTION/SPECIFICATION/WORK STATEMENT

2.1 Scope of Contract

1. The intent of this solicitation and any resultant contract is to obtain services of a standard or limited use helitanker¹ fully operated by qualified personnel and equipment to meet specifications for use in administration and protection of land and structures.

2. The furnished helitanker will be used primarily for initial attack support and large fire support missions.

3. The City will identify the annual contract performance period 120-days prior to the commencement of each fiscal year (July 1).

4. The Helitanker may be dispatched outside the initial attack area at the Department's discretion. The Department has interagency, mutual aid and cooperative agreements with local, State and Federal agencies and may dispatch the helitanker under this contract for such cooperative use.

2.2 Certification and Operations

Minimum Aircraft Capabilities

A. Heavy lift standard category certified helitanker, as required by the Department that is equipped and has the following capabilities:

1. Fixed-water tank and functioning self-filling snorkel pump with the ability to draw a minimum of 2,000 gallons of either fresh or salt water, within 120 seconds. The Department may require the contractor to operate their helitanker over salt water, during a water pumping cycle in an effort to reduce the time between water dropping attacks on a brush fire.

2. Lifting 2,000 gallons of water or retardant minimum or performance limited load as per temperature and density attitude limitations allow at mean sea level.

B. The Federal Aviation Administration (FAA) and the National Air Tanker Board approved tank system. The water tank must utilize an on-board Class "A" foam injection system capable of metering foam concentrate to create a foam solution ranging from one-tenth of one percent (0.1%) to three-tenths of one percent (0.3%). A seventy-five (75) gallon concentrate tank must be provided so that a minimum of twenty-eight (28) water drops utilizing a one-tenth

¹ Standard Use, water dropping. Limited Use, utility such as cargo lifts, water cannon use, or anything else outside of those items not covered by "standard use". As certified by the FAA.

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of one percent (.1%) "A" foam solution can be made without refilling the concentrate tank.

3. The helitanker and accessories shall be in airworthy and operable condition; and present a neat and clean appearance. Upholstery, paint, plexiglas shall be in good condition.

2.3 Pilots, Aircraft, and Aircraft Support – General Requirements

A. Pilots must possess a current United States Forest Service (USFS) Card, applicable FAA pilot license and have experience fighting brush fires.

B. The helitanker must be:

1. Equipped and in airworthy condition sufficient to pass all LAFD/USFS aircraft inspections.

2. Certified and listed in the national air tanker system, as applicable.

C. Aircraft, pilots, mechanical support (including lube oils, hydraulic fluid, filters, parts, etc.), and all other support needs for the aerial fire fighting mission must be provided by the Proposer as a complete stand-alone package with no sub-contractors or third-party providers.

D. The Proposer shall be capable of providing field maintenance support to the helitanker for extended periods during heavy use.

E. The Proposer will submit complete documentation of operational safety history for a minimum of the last ten (10) years or since Company inception.

F. The Proposer will submit complete documentation on the three most recently completed contracts.

G. The Proposer will submit the last three-years service records for the primary helitanker identified to fulfill the contract in the event that the bid is successful.

H. The Proposer will submit the last three-years service records for the secondary helitanker identified to fulfill the contract's performance period in the event that the bid is successful. This is based on the primary helitanker being grounded (AOG) for any reason. The Proposer, may submit in lieu of the secondary helitanker service records, a 'Letter of Agreement' for a replacement

DRAFT

(back up) helitanker with immediate availability should the primary helitanker become AOG for any reason during the performance period.

NOTE: At the City's discretion, a replacement helitanker may be requested in the event that the contracted Helitanker becomes AOG for an unacceptable time period or due to emergency circumstances determined by the Air Operations Battalion Chief at that time.

G. The Proposer must submit as part of their Work Plan description, Section 5.5 - Work Plan of Services to be provided of this RFP:

1. Provide a complete inventory of the spare parts that will be in place at the Van Nuys Airport in support of your operations during the service period of the contract.
2. Present a detailed narrative explaining the bidder's process for ordering and delivery of replacement parts. This must include the bidder's best realistic estimates from the time the part(s) are ordered until delivery at the Van Nuys Airport.
3. Describe what maintenance personnel will be assigned on-site at the Van Nuys Airport for the duration of the service portion of the contract.
4. Give a detailed explanation of how the Proposer will handle a major breakdown (replacement of an engine, transmission, rotor blades, etc.) of the contracted helitanker. The Proposer must provide a good faith estimate of the length of time it would take to get the contracted helitanker back in service through repairs. This scenario is based on the helitanker being grounded (AOG) during a major brushfire incident and must consist of an alternate plan to locate and substitute an aircraft to comply with the 'Scope of work' included within the RFP until the original aircraft is air worthy.

2.4 Cooperation

During times of facility construction or repair, the contractor ("Contractor") to whom the contract ("Contract") resulting from this RFP will be awarded is responsible for ascertaining the nature and extent of any simultaneous, collateral, and essential work to be done by others on the work site to which the helitanker is assigned. The Department, its work-personnel and contractors, and others, must have the right to operate within or adjacent to the work site to perform work. The Department, its contractors, work-personnel, the Contractor, and others will coordinate their operations and cooperate to minimize interference.

DRAFT

The Contractor must absorb in its Proposal all costs involved in its part as a result of coordinating its work with others. The Contractor will not be entitled to additional compensation from the Department for damages or delays resulting from such simultaneous, collateral, or essential work. If necessary to avoid or minimize such damage, or delay, the Contractor must redeploy its work force to other parts of the work site.

SECTION 3 - PROPOSER QUALIFICATIONS

3.1 Acceptable Proposers

Proposals will only be accepted from individuals or organizations that meet the following requirements:

- A. The Proposer is qualified to provide the basic services called for in this RFP.
- B. The Proposer is qualified to conduct business in the State of California.
- C. If the Proposer is a corporation or limited liability company, the Proposer must be in good standing with the California Secretary of State or that of the State in which they are registered.
- D. The Proposer has not been determined to be non-responsive or been debarred by the City.
- E. The Proposer has not been debarred by the federal government, any state government, including the State of California, or local government.
- F. If the Proposer has contracted with the State of California or the City, it must not have an outstanding debt, which has not been repaid or for which a repayment agreement plan has not been implemented. If the Proposer has contracted with the Los Angeles Fire Department, it must not have a current disputed or disallowed cost.
- G. The Proposer will submit complete documentation of operational safety history for a minimum of ten (10) years.

3.2 Staffing

The Contractor must provide sufficient qualified, competent staff to fulfill the terms of the Contract resulting from this RFP, and perform the services at the quality level outlined in this RFP. The Contractor must assure continued provision of services to the City, even in the event of an employee shortage or

DRAFT

strike. The number of assigned personnel for the duration of the contract and a brief work description should be included with the bid proposal.

SECTION 4 – GENERAL PROPOSAL CONDITIONS

4.1 Acceptance of Terms and Conditions

The submission of a proposal pursuant to this RFP will constitute acknowledgement and acceptance of all the terms and conditions set forth in this RFP.

4.2 Financial Responsibility

The Proposer understands and agrees that the City is not responsible for any costs incurred by the Proposer in responding to this RFP. Proposers who respond to this RFP, including attendance at the pre-proposal conference, post-submission interview of the Proposer, etc., do so solely at their own expense. The Proposer will not include any such expenses as a part of the price proposed in response to this RFP.

4.3 City's Right of Withdrawal and Rejection of Proposals

Notwithstanding any other provisions of this RFP, the City reserves the right to withdraw and/or terminate this RFP at any time, during the process. The City also reserves the right to reject any and all proposals submitted, or to waive any minor administrative irregularities or informality contained in any proposal, when to do so would be to the advantage of the City or its taxpayers.

4.4 Proposer's Right to Withdraw Proposal

The Proposer may withdraw a submitted proposal in writing at any time, prior to the specified due date and time. Faxed withdrawals will be accepted. A written request to withdraw, signed by an authorized representative of the Proposer, must be submitted to the Department at the address specified herein for submittal of proposals. After withdrawing a previously submitted proposal, the Proposer may submit another proposal at any time, up to the specified submission deadline. All proposals submitted and not withdrawn prior to the end of the submission deadline, will be firm and may not be withdrawn after the submission deadline for a period of one hundred twenty (120) calendar days following the deadline for submission of proposals specified in this RFP.

DRAFT

4.5 Disposition of Proposals and Disclosure of Information

All proposals submitted in response to this RFP will become the property of the City and will be a matter of public record subject to the State of California Public Records Act (California Government Code Section 6250 *et seq.*). (A copy of this Act may be accessed on the Internet at <http://www.leginfo.ca.gov>.) Proposers must identify, in writing, all copyrighted material, trade secrets, or other proprietary information that the Proposer claims is exempt from disclosure under the California Public Records Act. Any Proposer claiming such an exemption must identify the specific provision of the California Public Records Act that provides an exemption from disclosure for each item that the Proposer claims is not subject to disclosure under said Act.

Any Proposer claiming such an exemption must also state in the Proposal the following: "The Proposer will indemnify the City and its officers, employees, and agents, and hold them harmless from any claim or liability and will defend any action brought against them for their refusal to disclose copyrighted material, trade secrets, or other proprietary information to any person making a request therefore." Failure to include such a statement will constitute a waiver of a Proposer's right to exemption from disclosure.

4.6 Requests for Technical Assistance During the Proposal Preparation Process

As of the issuance date of this RFP, and continuing until the time for submitting written questions has expired, proposers will address all questions regarding the RFP and their proposals to the following:

Michael S. Fulmis, Assistant Chief
Los Angeles Fire Department
Bureau of Emergency Services
200 North Main Street, 18th Floor
Los Angeles, California 90012
Fax (213) 978-3819 or Email michael.fulmis@lacity.org

Questions submitted prior to the Pre-Proposal conference will be answered during the Question-and-Answer portion of the conference agenda.

4.7 Conferences During the Evaluation Period

After submittal of proposals, and continuing until the Contract is awarded, all City personnel and agents of the City involved in the RFP process will be specifically directed against holding any meetings, conferences, or technical discussions with any proposer, except as provided in this RFP. Proposers will not communicate in any manner with City personnel, or their agents, regarding this RFP or any responding proposals during this period of time, unless the communication

DRAFT

relates solely to the scheduling of interviews, if applicable, or unless otherwise authorized in writing by the RFP Coordinator. Failure to comply with this requirement will automatically terminate further consideration of that firm's or individual's proposal.

4.8 Proposal Conditions and Limitations

Proposals that set forth conditions or limitations conflicting with those set forth in this RFP may be considered non-responsive and rejected.

4.9 Proposal Interpretations and Addenda

Any change to, supplemental, or interpretation of, this RFP will be sent by the Department to each firm or individual to whom an RFP has been distributed. Any such changes, supplemental, or interpretations will become a part of said RFP and may be incorporated into any contract awarded pursuant thereto.

4.10 Preparation of Proposal

The Proposal must set forth accurate and complete information as required in this RFP. Unclear, incomplete, and/or inaccurate documentation will not be considered. Falsification of any information will result in disqualification from this selection process, or in termination of the contract, if discovered in the future. If the Proposer knowingly and willfully submits false performance or other data, the City reserves the right to reject the Proposal. If it is determined that a contract was awarded as a result of false performance or other false data submitted in response to this RFP, the City reserves the right to terminate the contract. Portions of the Proposal that include content from the RFP that has been altered in any manner must be footnoted and referenced in a separate appendix to the Proposal.

Unnecessarily elaborate, lengthy proposals, or other presentations beyond those needed to give a sufficient, clear response to all the RFP requirements are not desired.

The Proposal format must meet the following standard using Microsoft Word 2000 version or higher:

- A. Font – Arial.
- B. Font size – 12 points.
- C. Margins – at least one inch on all sides.
- D. Line spacing – single-spaced between sentences, double-spaced between paragraphs.
- E. Single-sided print on plain white paper.

DRAFT

- F. Each page, (excluding that section of the Proposal devoted to City forms) including attachments, must be numbered sequentially in the lower right corner of the page as a footer to indicate, "Page ____ of ____."
- G. Use the indicative mood in the narrative (must, will, etc.).

RFP responses must be made in accordance with the format and order set forth herein. Failure to adhere to this format and order may be cause for rejection of the Proposal as non-responsive.

4.11 Workspace/Support Services Not Provided by the City

- 1. The City will not provide parking, clerical, e-mail, telephone, or document reproduction services or workspace to Proposers for the purpose of preparing their proposal.
- 2. Charges for the off-site housing of the Proposer's flight and maintenance personnel will be at the Proposer's expense.

SECTION 5 – CONTENTS OF PROPOSAL

The response to this RFP must be made in accordance with the format and the order set forth herein. Failure to adhere to this format may be considered non-responsive and, therefore, be cause for rejection of the proposal. It is requested that proposals be prepared simply and economically, avoiding the use of unnecessary promotional material. It is the City's intent to award a contract, in a form approved by the City Attorney, to the selected proposer. This RFP and the Proposal submitted, or any part thereof, may be incorporated into and made a part of the Contract. Proposals accepted by the City constitute a legally binding contract offer by the Proposer.

5.1 In Writing

All proposals must be submitted in writing. The Proposer must complete and return all applicable documents, including forms and supporting documents. The City may deem a proposer non-responsive if the Proposer fails to provide all required documentation and copies.

5.2 Response Requirements to the RFP Specifications

Proposers must provide a paragraph by paragraph (also bullet by bullet, as appropriate) response to those sections and related appendices, attachments, and exhibits of this RFP that require Proposer responses.

5.3 Cover Letter

Each proposal must be accompanied by a cover letter that identifies the company name, legal business status (e.g., individual, partnership, corporation, etc.), the State in which the business is incorporated or registered, address, telephone number, fax number, and if applicable, the Proposer's e-mail address. The cover letter must contain a general statement of the purpose for submission and must indicate the name, title, address, and telephone number of the person or persons authorized to represent the Proposer in order to enter into negotiations with the City with respect to this RFP and any subsequently awarded contract. The cover letter must also indicate any limitation of authority for any person named.

A representative or officer of the Proposer, who has been authorized to bind the firm to all provisions of the RFP, any subsequent changes, and to the Contract, if an award is made, must sign the cover letter. If the Proposer is a partnership, a general manager must sign the Proposal in the name of the partnership thereof. If the Proposer is a corporation, the Proposal must be signed on behalf of the corporation by two (2) authorized officers (a Chairperson of the Board, President or Vice President, and a Secretary, Treasurer, or Chief Financial Officer) or an officer authorized by the Board of Directors to execute such documents on behalf of the corporation. **The corporate seal must be affixed.** If the Proposer is a joint venture, duly authorized representatives from each corporation must sign the Proposal or partnership as described above. **All above signatures must be original ("wet") and written in blue ink.**

Proposals submitted by consortiums, joint ventures, or teams will not be considered responsive unless it is established in the Proposal that all contractual responsibility rests solely with one member of the group or one legal entity. The Proposal must identify the responsible entity.

5.4 Work Plan of Services to be Provided

The Work Plan must describe in detail the Proposer's understanding of the services required under this RFP. The Proposal must demonstrate that the Proposer can provide enough competent staff to provide the required services at the quality level outlined in this RFP and have complete flexibility for establishing an effective management and organization structure.

5.5 Cost Breakdown

A. General Information

Proposers must explain what their experience has shown to be the costs associated with the services delineated in this RFP.

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A comprehensive and detailed pricing section is required in response to this RFP. The City will accept the Proposal that appears to be in its best interest. Matters other than price will be considered in determining the award. No binding contract will exist between the selected Proposer and the City, until the City executes a written service contract. The City reserves the right to select the specific time frame and dates on an annual basis.

1. The three base prices are 'stand-alone' price structures. The Proposer must provide cost breakdowns that reflects three specific base prices for the following performance periods:
 - a) 129-day performance period and 110 pre-paid flight time per fiscal year;
 - b) 150-day performance period and 90-hours pre-paid flight time per fiscal year, and,
 - c) 170-day performance period and 70-hours pre-paid flight time per fiscal year.
2. The Proposer must provide standby service for a minimum of ten (10) hours per day, seven-days a week throughout the performance period. The base price must include helitanker, pilots, mechanical support, and other necessary support functions identified in the Proposal. Costs associated with each of these items must be itemized in the Proposal.
3. The Proposal must include an "hourly flight rate" charge for flight time exceeding the pre-paid flight hours outlined in the three base prices (a, b and c) listed above. Billable "hourly flight rates" will be calculated based on incident dispatched flight time and will not include pilot orientation, proficiency, maintenance flights, or training time. The "hourly flight rate" will not be charged until the annual Contract base price flight time minimums have been exceeded.
4. The Proposal must include a "daily and weekly extension" charge for time exceeding the three performance periods.
5. Emergency operations may be conducted from dawn to dusk. Extended-phase fires may require operations during daylight hours that exceed the 10-hour standby time. Flight hours extending beyond the pre-paid flight hours will be billed at the contracted hourly flight rate.
6. The successful Proposer may be called upon to support water-dropping operations outside the City's boundaries based upon mutual aid agreements between the City and other jurisdictions. The Department will compensate the Proposer for

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flight time exceeding the pre-paid flight hours at the "hourly flight rate." Operation outside of the City will be at the discretion of the Department. The Department reserves the right to suspend outside operations by the Proposer to address the Department's immediate needs within the City.

7. The following items will be provided by the Department and will not be included in any cost estimates provided by the Proposer:

a. The Department will provide aircraft fuel, whether through repayment or by fuel dispensed; at the heliport where the helitanker will be based any deviation must be documented. The Proposer is responsible for providing a fuel tender vehicle and driver for incident needs and must make all arrangements necessary to dispense fuel to the helitanker.

b. All Class "A" foam.

c. The daily standby facility will be located at the Van Nuys Airport adjacent to the Department's Air Operations Section, with the Air Operations Section Commander providing day-to-day supervision. The Department will provide an office to helitanker personnel, during standby hours. The Department will provide water, telephone, fax, and other incidentals, as needed and as approved by the Department.

5.6 Qualifications of the Proposer

The Proposal must describe the qualifications of the Proposer by reason of past experience with similar undertakings. The Proposal must provide details as to the types of services provided in the past under contracts that were similar in scope as contemplated in this RFP, name(s) and contact information of client(s) for whom the services were provided, and the extent and exact nature of the service(s) provided. This section must also contain a statement of express permission for the City to contact any identified previous customers and request information on the performance of the Proposer. The Proposer must provide a minimum of one (1) reference of a Proposer project. Favorable consideration may be given to Proposers with multiple successful projects and/or references that are fire department agencies.

The Proposal must contain sufficient documentation on the organizational and financial status of the Proposer to substantiate that the Proposer has the organizational and financial stability to continue in business throughout the period of the contract (e.g., annual corporate statement, balance sheets, profit and loss statements, cash forecasts, financial history, etc.).

DRAFT

The Proposal must contain evidence of a demonstrated safety system by providing documented operational safety history for a minimum of the past ten (10) years or since the Proposer's inception.

5.7 Qualifications of Key Personnel

The Proposer must include the names of all key personnel who are employed by the Proposer who will be assigned to perform services pursuant to the Contract. The Proposal must designate a Project Director with full authority to administer the Contract for the Proposer's work, if awarded. The following information must be provided in the Proposal for each person listed, including the Project Director:

- Description of the work he/she will perform.
- Amount of time he/she will be assigned to work on the project.
- Vendor shall maintain current certifications, as required by law.

The City reserves the right to approve any changes in personnel assigned by the selected proposer to the project.

Proposers must provide an organizational chart of the Proposer's company, depicting its parent company, subsidiaries, and subdivisions, if any, plus relationships to these companies. The chart must also illustrate the chain of command from the head of the company through to the Proposer's Project Director.

Aircraft, pilots, mechanical support (including lube oils, hydraulic fluid, filters, parts, etc.), and all other support needs for the aerial fire fighting mission must be provided by the Proposer as a complete stand-alone package with no sub-contractors or third-party providers.

5.8 Additional Data Proposer Wishes to Present

Any other data the Proposer considers essential to the evaluation of its proposal must be clearly stated in this section. If there is no additional data the Proposer wishes to present, the Proposal must state the following: "There is no additional data we wish to present."

5.9 Information on Business Location and Workforce

It is the policy of the City to encourage businesses to locate or remain in the City. Therefore, the City Council requires all City departments to gather information on the headquarters address and certain information on the employees of the firms

DRAFT

contracting with the City. The following information must be included in each proposal:

- A. Headquarters address of the proposing firm.
- B. Total workforce.
- C. Percentage of the total workforce residing in the City.
- D. Percentage of the total workforce employed in the City.
- E. The address of any branch office(s) located within the City.
- F. Workforce in each Los Angeles branch office(s).
- G. Percentage of workforce in each Los Angeles branch office(s) residing in the City.

If the Proposer is a joint venture or other collaboration of separate entities, each member of the joint venture or collaboration must submit such a list.

5.10 Statement of Non-Collusion

Each proposal must include an executed Statement of Non-Collusion, Attachment A, of this RFP. If the Proposer is a joint venture or other collaboration of separate entities, each member of the joint venture or collaboration must submit an executed statement. Corporations must affix their corporate seal.

5.11 Nondiscrimination/Equal Employment Practices/Affirmative Action

The Proposer agrees not to discriminate during the performance of the Contract against any employee or applicant for employment because of the employee's or applicant's race, religion, national origin, ancestry, sex, age, sexual orientation, disability, marital status, domestic partner status, or medical condition.

The Los Angeles Administrative Code Section 10.8 establishes an Affirmative Action Program for Proposers doing business with the City. (A copy of the City Charter and Administrative Codes may be viewed on the Internet at <http://lacodes.lacity.org>.) As a condition of contract award, the selected Proposer will be required to comply with the provisions of the City's Affirmative Action Program. Proposers must refer to Attachment A, Nondiscrimination, Equal Employment Practices, and Affirmative Action, of the RFP for additional information and instructions. Proposals must include a signed Affirmative Action Practices Certification Form (Form A-1), Composition of Workforce Form (Form A-2), and a signed Affirmative Action Plan consisting of either:

- A. A trade association Affirmative Action Plan - a contractor's Affirmative Action Plan developed as part of a Collective Bargaining Agreement to which the contractor is a party, is acceptable if it meets the requirements of Los Angeles Administrative Code, Section 10.8 through Section 10.13.

DRAFT

B. The Proposer's own Affirmative Action Plan, which meets all the requirements of the City's Program.

C. A signed copy of the City's Affirmative Action Plan (Form A-6 and A-7).

Corporations must affix their corporate seal.

5.12 Child Support Obligations

Proposers 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 Obligations. City policy also requires that all contractors performing work for the City comply with all applicable state and federal reporting requirements relative to legally mandated child support.

Proposers must refer to Attachment A, Child Support Obligations, of this RFP for further information and instructions and must submit the required declarations at the time proposals are submitted. Corporations must affix their corporate seal.

5.13 Living Wage Ordinance (LWO) and Service Contractor Worker Retention Ordinance (SCWRO)

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 and a contract term of at least three (3) months, lessees and licenses of City property, and certain receipts of City financial assistance, must comply with the provisions of the Los Angeles Administrative Code Sections 10.37 et seq., Living Wage Ordinance (LWO) and 10.36 et seq., Service Contractor Worker Retention Ordinance (SCWRO). Proposers will refer to Attachment A, Living Wage Ordinance and Service Contractor Worker Retention Ordinance, for further information regarding the requirement of the Ordinances.

Proposers who believe that they meet the qualifications for one of the exemptions described in the LWO List of Statutory Exemptions must apply for exemption from the Ordinance by submitting with their proposal the Bidder/Contractor Application for Non-Coverage or Exemption. The List of Statutory Exemptions and the Application for Non-Coverage or Exemption are included in Attachment A.

5.14 Equal Benefits Ordinance (EBO)

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

DRAFT

Proposers must refer to Attachment A, Equal Benefits Ordinance, for further information regarding the requirements of the Ordinance. Corporations must affix their corporate seal.

All Proposers must complete and return, with their proposal, the Equal Benefits Ordinance Compliance Form [three (3) pages] contained in Attachment A. The Application for Provisional Compliance [two (2) pages] has been included in Attachment A but should be submitted **only** if applicable. Unless otherwise specified in this procurement package, Proposers do not need to submit supporting documentation with their proposals. However, supporting documentation verifying that the benefits are provided equally will be required of the Proposer that is selected for award of a contract.

5.15 Slavery Disclosure Ordinance

Unless otherwise exempt in accordance with the provisions of the Slavery Disclosure Ordinance, this RFP and the resulting contract are subject to the applicable provisions of the Slavery Disclosure Ordinance, Section 10.41 of the Los Angeles Administrative Code.

5.16 Contractor Responsibility Ordinance (CRO)

Proposers are advised that any contract awarded as a result of this RFP process will be subject to the provisions of the Los Angeles Administrative Code Section 10.40 *et seq.*, Contractor Responsibility Ordinance (CRO). Proposers must refer to Attachment A, Contractor Responsibility Ordinance for further information regarding the requirements of the Ordinance.

All Proposers must complete and return, with their proposal, the Responsibility Questionnaire (Rev. 05/10/02) included in Attachment A. Corporations must affix their corporate seal to all pages in the Questionnaire that requires a signature. Failure to return the completed Questionnaire may result in a Proposer being deemed non-responsive.

5.17 Contractor Evaluation Ordinance

Proposers are advised that any contract awarded as a result of this RFP process will be subject to the provisions of the Contractor Evaluation Ordinance (Los Angeles Administrative Code, Section 10.39 *et seq.*). In accordance with this Ordinance, the City must conduct an evaluation of a contractor's performance at the end of the Contract.

The City may also conduct evaluations of the contractor's performance, during the term of the Contract. 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

DRAFT

assigns to the Contract. Information from the evaluations will be kept in a centralized database, and City departments will consider that information, when awarding future contracts.

5.18 Insurance Certificates

Contractors will be required to carry insurance coverage at a level to be determined by the City's Risk Manager, with the City named as an additional insured. The anticipated types and levels of insurance coverage are specified in Attachment A, *Standard Provisions for City Contracts (Rev. 10/03)*, of this RFP. Contractors will be required to provide proof of insurance at the time of contract execution. Proposers must consider these insurance requirements in preparing their proposal. However, proof of insurance is not required with the Proposal.

5.19 Americans with Disabilities Act

Proposers are advised that any contract awarded pursuant to this RFP must comply with the Americans with Disabilities Act, 42 U.S.C., Section 12101 et seq.

5.20 Minority Business Enterprise (MBE), Women Business Enterprise (WBE), and All Other Business Enterprise (OBE)

It is the policy of the City to provide Minority Business Enterprise (MBE), Women Business Enterprise (WBE), and all Other Business Enterprise (OBE) concerns an equal opportunity to participate in the performance of all City contracts. Proposers are encouraged to assist the City in implementing this policy by taking all reasonable steps to ensure that all available business enterprises, including MBEs, WBEs, and OBEs have an equal opportunity to compete for and participate in City contracts. All proposers are encouraged to perform a good faith effort in order to reach out to MBEs, WBEs, and OBEs, especially when subcontracting opportunities are available.

SECTION 6 – PRE-PROPOSAL CONFERENCE

6.1 Pre-Proposal Conference Schedule

A Pre-Proposal Conference will be held at the date and time specified on the cover page of this RFP. **Attendance at the Pre-Proposal Conference is not mandatory, but is highly recommended**

The Pre-Proposal Conference will include a panel of City representatives available to reply, within the scope of their knowledge, to any relevant question from prospective Proposers concerning this RFP. In order to facilitate answering questions, it is requested that Proposers submit questions in advance of the Pre-Proposal Conference to provide sufficient time to prepare responses. Proposers should submit questions in writing, at least three (3)

Page 21 of 27

DRAFT

calendar days prior to the Pre-Proposal Conference. All questions related to this RFP should be submitted in writing via e-mail to michael.fulmis@lacity.org. Responses to questions that cannot be answered during the conference will be provided in writing following the Pre-Proposal Conference.

Questions and responses posed at the Pre-Proposal Conference will not be disseminated back to the audience either on the Department web site or in writing. Attendees at the Pre-Proposal Conference will be responsible for taking their own notes and must bring a copy of the RFP with them for reference. Additional copies of the RFP will not be available at the conference.

6.2 Reasonable Accommodations for Persons with Disabilities

As covered under Title II of the Americans with Disabilities Act, the City does not discriminate on the basis of disability and, upon request, will provide reasonable accommodations to ensure equal access to its programs, services, and activities. If an individual with a disability requires accommodations to attend a Pre-Proposal Conference or other on-site visits, please contact the RFP Coordinator at least five (5) working days prior to the scheduled event.

SECTION 7 – DEADLINE FOR SUBMISSION OF PROPOSALS

7.1 Deadline and Address for Submittal of Proposal

Proposals must be delivered in person or by courier service and must be received by 2:00 p.m. (Pacific Time), **MONTH AND DAY**, 2006. Proposals must be addressed to:

Irma Munoz, Management Analyst
Administrative Services Bureau
Los Angeles Fire Department
200 North Main Street, 16th Floor
Los Angeles, California 90012

The submitted Proposal must clearly identify the RFP for which the Proposal is being submitted with the following statement:

“RFP No. 2006-38-002 – Fire Fighting Helitanker Aircraft”

Persons who deliver a Proposal will be issued a “Notice of Receipt of Proposal.” The original copy of the submitted Proposal will be marked with a time and date stamp. Timely submission of the Proposal is the sole responsibility of the Proposer. The City reserves the right to determine the timeliness of all submissions. Late proposals will not be reviewed. All proposals delivered after the stated deadlines will not be accepted and will be returned unopened to the Proposer.

DRAFT

Proposals submitted via facsimile or e-mail will not be accepted.

7.2 Number of Copies Required

The Proposer must submit one original and seven (7) consecutively numbered hard copies, with each copy contained in its own 3-ring binder. The original must be marked "Original" on the cover and must bear the actual "wet" signature(s) of the person(s) authorized to sign the proposal. Signatures must be made in blue ink. Corporations must affix their corporate seal. The copies must be numbered on the upper right hand side of the cover to indicate "Copy No. ____."

Proposers must also submit one (1) copy on a CD-ROM disk that contains all of the contents of their proposal. The Department standard for electronic documents is Microsoft Word 2000. The following information will be clearly and neatly completed on the label of the disk:

- A. Name of RFP.
- B. Name of Proposer submitting the disk.

SECTION 8 – EVALUATION PROCESS AND CRITERIA

8.1 Evaluation Process

An Evaluation Committee comprised of representatives from the Department and other City departments, as needed, will evaluate the proposals. In addition, the Evaluation Committee may utilize the services of appropriate experts to assist in the evaluation process.

Using the evaluation criteria described in Section 8.2, the Evaluation Committee will determine which Proposer, if any will be placed on a short list for further consideration.

DRAFT

8.2 Evaluation Criteria

Proposals will be evaluated based on the criteria set forth below.

| EVALUATION CRITERIA | | MAXIMUM POINTS |
|--|---|----------------|
| Meets the Department's General Requirements | | 30 |
| 1. | Meet minimum aircraft capabilities. | |
| 2. | Aircraft is available per Department needs. | |
| 3. | Pilots' aircraft support is sufficient. | |
| 4. | Pilots possess current certifications. | |
| 5. | Ground support (mechanical support, lube oils, hydraulic fluids, filters, parts, etc.) meets the Department's need for a "stand-alone." | |
| Competence in Providing Services | | 40 |
| 1. | Complete documentation of operational safety history for the last ten (10) year period or since proposer inception. | |
| 2. | Helitanker's three-years 'safety records. | |
| 3. | Back-up Helitanker service records or 'Letter of Agreement.' | |
| 4. | Complete documentation of three most recently completed contracts. | |
| 5. | Comprehensive response to the AOG scenario. | |
| 6. | Documentation of customer satisfaction with and the successful performance of previous contract(s) of similar scope. | |
| 7. | Quality & completeness of services provided. | |
| 8. | Financial stability and ongoing ability to provide services. | |
| 9. | Value added benefits or services. | |
| Cost Reasonableness | | 30 |
| 1. | Appropriateness and feasibility. | |
| 2. | Comparison with other proposals. | |
| 3. | Comparison with prevailing costs in the helitanker aircraft services industry. | |

SECTION 9 – NOTIFYING UNSUCCESSFUL PROPOSERS

After the evaluation of the proposals has been completed, all proposers will be notified in writing via certified mail of the name of the proposer being recommended for award of contract. A debriefing session may be requested within twelve (12) business days after the mailing of the notices to the unsuccessful proposers. At the debriefing session, unsuccessful proposers will be informed of the areas in which they did not score as high as the successful proposer; however, a point-by-point comparison with other proposers will not be

DRAFT

made. The debriefing will not include a discussion of the relative positions of the unsuccessful proposers.

If a proposer wishes to file a protest of the selection made by the Evaluation Committee, they are to follow the instructions outlined in SECTION 10, APPEAL PROCESS, of this RFP.

SECTION 10 – APPEAL PROCESS

All proposers will be afforded the opportunity to appeal the recommendation for contract award. **Proposers will have ten (10) business days after the mailing of the notice to unsuccessful bidders, in which to file their request for an appeal with the Bureau of Emergency Services.** Any appeal to a contract award must be made in writing via certified mail to the Bureau of Emergency Services. Corporations must affix their corporate seal. Any request for an appeal must give a point-by-point reasoning for the appeal. At such time as the Bureau of Emergency Services considers forwarding to the Board of Fire Commissioners a recommendation regarding award of a contract pursuant to this RFP, the Bureau of Emergency Services will also consider any appeal of contract award and will make a determination regarding such appeal.

Appeals must include the following information:

1. Name, address, and telephone number of the appellant.
2. Name and number of this RFP.
3. Detailed statement of the legal and factual grounds of the appeal, including copies of relevant documents.
4. Request for a ruling from the Department.
5. Statement as to the form of relief requested.
6. Corporations must affix their corporate seal.

Send written requests for an appeal via certified mail to:

William Jones, Senior Management Analyst II
Los Angeles Fire Department
Administration Services Bureau
200 North Main Street, 16th Floor
Los Angeles, California 90012

SECTION 11 – CONTRACT TERMS

The Proposer to whom the Contract is awarded will be required to enter into a written agreement with the City in a form approved by the City Attorney. This RFP and the selected 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.

Page 25 of 27

DRAFT

The Contract will, in any event, provide a firm fixed price to be paid by the City for the services to be provided under the Contract.

Proposers are advised that the City's Minority, Women, and Other Business Enterprise Subcontractor Outreach Program as referenced in Section PSC-26 of Attachment A and Section 5.20 of this RFP, **does not** apply to any contract resulting from this RFP

Contract documentation will begin immediately following the final decision by the City. It is the Department's intent to enter into a contract on an as needed basis for the term of three (3) years, subject to Department needs, availability of funds, and the Contractor's satisfactory performance.

The document titled *Standard Provisions for City Contracts* (Rev. 10/03) is attached hereto included in Attachment A of this RFP and will be incorporated into and made a part of the final contract.

SECTION 12 – PROPOSER CHECKLIST

12.1 General Information

_____ One (1) original, seven (7) complete copies in 3-ring binders and one (1) CD-ROM disk containing a copy of the Proposal and related documents

12.2 Required Content of Proposal

_____ Cover Letter with Appropriate Signatures and corporate seal, if required (See Section 5.3 for instructions)
_____ Work Plan for Service to be Provided, Including Schedule of Performance (See Section 5.4 for instructions)
_____ Cost Breakdown (See Section 5.5 for instructions)
_____ Qualifications of the Proposer, Including List of References, Financial Data, and evidence of a demonstrated safety system by providing a documented operational safety history, up to a maximum of the past ten years. (See Section 5.6 for instructions)
_____ Qualifications of Key Personnel (See Section 5.7 for instructions)
_____ Additional Data Proposer Wishes to Present (See Section 5.8 for instructions)
_____ Information on Business Location and Workforce (See Section 5.9 for instructions)

DRAFT

12.3 Required Related Documents

- _____ Statement of Non-Collusion (See Section 5.10)
- _____ Nondiscrimination/Equal Employment Practices/Affirmative Action
Form(s) (See Section 5.11)
- _____ Child Support Obligations Form(s) (See Section 5.12)
- _____ Living Wage Ordinance (LWO) and Service Contract Worker
Retention Ordinance (SCWRO) Form(s) (See Section 5.13)
- _____ Equal Benefits Ordinance (EBO) Form(s) (See Section 5.14)
- _____ Slavery Disclosure Ordinance (SDO) Affidavit (See Section 5.15)
- _____ Contractor Responsibility Ordinance (CRO) Form(s) (See Section
5.16)