

SECTION SIX
COMPLIANCE REQUIREMENTS AND FORMS

COMPLIANCE REQUIREMENTS AND FORMS

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Appendix A

Notice of Intent to Submit Proposal

APPENDIX A



NOTICE OF INTENT TO SUBMIT PROPOSAL RFP No. 90907

Please submit this form no later than the date established in the Request for Proposal (RFP) Instructions to Proposers paragraph 5.0 entitled Anticipated Procurement Schedule. This notice will assist the Los Angeles Department of Water and Power staff in its planning efforts. Submission of this notice is not a prerequisite for submitting a proposal, nor does it obligate the organization to submit a proposal.

Please return this form via email to SCS4PURCHASING@ladwp.com.

Director of Supply Chain Services
Attention: Douglas Vernon-Scott
c/o Vendor Liaison Center
Los Angeles Department of Water and Power
111 N Hope Street, Room 1114
Los Angeles CA 90012

Thank you in advance for your interest and cooperation.

Company Name: _____

Contact Person: _____

Phone Number: _____

Email: _____

FAX: _____

If you will not submit a proposal in response to this solicitation please check one of the following or describe in the line listed as other:

- ☐ Not in area of expertise
- ☐ Time frame too short
- ☐ Unable to meet bonds/insurance requirements
- ☐ Lack capacity at this time.
- Other (Please describe)

Name

Signature

Title

Date

Appendix B

Fee Schedule

Appendix B
Fee Schedule

RFP No.:	Water Market Research and Analysis	
Firm Name:		
Firm Address:		
Direct Labor		
Name	Title	Hourly Rate
	Project Manager	
	Principal Professional	
	Senior/Project/Staff Professional	
	Water Resource Engineer	
	Economist	
Subconsultant		
Name	Title	Hourly Rate
Other Direct Costs		
Item Description and Purpose	Billing Unit	Amount

The Department will reimburse reasonable and necessary subconsultant costs at the actual amount paid by the Consultant to the subconsultant consistent with the subconsultant rates established in this Appendix.

The Department will not pay mark-up on subconsultant services, costs, or expenses.

If Key Personnel or Subconsultants include a former LADWP employee, either as an employee or subconsultant, or if a principal of Consultant or a subconsultant is a former LADWP employee, Consultant shall provide written notice to LADWP in the form of Appendix Q.

Appendix C

Certification of Compliance with Child Support Obligations

In accordance with the City of Los Angeles Ordinance No. 712401, LADWP requires all consultants and subconsultants performing work for LADWP to comply with all reporting requirements and wage earning assignments relative to court ordered child support. All Proposers are required to complete, sign, and submit the "Certification of Compliance with Child Support Obligations" affidavit (1 page) provided in **Appendix C** of this RFP.

**City of Los Angeles
Department of Water and Power**

**CERTIFICATION OF COMPLIANCE WITH CHILD SUPPORT
OBLIGATIONS**

The Undersigned hereby agrees that _____ will:
Name of Business

1. Fully comply with all applicable State and Federal employment reporting requirements for its employees.
2. Fully comply with and implement all lawfully served Wages and Earnings Assignment Orders and Notices of Assignment.
3. Certify that the principal owner(s) of the business are in compliance with any Wage and Earnings Assignment Orders and Notices of Assignment applicable to them personally. "Principal owner" means any person who owns an interest of 10 percent or more of the business or of a subcontractor assigned to City work. If there are no principal owners, please so indicate with an X here: _____ (no principal owners)
4. Certify that the business will maintain compliance with Child Support Obligations Ordinance provisions.

I declare under penalty of perjury that the foregoing is true and was executed at:

City/County/State

Date



**Please check if company has already submitted to DWP
certification relative to Child Support Obligations Ordinance.**

Name of Business

Address

Signature of Authorized Officer or Representative

Print Name

Title

Telephone Number

Appendix D

Equal Benefits Ordinance Compliance Affidavit

The contract resulting from this proposal is subject to applicable provisions of the Equal Benefits Ordinance (EBO), Division 10, Chapter 1, Article 1, Section 10.8.2.1 of the City of Los Angeles Administrative Code.

As part of their proposal to LADWP, Proposers shall complete and submit the “Equal Benefits Ordinance Compliance Affidavit” provided in **Appendix D**. Failure to comply with these requirements may result in the Proposer being deemed nonresponsive.

Proposers do not need to submit supporting documentation with their proposals. However, LADWP reserves the right to request supporting documentation to verify that benefits are provided equally as specified on the Equal Benefits Ordinance Compliance Affidavit. Proposers seeking additional information regarding the requirements of the Equal Benefits Ordinance may visit the Bureau of Contract Administration’s website at <http://bca.lacity.org>.

City of Los Angeles
Department of Public Works
Bureau of Contract Administration
Office of Contract Compliance
1149 S. Broadway, Suite 300, Los Angeles, CA 90015
Phone: (213) 847-2625 E-mail: bca.eeoc@lacity.org

EQUAL BENEFITS ORDINANCE COMPLIANCE AFFIDAVIT

Prime contractors must certify compliance with Los Angeles Administrative Code (LAAC) Section 10.8.2.1 et seq. prior to the execution of a City agreement subject to the Equal Benefits Ordinance (EBO).

SECTION 1. CONTACT INFORMATION

Company Name: _____

Company Address: _____

City: _____ State: _____ Zip: _____

Contact Person: _____ Phone: _____ E-mail: _____

Approximate Number of Employees in the United States: _____

Approximate Number of Employees in the City of Los Angeles: _____

SECTION 2. EBO REQUIREMENTS

The EBO requires City Contractors who provide benefits to employees with spouses to provide the same benefits to employees with domestic partners. Domestic Partner means any two adults, of the same or different sex, who have registered as domestic partners with a governmental entity pursuant to state or local law authorizing this registration, or with an internal registry maintained by the employer of at least one of the domestic partners.

Unless otherwise exempt, the contractor is subject to and shall comply with the EBO as follows:

- A. The contractor's operations located within the City limits, regardless of whether there are employees at those locations performing work on the City Contract; and
- B. The contractor's operations located outside of the City limits if the property is owned by the City or the City has a right to occupy the property, and if the contractor's presence at or on the property is connected to a Contract with the City; and
- C. The Contractor's employees located elsewhere in the United States, but outside of the City Limits, if those employees are performing work on the City Contract.

A Contractor must post a copy of the following statement in conspicuous places at its place of business available to employees and applicants for employment:

"During the performance of a Contract with the City of Los Angeles, the Contractor will provide equal benefits to its employees with spouses and its employees with domestic partners."

SECTION 3. COMPLIANCE OPTIONS

I have read and understand the provisions of the Equal Benefits Ordinance and have determined that this company will comply as indicated below:

- ☐..... I have no employees.
- ☐..... I provide no benefits.
- ☐..... I provide benefits to employees only. Employees are prohibited from enrolling their spouse or domestic partner.
- ☐..... I provide equal benefits as required by the City of Los Angeles EBO.
- ☐..... I provide employees with a "Cash Equivalent." Note: The "Cash Equivalent" is the amount of money equivalent to what your company pays for spousal benefits that are unavailable for domestic partners, or vice versa.
- ☐..... All or some employees are covered by a collective bargaining agreement (CBA) or union trust fund. Consequently, I will provide Equal Benefits to all non-union represented employees, subject to the EBO, and will propose to the affected unions that they incorporate the requirements of the EBO into their CBA upon amendment, extension, or other modification of the CBA.
- ☐..... Health benefits currently provided do not comply with the EBO. However, I will make the necessary changes to provide Equal Benefits upon my next Open Enrollment period which begins on (Date) _____.
- ☐..... Our current company policies, i.e., family leave, bereavement leave, etc., do not comply with the provisions of the EBO. However, I will make the necessary modifications within three (3) months from the date of this affidavit.

SECTION 4. DECLARATION UNDER PENALTY OF PERJURY

I understand that I am required to permit the City of Los Angeles access to and upon request, must provide certified copies of all company records pertaining to benefits, policies and practices for the purpose of investigation or to ascertain compliance with the Equal Benefits Ordinance. I will notify the City's Designated Administrative Agency if any changes are made that will affect our compliance with the Equal Benefits Ordinance. Furthermore, I understand that failure to comply with LAAC Section 10.8.2.1 et seq., Equal Benefits Ordinance may be deemed a material breach of any City contract by the Awarding Authority. The Awarding Authority may cancel, terminate or suspend in whole or in part, the contract; monies due or to become due under a contract may be retained by the City until compliance is achieved. The City may also pursue any and all other remedies at law or in equity for any breach. The City may use the failure to comply with the Equal Benefits Ordinance as evidence against the Contractor in actions taken pursuant to the provisions of the LAAC Section 10.40, et seq., Contractor Responsibility Ordinance.

_____ will comply with the Equal Benefits Ordinance requirements

Company Name

as indicated above prior to executing a contract with the City of Los Angeles and will comply for the entire duration of the contract(s).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that I am authorized to bind this entity contractually.

Executed this _____ day of _____, in the year 20____, at _____, _____
(City) (State)

Signature

Mailing Address

Name of Signatory (please print)

City, State, Zip Code

Title

EIN/TIN

Appendix E

Pledge of Compliance with Contractor Responsibility and Responsibility Questionnaire

The contract resulting from this proposal is subject to applicable provisions of the Contractor Responsibility Program Ordinance, Division 10, Chapter 1, Article 14 of the City of Los Angeles Administrative Code.

As part of their proposal to LADWP, Proposers shall complete and submit the “Pledge of Compliance with Contractor Responsibility Ordinance” (1 page) and “Responsibility Questionnaire” (9 pages) affidavits provided in **Appendix E**. Failure to comply with these requirements shall result in the Proposer being deemed nonresponsive.

The Contractor Responsibility Program also requires that during the term of the contract, the successful Proposer shall update responses to the “Responsibility Questionnaire” affidavit within thirty (30) calendar days after any changes to the responses previously provided, if such changes would affect the contractor’s fitness and ability to continue performing the contract.

CITY OF LOS ANGELES
PLEDGE OF COMPLIANCE WITH CONTRACTOR RESPONSIBILITY ORDINANCE

Los Angeles Administrative Code (LAAC) Section 10.40 et seq. (Contractor Responsibility Ordinance) provides that, unless specifically exempt, City contractors working under service contracts of at least \$25,000 and three months, contracts for services and for purchasing goods and products that involve a value in excess of twenty-five thousand dollars (\$25,000) and a term in excess of three months are covered by this Article; and construction contracts of any amount; public lessees; public licensees; and certain recipients of City financial assistance or City grant funds, shall comply with all applicable provisions of the Ordinance. Upon award of a City contract, public lease, public license, financial assistance or grant, the contractor, public lessee, public licensee, City financial assistance recipient, or grant recipient, and any of its subcontractor(s), shall submit this Pledge of Compliance to the awarding authority.

The contractor agrees to comply with the Contractor Responsibility Ordinance and the following provisions:

- (a) To comply with all federal, state, and local laws in the 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.
- (b) To 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 did not comply with any federal, state, or local law in the 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.
- (c) To notify the awarding authority within 30 calendar days of all findings by a governmental agency or court of competent jurisdiction that the contractor has violated any federal, state, or local law in the 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.
- (d) If applicable, to provide the awarding authority, within 30 calendar days, updated responses to the Responsibility Questionnaire if any change occurs which would change any response contained within the Responsibility Questionnaire and such change would affect the contractor's fitness and ability to continue the contract.
- (e) To ensure that subcontractors working on the City agreement (including contractors or subcontractors of a public lessee, licensee, sublessee, or sublicensee that perform or assist in performing services on the leased or licensed premises) shall comply with all federal, state, and local laws in the 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.
- (f) To ensure that subcontractors working on the City agreement (including contractors or subcontractors of a public lessee, licensee, sublessee, sublicensee that perform or assist in performing services on the leased or licensed premises) submit a Pledge of Compliance.
- (g) To ensure that subcontractors working on the City agreement (including contractors or subcontractors of a public lessee, licensee, sublessee, or sublicensee that perform or assist in performing services on the leased or licensed premises) shall comply with paragraphs (b) and (c).

Failure to complete and submit this form to the Awarding Authority may result in withholding of payments by the City Controller, or contract termination.

Company Name, Address and Phone Number

Signature of Officer or Authorized Representative

Date

Print Name and Title of Officer or Authorized Representative

Awarding City Department

Contract Number

NOTICE: Responses to this Questionnaire will not be made available to the public for review.
This is not a public document. [CPCC §20101(a)]

CITY OF LOS ANGELES RESPONSIBILITY QUESTIONNAIRE

RESPONSES TO THE QUESTIONS CONTAINED IN THIS QUESTIONNAIRE MUST BE SUBMITTED ON THIS FORM. In responding to the Questionnaire, neither the City form, nor any of the questions contained therein, may be retyped, recreated, modified, altered, or changed in any way, in whole or in part. Bidders or Proposers that submit responses on a form that has been retyped, recreated, modified, altered, or changed in any way shall be deemed non-responsive.

The signatory of this Questionnaire guarantees the truth and accuracy of all statements and answers to the questions herein. Failure to complete and return this questionnaire, any false statements, or failure to answer (a) question(s) when required, may render the bid/proposal non-responsive. All responses must be typewritten or printed in ink. Where an explanation is required or where additional space is needed to explain an answer, use the Responsibility Questionnaire Attachments. Submit the completed form and all attachments to the awarding authority. Retain a copy of this completed form for future reference. Contractors must submit updated information to the awarding authority if changes have occurred that would render any of the responses inaccurate in any way. Updates must be submitted to the awarding authority within 30 days of the change(s).

A. INFORMATION

Bid Number and Project Title

BIDDER/CONTRACTOR INFORMATION

Bidder/Proposer Business Name

Contractor's License Number

Street Address

City

State

Zip

Contact Person, Title

Phone

Fax

CERTIFICATION UNDER PENALTY OF PERJURY

I certify under penalty of perjury under the laws of the State of California that I have read and understand the questions contained in this questionnaire and the responses contained herein and on all Attachments. I further certify that I have provided full and complete answers to each question, and that all information provided in response to this Questionnaire is true and accurate to the best of my knowledge and belief.

The Questionnaire being submitted is: *(check one)*

- ☐ An initial submission of a completed Questionnaire.
- ☐ An update of a prior Questionnaire dated ____/____/____. A copy of the prior Questionnaire **and** newly updated information are attached.
- ☐ No change. There has been no change to any of the responses since the last Responsibility Questionnaire dated ____/____/____ was submitted. A copy of the last Responsibility Questionnaire is attached.

Print Name, Title

Signature

Date

TOTAL NUMBER OF PAGES SUBMITTED, INCLUDING ALL ATTACHMENTS: _____

B. BUSINESS ORGANIZATION/STRUCTURE

Indicate the organizational structure of your firm. "Firm" includes a sole proprietorship, corporation, joint venture, consortium, association, or any combination thereof.

- ☐ **Corporation:** Date incorporated: ____ / ____ / ____ State of incorporation: ____
List the corporation's current officers.

President: _____

Vice President: _____

Secretary: _____

Treasurer: _____

- ☐ Check the box only if your firm is a publicly traded corporation.

List those who own 5% or more of the corporation's stocks. Use Attachment A if more space is needed. Publicly traded corporations need not list the owners of 5% or more of the corporation's stocks.

- ☐ **Limited Liability Company:** Date of formation: ____ / ____ / ____ State of formation: ____
List members who own 5% or more of the company. Use Attachment A if more space is needed.

- ☐ **Partnership:** Date formed: ____ / ____ / ____ State of formation: ____
List all partners in your firm. Use Attachment A if more space is needed.

- ☐ **Sole Proprietorship:** Date started: ____ / ____ / ____

List any firm(s) that you have been associated with as an owner, partner, or officer for the last five years. Use Attachment A if more space is needed. Do not include ownership of stock in a publicly traded company in your response to this question.

- ☐ **Joint Venture:** Date formed: ____ / ____ / ____

List: (1) each firm that is a member of the joint venture and (2) the percentage of ownership the firm will have in the joint venture. Use Attachment A if more space is needed. **Each member of the Joint Venture must complete a separate Questionnaire for the Joint Venture's submission to be considered as responsive to the invitation.**

C. OWNERSHIP AND NAME CHANGES

1. Is your firm a subsidiary, parent, holding company, or affiliate of another firm?

☐ **Yes** ☐ **No**

If **Yes**, explain on Attachment A the relationship between your firm and the associated firms. Include information about an affiliated firm only if one firm owns 50% or more of another firm, or if an owner, partner or officer of your firm holds a similar position in another firm.

2. Has any of the firm's owners, partners, or officers operated a similar business in the past five years?

☐ **Yes** ☐ **No**

If **Yes**, list on Attachment A the names and addresses of all such businesses, and the person who operated the business. Include information about a similar business only if an owner, partner or officer of your firm holds a similar position in another firm.

3. Has the firm changed names in the past five years?

☐ **Yes** ☐ **No**

If **Yes**, list on Attachment A all prior names, addresses, and the dates they were used. Explain the reason for each name change in the last five years.

4. Are any of your firm's licenses held in the name of a corporation or partnership?

☐ **Yes** ☐ **No**

If Yes, list on Attachment A the name of the corporation or partnership that actually holds the license.

Bidders/Contractors must continue on to Section D and answer all remaining questions contained in this Questionnaire.

D. FINANCIAL RESOURCES AND RESPONSIBILITY

5. Is your firm now, or has it ever been at any time in the last five years, the debtor in a bankruptcy case?

☐ **Yes** ☐ **No**

If **Yes**, explain on Attachment B the circumstances surrounding each instance.

6. Is your company in the process of, or in negotiations toward, being sold?

☐ **Yes** ☐ **No**

If **Yes**, explain the circumstances on Attachment B.

E. PERFORMANCE HISTORY

7. How many years has your firm been in business? _____ Years.

8. Has your firm ever held any contracts with the City of Los Angeles or any of its departments?

☐ **Yes** ☐ **No**

If, **Yes**, list on an Attachment B all contracts your firm has had with the City of Los Angeles for the last 10 years. For each contract listed in response to this question, include: (a) entity name; (b) purpose of contract; (c) total cost; (d) starting date; and (e) ending date.

9. List on Attachment B all contracts your firm has had with any private or governmental entity (other than the City of Los Angeles) over the last five years that are similar to the work to be performed on the contract for which you are bidding or proposing. For each contract listed in response to this question, include: (a) entity name; (b) purpose of contract; (c) total cost; (d) starting date; and (e) ending date.

☐ Check the box if you have not had any similar contracts in the last five years

10. In the past five years, has a governmental or private entity or individual terminated your firm's contract prior to completion of the contract?

☐ **Yes** ☐ **No**

If **Yes**, explain on Attachment B the circumstances surrounding each instance.

11. In the past five years, has your firm used any subcontractor to perform work on a government contract when you knew that the subcontractor had been debarred by a governmental entity?

☐ **Yes** ☐ **No**

If **Yes**, explain on Attachment B the circumstances surrounding each instance.

12. In the past five years, has your firm been debarred or determined to be a non-responsible bidder or contractor?

☐ **Yes** ☐ **No**

If **Yes**, explain on Attachment B the circumstances surrounding each instance.

F. DISPUTES

13. In the past five years, has your firm been the defendant in court on a matter related to any of the following issues? For parts (a) and (b) below, check **Yes** even if the matter proceeded to arbitration without court litigation. For part (c), check **Yes** only if the matter proceeded to court litigation. If you answer **Yes** to any of the questions below, explain the circumstances surrounding each instance on Attachment B. You must include the following in your response: the name of the plaintiffs in each court case, the specific causes of action in each case; the date each case was filed; and the disposition/current status of each case.

(a) Payment to subcontractors?

☐ **Yes** ☐ **No**

(b) Work performance on a contract?

☐ **Yes** ☐ **No**

(c) Employment-related litigation brought by an employee?

☐ **Yes** ☐ **No**

14. Does your firm have any outstanding judgements pending against it?

☐ **Yes** ☐ **No**

If **Yes**, explain on Attachment B the circumstances surrounding each instance.

15. In the past five years, has your firm been assessed liquidated damages on a contract?

☐ **Yes** ☐ **No**

If **Yes**, explain on Attachment B the circumstances surrounding each instance and identify all such projects, the amount assessed and paid, and the name and address of the project owner.

G. COMPLIANCE

16. In the past five years, has your firm or any of its owners, partners or officers, ever been investigated, cited, assessed any penalties, or been found to have violated any laws, rules, or regulations enforced or administered, by any of the governmental entities listed on Attachment C (Page 9)? For this question, the term "owner" does not include owners of stock in your firm if your firm is a publicly traded corporation.

☐ **Yes** ☐ **No**

If **Yes**, explain on Attachment B the circumstances surrounding each instance, including the entity that was involved, the dates of such instances, and the outcome.

17. If a license is required to perform any services provided by your firm, in the past five years, has your firm, or any person employed by your firm, been investigated, cited, assessed any penalties, subject to any disciplinary action by a licensing agency, or found to have violated any licensing laws?

☐ **Yes** ☐ **No**

If **Yes**, explain on Attachment B the circumstances surrounding each instance in the last five years.

18. In the past five years, has your firm, any of its owners, partners, or officers, ever been penalized or given a letter of warning by the City of Los Angeles for failing to obtain authorization from the City for the substitution of a Minority-owned (MBE), Women-owned (WBE), or Other (OBE) business enterprise?

☐ **Yes** ☐ **No**

If **Yes**, explain on Attachment B the circumstances surrounding each instance in the last five years.

H. BUSINESS INTEGRITY

19. For questions (a), (b), and (c) below, check **Yes** if the situation applies to your firm. For these questions, the term "firm" includes any owners, partners, or officers in the firm. The term "owner" does not include owners of stock in your firm if the firm is a publicly traded corporation. If you check **Yes** to any of the questions below, explain on Attachment B the circumstances surrounding each instance.

(a) Is a governmental entity or public utility currently investigating your firm for making (a) false claim(s) or material misrepresentation(s)?

☐ **Yes** ☐ **No**

(b) In the past five years, has a governmental entity or public utility alleged or determined that your firm made (a) false claim(s) or material misrepresentation(s)?

☐ **Yes** ☐ **No**

(c) In the past five years, has your firm been convicted or found liable in a civil suit for, making (a) false claim(s) or material misrepresentation(s) to any governmental entity or public utility?

☐ **Yes** ☐ **No**

20. In the past five years, has your firm or any of its owners or officers been convicted of a crime involving the bidding of a government contract, the awarding of a government contract, the performance of a government contract, or the crime of fraud, theft, embezzlement, perjury, bribery? For this question, the term "owner" does not include those who own stock in a publicly traded corporation.

☐ **Yes** ☐ **No**

If **Yes**, explain on Attachment B the circumstances surrounding each instance.

ATTACHMENT A FOR SECTIONS A THROUGH C

Where additional information or an explanation is required, use the space below to provide the information or explanation. Information submitted on this sheet must be typewritten or printed in ink. Include the number of the question for which you are submitting additional information. Make copies of this Attachment if additional pages are needed.

Page _____

ATTACHMENT B FOR SECTIONS D THROUGH H

Where additional information or an explanation is required, use the space below to provide the information or explanation. Information submitted on this sheet must be typewritten or printed in ink. Include the number of the question for which you are submitting additional information. Make copies of this Attachment if additional pages are needed.

Page _____

ATTACHMENT C: GOVERNMENTAL ENTITIES FOR QUESTION NO. 16

Check **Yes** in response to Question No. 16 if your firm or any of its owners, partners or officers, have ever been cited, assessed any penalties, or found to have violated any laws, rules, or regulations enforced or administered, by any of the governmental entities listed below (or any of its subdivisions), including but not limited to those examples specified below. The term "owner" does not include owners of stock in your firm if your firm is a publicly traded corporation. If you answered **Yes**, provide an explanation on Attachment B of the circumstances surrounding each instance, including the entity involved, the dates of such instances, and the outcome.

FEDERAL ENTITIES**Federal Department of Labor**

- American with Disabilities Act
- Immigration Reform and Control Act
- Family Medical Leave Act
- Fair Labor Standards Act
- Davis-Bacon and laws covering wage requirements for federal government contract workers
- Migrant and Seasonal Agricultural Workers Protection Act
- Immigration and Naturalization Act
- Occupational Safety and Health Act
- anti-discrimination provisions applicable to government contractors and subcontractors
- whistleblower protection laws

Federal Department of Justice

- Civil Rights Act
- American with Disabilities Act
- Immigration Reform and Control Act of 1986
- bankruptcy fraud and abuse

Federal Department of Housing and Urban Development (HUD)

- anti-discrimination provisions in federally subsidized/assisted/sponsored housing programs
- prevailing wage requirements applicable to HUD related programs

Federal Environmental Protection Agency

- Environmental Protection Act

National Labor Relations Board

- National Labor Relations Act

Federal Equal Employment Opportunity Commission

- Civil Rights Act
- Equal Pay Act
- Age Discrimination in Employment Act
- Rehabilitation Act
- Americans with Disabilities Act

STATE ENTITIES**California's Department of Industrial Relations**

- wage and labor standards, and licensing and registration
- occupational safety and health standards
- workers' compensation self insurance plans
- Workers' Compensation Act
- wage, hour, and working standards for apprentices
- any provision of the California Labor Code

California's Department of Fair Employment and Housing

- California Fair Employment and Housing Act
- Unruh Civil Rights Act
- Ralph Civil Rights Act

California Department of Consumer Affairs

- licensing, registration, and certification requirements
- occupational licensing requirements administered and/or enforced by any of the Department's boards, including the Contractors' State Licensing Board

California's Department of Justice**LOCAL ENTITIES**

City of Los Angeles or any of its subdivisions for violations of any law, ordinance, code, rule, or regulation administered and/or enforced by the City, including any letters of warning or sanctions issued by the City of Los Angeles for an unauthorized substitution of subcontractors, or unauthorized reductions in dollar amounts subcontracted.

OTHERS

Any other federal, state, local governmental entity for violation of any other federal, state, or local law or regulation relating to wages, labor, or other terms and conditions of employment.

Appendix F

Living Wage Ordinance

I. General Provisions

- A. This contract is subject to the applicable provisions of the Service Contractor Worker Retention Ordinance (SCWRO), Section 10.36 et seq., and the Living Wage Ordinance (LWO) Section 10.37 et seq. of the Los Angeles Administrative Code. The ordinances require that unless a specific exemption applies as determined by the awarding authority and confirmed by the designated administrative agency, all employers (as defined) 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 3 months; lessees; licensees; or certain recipients of City financial assistance, generally shall provide the following:
1. Retention by a successor Contractor for a 90 day transition period, the employees who have been employed for the preceding 12 months or more by the terminated contractor or subcontractor, earning no more than twice the hourly wage without health benefits available under the LWO Section 10.37 et seq. of the Los Angeles Administrative Code.
 2. Payment of a minimum initial wage rate to employees as defined in the LWO, as may be adjusted each July 1, and provisions of benefits as defined in the LWO.
 3. Contractor further pledges that the Contractor shall comply with federal law proscribing retaliation for union organizing and shall not retaliate for activities related to the LWO. Contractor shall require each of its subcontractors within the meaning of the LWO to pledge to comply with the terms of federal law proscribing retaliation for union organizing. Contractor shall deliver the executed pledges from each such subcontractor to the City within 90 days of the execution of the subcontract. Contractor's delivery of executed pledges from each such subcontractor shall fully discharge Contractor's obligations with respect to such pledges and fully discharge the obligation of the Contractor and Subcontractors to comply with the provision in the LWO, contained in Section 10.37.6(c), concerning compliance with such federal law.
 4. The Contractor, whether an employer, as defined in the LWO, or any other person employing individuals, shall not discharge, reduce in compensation, or otherwise discriminate against any employee for complaining to the City with regard to the employer's compliance or

anticipated compliance with the LWO, for opposing any practice proscribed by the LWO, for participating in proceedings related to the LWO, for seeking to enforce the employee's rights under the LWO by any lawful means, or otherwise asserting rights under the LWO. The Contractor shall post the LWO Notice to Employees and the Notice of Prohibition Against Retaliation, in a conspicuous place.

5. Any subcontract entered into by the Contractor relating to this Agreement, to the extent allowed hereunder, shall be subject to the provisions of these General Provisions and shall incorporate the provisions of the LWO and the SCWRO.
- B. Under the provisions of Section 10.36.3(c) and Section 10.37.6(c) of the Los Angeles Administrative Code, the City shall have the authority, under appropriate circumstances, to terminate this contract and otherwise pursue legal remedies that may be available if the City determines that the subject Contractor has violated the provisions of the LWO and SCWRO.
 - C. Where under the LWO Section 10.37.6(e), the designated administrative agency has determined (a) that the Contractor is in violation of the LWO in having failed to pay some or all of the living wage, and (b) that such violation has gone uncured, the awarding authority in such circumstances may impound monies otherwise due the Contractor in accordance with the following procedures. Impoundment will mean that from monies due the Contractor, the awarding authority may deduct the amount determined to be due and owing by the Contractor to its employees. Such monies will be placed in the holding account referred to in LWO Section 10.37.6(d)(3) and disposed of under procedures there described through final and binding arbitration. Whether the Contractor is to continue work following an impoundment will remain in the unfettered discretion of the awarding authority. The Contractor may not elect to discontinue work either because there has been an impoundment or because of the ultimate disposition of the impoundment by the arbitrator.
 - D. **Earned Income Tax Credit:** This contract is subject to the provisions of Section 10.37.4(b) of the Los Angeles Administrative Code, requiring employers to inform employees of their possible right to the federal Earned Income Tax Credit (EITC). Employers shall further make available to employees the forms required to secure advance EITC payments from employers.

II. Grant Funded Application

In the event this application or renewal application for (state) federal grant is awarded to the City of Los Angeles ("Los Angeles"), Los Angeles will apply the Living Wage Ordinance (Los Angeles Administrative Code Section 10.37 et seq.)

and the Service Contract Worker Retention Ordinance (Los Angeles Administrative Code Section 10.36 et seq.) in implementing the objectives and projects funded by the grant.

Submittal of a response to this RFP stipulates and confirms that the undersigned (Proposer) agrees to comply with the applicable provisions of the Service Contract Workers Retention Ordinance (Section 10.36) and Living Wage (Section 10.37) of the Los Angeles Administrative Code (SCWRO/LWO). SCWRO/LWO forms must be completed only by the successful Proposer. A link to all the LWO forms is provided at the end of the following Complete List of LWO Forms table.

LIVING WAGE ORDINANCE

(Los Angeles Administrative Code Section 10.37 et seq.)

Unless approved for an exemption, contractors under contracts primarily for the furnishing of services to or for the City and that involve an expenditure in excess of \$25,000 and a contract term of at least three (3) 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).

All LWO Forms are listed to the end of this Appendix.

A. Living Wage Exemption Forms

The Proposers shall complete, sign, scan, and submit all applicable LWO Exemption Form(s) with its proposal. Shown below is a listing of LWO Exemption Forms.

1. **Exemption Application (Form LW-10):** If applicable, the Proposers shall submit with their proposal the LWO Exemption Application (Form LW-10) if expressly covered under the Statutory Exemption for a collective bargaining agreement that supersedes the LWO.
2. **501(c)(3) Non-Profit Exemption Application (Form OCC/LW-28):** If applicable, the Proposer shall submit at the time of proposal the 501(c)(3) Non-Profit Exemption Application (Form OCC/LW-28).
3. **Small Business Exemption Application (Form LW-26A or LW-26B):** If applicable, the Proposer shall submit at the time of proposal the LWO Small Business Exemption Application (Form LW-26A or LW-26B).

B. Living Wage Ordinance Forms

As required by the City of Los Angeles LWO, and administered by the Department of Public Works, Bureau of Contract Administration, Office of Contract Compliance (OCC), the Proposer shall complete and return all applicable LWO forms.

1. **Subcontractor Declaration of Compliance (Form OCC/LW-5):** This form (Form OCC/LW-5) shall be signed within 90 calendar days of the execution of the subcontract and retained by the prime contractor.

2. **LWO – Employees Information Form (Form LW-6-DWP):**
The Contractor shall submit the Employee Information (Form LW-6-DWP) within 30 calendar days following the execution of the contract.
3. **Subcontractor Information (Form LW-18):** The Contractor shall submit the Subcontractor Information (Form LW-18) within 30 calendar days following the execution of the contract, if applicable.
4. **Return Address:** The Proposer shall return Forms LW-6-DWP and LW-18 via email to the Buyer.

C. List of LWO Forms

LWO Forms	Name of Form	Link
OCC/LW-5	Subcontractor Declaration of Compliance	<p>All required forms are listed under the “For City Contractors” heading</p> <p>https://bca.lacity.org/lwo%20Printable%20Forms</p>
LW-6-DWP	Employee Information Form	
LW-10	Exemption Application	
LW-11 (2 Pages)	Notice to Employees re: LWO (English and Spanish)	
LW-18	Subcontractor Information Form	
LW-26A	Small Business Exemption Application (English)	
LW-26B	Small Business Exemption Application (Spanish)	
OCC/LW-28	501(c)(3) Non-Profit Exemption Application	
Notice (English)	Notice to Employees re: Retaliation (English)	
Notice (Spanish)	Notice to Employees re: Retaliation (Spanish)	

Appendix G

CEC Form 50 – Bidder Certification

The City of Los Angeles Municipal Code Section 48.01 et seq. requires certain individuals and entities to register with the City Ethics Commission and requires public disclosure of certain lobbying activities, including money received and spent. Therefore all bidders for all construction contracts, public leases, or licenses of any value and duration and bidders for goods or services contracts with a value of more than \$25,000 and a term of at least three (3) months, shall complete, sign, and attach the City Ethics Commission's "Bidder Certification – CEC Form 50" (2 pages) affidavit provided in **Appendix G** as part of their proposal. A copy of the City of Los Angeles Municipal Lobbying Ordinance is available for download on the City Ethics Commission's website at <https://ethics.lacity.org/wp-content/uploads/Laws-Lobbying-MLO.pdf>. Proposals submitted without a completed and signed "Bidder Certification – CEC Form 50" affidavit shall be deemed nonresponsive. Additional information regarding the Municipal Lobbying Ordinance may be obtained from the City Ethics Commission at (213) 978-1960 or <http://ethics.lacity.org>.

This form must be submitted with your bid or proposal to the City department that is awarding the contract noted below. If you have questions about this form, please contact the Ethics Commission at (213) 978-1960.

☐ **Original Filing** ☐ **Amendment:** Date of Signed Original _____. Date of Last Amendment _____.

Reference Number (Bid, Contract, or RAMP)	Awarding Authority (Department awarding the contract)
Bidder Name	
Address	
Email Address	Phone Number

Certification

I certify the following on my own behalf or on behalf of the entity named above, which I am authorized to represent:

A. I am applying for one of the following types of contracts with the City of Los Angeles:

1. A goods or services contract with a value of more than \$25,000 and a term of at least three months;
2. A construction contract with any value and duration;
3. A financial assistance contract, as defined in Los Angeles Administrative Code § 10.40.1(h), with a value of at least \$100,000 and a term of any duration; or
4. A public lease or license, as defined in Los Angeles Administrative Code § 10.40.1(i), with any value and duration.

B. I acknowledge and agree to comply with the disclosure requirements and prohibitions established in the Los Angeles Municipal Lobbying Ordinance if I qualify as a lobbying entity under Los Angeles Municipal Code § 48.02.

I certify under penalty of perjury under the laws of the City of Los Angeles and the state of California that the information in this form is true and complete.

Name

Signature

Title

Date

Appendix H

Business Tax Registration Certificate Application

Pursuant to the Los Angeles Municipal Code, Chapter 2, Article 1, Section 21.03, persons engaged in any business or occupation within the City of Los Angeles are required to register and pay the required tax. Businesses, including vendors, subject to this tax are issued a Business Tax Registration Certificate (BTRC) or a Vendor Registration Number (VRN). A BTRC application package is provided in **Appendix H** of this RFP. Additional information regarding this requirement may be obtained at:

Office of Finance
Tax & Permit Division
200 North Spring Street, Room 201
Los Angeles, CA 90012
Phone: (844) 663-4411
Website at: <https://finance.lacity.gov>



VENDOR REGISTRATION PACKET

STEP 1: READ THIS

Complete this form if you do not already have an active Business Tax Registration Certificate with the City of Los Angeles.

In order to do business with and receive payments from the City of Los Angeles, potential suppliers of goods and services must provide the City Controller's Office with a registration account number issued by the Office of Finance.

In order to obtain the required registration number, please complete and return the enclosed application. Applications are reviewed by Office of Finance personnel and the appropriate registration number will be issued. An annual business tax is due upon issuance of a Tax Registration Number (TRN). All Vendor Registration Numbers (VRN) will be reviewed on an annual basis.

STEP 2: COMPLETE CHECKLIST

Indicate Business Activity (Select all that apply):

<input type="checkbox"/> SELLING GOODS, WARES, OR MERCHANDISE AT WHOLESALE OR RETAIL	<input type="checkbox"/> TRUCKING OR HAULING
<input type="checkbox"/> CONTRACTOR	<input type="checkbox"/> TRANSPORTING PERSONS FOR HIRE
<input type="checkbox"/> PROFESSIONAL OR OCCUPATIONAL/MISCELLANEOUS SERVICES	<input type="checkbox"/> LEASING OR RENTING TANGIBLE PERSONAL PROPERTY
<input type="checkbox"/> LEASING OR RENTING COMMERCIAL PROPERTY	<input type="checkbox"/> LEASING OR RENTING HOTEL ROOMS, APARTMENTS, OR RESIDENTIAL UNITS

STEP 3: COMPLETE THE FOLLOWING APPLICATION AND SUBMIT TO THE ADDRESS, FAX OR EMAIL ADDRESS AT THE TOP OF THIS FORM

If you have questions regarding Vendor Registration, please contact the **Special Desk Unit** at (844) 663-4411.



VENDOR REGISTRATION FORM

*INDICATES A REQUIRED FIELD - to avoid delays, please complete all required fields.

*LEGAL NAME OF BUSINESS OWNER - The Individual, Partnership, Corp, or LLC that owns the business

*BUSINESS NAME - The Doing Business As ("DBA") name for conducting business

*SSN _____ OR *FEIN _____
Social Security Number Federal Employer Identification Number

*BUSINESS ADDRESS (Do not use postal or mailing box here):

☐House ☐Office Street# Street Name Unit# City State Zip

MAILING ADDRESS

☐House ☐Office Street# Street Name Unit# City State Zip

C/O : _____ BUSINESS NAME/DBA _____

*DETAILED DESCRIPTION OF BUSINESS:

QUESTIONNAIRE

*What date will you begin working with a department of the City of Los Angeles or physically start within the City of Los Angeles?

*Through physical presence, will you or your employees perform work or render services within the City of Los Angeles for seven (7) or more days per calendar year? ☐Yes ☐No

*Have you ever had a Business Tax Registration Certificate with the City of Los Angeles? ☐Yes ☐No

*Do you currently have a Business Tax Registration Certificate with the City of Los Angeles? ☐Yes ☐No

If yes, please enter the account number found on your certificate: _____

(Account numbers are generally in this format: 0000000000-0000-0)

*SIGNATURE _____ Date: _____

*EMAIL ADDRESS: _____ PHONE NUMBER: _____

Return completed form to the address, fax or email address at the top of this form.

Appendix I

Request for Taxpayer Identification Number and Certification (Form W-9)

The Internal Revenue Service (IRS) requires that all service providers and goods and materials suppliers furnish a Taxpayer Identification Number (TIN) to the party that pays them. As a result, the Proposer shall complete, sign, and submit a "Request for Taxpayer Identification Number and Certification (Form W-9)" (6 pages) in **Appendix I** of this RFP. After the proposal's due date and upon request by Supply Chain Services, the "Request for Taxpayer Identification Number and Certification (Form W-9)" shall be emailed to the Utility Buyer within 5 business days. Any change in Form W-9 information, including legal name or address of the Consultant, will require a submittal of a new Form W-9.

Request for Taxpayer Identification Number and Certification

^a Go to www.irs.gov/FormW9 for instructions and the latest information.

Give Form to the
requester. Do not
send to the IRS.

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
2 Business name/disregarded entity name, if different from above	
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ^a _____ Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. <input type="checkbox"/> Other (see instructions) ^a	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>
5 Address (number, street, and apt. or suite no.) See instructions.	Requester's name and address (optional)
6 City, state, and ZIP code	
7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number										
				-				-		
or										
Employer identification number										
				-						

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ^a	Date ^a
------------------	---------------------------------------	-------------------

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting*, later, for further information.

Note: If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

In the cases below, the following person must give Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States.

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Pub. 515, *Withholding of Tax on Nonresident Aliens and Foreign Entities*).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items.

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

Backup Withholding

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 24% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the instructions for Part II for details),
3. The IRS tells the requester that you furnished an incorrect TIN,
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code*, later, and the separate Instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships*, earlier.

What is FATCA Reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code*, later, and the Instructions for the Requester of Form W-9 for more information.

Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account; for example, if the grantor of a grantor trust dies.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Line 1

You must enter one of the following on this line; **do not** leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account (other than an account maintained by a foreign financial institution (FFI)), list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9. If you are providing Form W-9 to an FFI to document a joint account, each holder of the account that is a U.S. person must provide a Form W-9.

a. **Individual.** Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

Note: ITIN applicant: Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

b. **Sole proprietor or single-member LLC.** Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or "doing business as" (DBA) name on line 2.

c. **Partnership, LLC that is not a single-member LLC, C corporation, or S corporation.** Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.

d. **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.

e. **Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(iii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

Line 3

Check the appropriate box on line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box on line 3.

IF the entity/person on line 1 is a(n) . . .	THEN check the box for . . .
• Corporation	Corporation
• Individual • Sole proprietorship, or • Single-member limited liability company (LLC) owned by an individual and disregarded for U.S. federal tax purposes.	Individual/sole proprietor or single-member LLC
• LLC treated as a partnership for U.S. federal tax purposes, • LLC that has filed Form 8832 or 2553 to be taxed as a corporation, or • LLC that is disregarded as an entity separate from its owner but the owner is another LLC that is not disregarded for U.S. federal tax purposes.	Limited liability company and enter the appropriate tax classification. (P= Partnership; C= C corporation; or S= S corporation)
• Partnership	Partnership
• Trust/estate	Trust/estate

Line 4, Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space on line 4 any code(s) that may apply to you.

Exempt payee code.

- Generally, individuals (including sole proprietors) are not exempt from backup withholding.
- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space in line 4.

1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2)

2—The United States or any of its agencies or instrumentalities

3—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

4—A foreign government or any of its political subdivisions, agencies, or instrumentalities

5—A corporation

6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession

7—A futures commission merchant registered with the Commodity Futures Trading Commission

8—A real estate investment trust

9—An entity registered at all times during the tax year under the Investment Company Act of 1940

10—A common trust fund operated by a bank under section 584(a)11—A financial institution

12—A middleman known in the investment community as a nominee or custodian

13—A trust exempt from tax under section 664 or described in section 4947

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,000 ¹	Generally, exempt payees 1 through 5 ²
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

¹ See Form 1099-MISC, Miscellaneous Income, and its instructions.

² However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

Exemption from FATCA reporting code. The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) written or printed on the line for a FATCA exemption code.

A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)

B—The United States or any of its agencies or instrumentalities

C—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i)

E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i)

F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state

G—A real estate investment trust

H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940

I—A common trust fund as defined in section 584(a)J—

A bank as defined in section 581

K—A broker

L—A trust exempt from tax under section 664 or described in section 4947(a)(1)

M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

Note: You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

Line 5

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns. If this address differs from the one the requester already has on file, write NEW at the top. If a new address is provided, there is still a chance the old address will be used until the payor changes your address in their records.

Line 6

Enter your city, state, and ZIP code.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN.

If you are a single-member LLC that is disregarded as an entity separate from its owner, enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note: See *What Name and Number To Give the Requester*, later, for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at www.SSA.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/Businesses and clicking on Employer Identification Number (EIN) under Starting a Business. Go to www.irs.gov/Forms to view, download, or print Form W-7 and/or Form SS-4. Or, you can go to www.irs.gov/OrderForms to place an order and have Form W-7 and/or SS-4 mailed to you within 10 business days.

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note: Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, 4, or 5 below indicates otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see *Exempt payee code*, earlier.

Signature requirements. Complete the certification as indicated in items 1 through 5 below.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983.

You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), ABLE accounts (under section 529A), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account) other than an account maintained by an FFI	The actual owner of the account or, if combined funds, the first individual on the account ¹
3. Two or more U.S. persons (joint account maintained by an FFI)	Each holder of the account
4. Custodial account of a minor (Uniform Gift to Minors Act)	The minor ²
5. a. The usual revocable savings trust (grantor is also trustee) b. So-called trust account that is not a legal or valid trust under state law	The grantor-trustee ¹ The actual owner ¹
6. Sole proprietorship or disregarded entity owned by an individual	The owner ³
7. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))	The grantor ⁴
For this type of account:	Give name and EIN of:
8. Disregarded entity not owned by an individual	The owner
9. A valid trust, estate, or pension trust	Legal entity ⁴
10. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
11. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
12. Partnership or multi-member LLC	The partnership
13. A broker or registered nominee	The broker or nominee

For this type of account:	Give name and EIN of:
14. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
15. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations section 1.671-4(b)(2)(i)(B))	The trust

¹ List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

² Circle the minor's name and furnish the minor's SSN.

³ You must show your individual name and you may also enter your business or DBA name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

⁴ List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships*, earlier.

***Note:** The grantor also must provide a Form W-9 to trustee of trust.

Note: If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records From Identity Theft

Identity theft occurs when someone uses your personal information such as your name, SSN, or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Pub. 5027, Identity Theft Information for Taxpayers.

Victims of identity theft who are experiencing economic harm or a systemic problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes.

Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at spam@uce.gov or report them at www.ftc.gov/complaint. You can contact the FTC at www.ftc.gov/idtheft or 877-IDTHEFT (877-438-4338). If you have been the victim of identity theft, see www.IdentityTheft.gov and Pub. 5027.

Visit www.irs.gov/IdentityTheft to learn more about identity theft and how to reduce your risk.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.

Appendix J
Contract Insurance Requirements – Department of Water and Power

It is the LADWP's policy that upon the award of a contract, the successful Proposer shall provide evidence of insurance that complies with the insurance requirements of the contract. Insurance requirements shall be in accordance with **Appendix J** "Contract Insurance Requirements – Department of Water and Power" of this RFP, **and GC-14 entitled "Insurance" in the Exhibit A, General Conditions (Services) and Exhibit G to Section Five, Draft Agreement**, which specifically outline the types and amounts of coverage required for this contract. For the bidder's information and use, "Special Endorsement Forms," "Guidance for Submitting Evidence of Insurance," and information on LADWP's "Insurance Program for Small Vendors" are available on LADWP's website.

The successful Proposer shall submit acceptable evidence of the required insurance, from insurers acceptable to the LADWP, within 30 calendar days after award . Insurance shall be maintained current throughout the term of the contract. Said evidence of insurance shall be on file with the Risk Management Section in order to commence work under the Agreement and in order to receive payment for services for work rendered under the Agreement.

For further information regarding these requirements, the bidder shall contact:

LOS ANGELES DEPARTMENT OF WATER AND POWER
RISK MANAGEMENT SECTION
Telephone: (213) 367-4007 or (213) 367-4680
Web: <http://www.ladwp.com/riskmanagement>

CONTRACT INSURANCE REQUIREMENTS -- DEPARTMENT OF WATER AND POWER
For Contractors, Service Providers, Vendors, and Tenants

Agreement/Activity/Operation: P/PS (RFP/RFQ) - Water Market Research and Analysis
Reference/Agreement: REQ #145204 - CERTIFICATE ACCEPTABLE
Term of Agreement: _____
Contract Administrator: _____
Buyer and Phone Number: _____ Douglas Vernon-Scott

- o Contract-required types and amounts of insurance as indicated below by checkmark are the minimum which must be maintained. All limits are Combined Single Limit (Bodily Injury/Property Damage) unless otherwise indicated.
- o Firm 30 day Notice of Cancellation required.
- o All required scheduled endorsements must be physically attached to all requested certificates of insurance and not substituted by referring to such coverage on the certificate of insurance.

PER OCCURRENCE LIMITS

☐ WORKERS' COMPENSATION(Stat. Limits)/Employer's Liability: ()
☐ CA / All States Endorsement ☐ US L&H (Longshore and Harbor Workers)
☐ Jones Act (Maritime Employment) ☐ Outer Continental Shelf
☐ Waiver of Subrogation ☐ Black Lung (Coal Mine Health and Safety)
☐ Other: _____ ☐ Other: _____

☐ AUTOMOBILE LIABILITY: ()
☐ Owned Autos ☐ Any Auto
☐ Hired Autos ☐ Non-Owned Auto
☐ Contractual Liability ☐ Additional Insured
☐ MCS-90 (US DOT) ☐ Trucker's Form
☐ Waiver of Subrogation ☐ Other: _____

☐ GENERAL LIABILITY: ☐ Limit Specific to Project ☐ Per Project Aggregate ()
☐ Property Damage ☐ Contractual Liability ☐ Personal Injury
☐ Premises and Operations ☐ Products/Completed Ops. ☐ Independent Contractors
☐ Fire Legal Liability ☐ Garagekeepers Legal Liab. ☐ Child Abuse/Molestation
☐ Corporal Punishment ☐ Collapse/Underground ☐ Explosion Hazard
☐ Watercraft Liability ☐ Pollution ☐ Additional Insured Status
☐ Waiver of Subrogation ☐ Airport Premises ☐ Hangarkeepers Legal Liab.
☐ Marine Contractors Liability ☐ Other: _____ ☐ Other: _____

☒ PROFESSIONAL LIABILITY: (\$1,000,000.00)
☐ Contractual Liability ☐ Waiver of Subrogation ☐ 3 Year Discovery Tail
☐ Additional Insured ☐ Vicarious Liability Endt. ☒ Other: Consultant's E & O

☐ AIRCRAFT LIABILITY: ()
☐ Passenger Per Seat Liability ☐ Contractual Liability ☐ Hull Waiver of Subrogation
☐ Pollution ☐ Additional Insured ☐ Other: _____

☐ PROPERTY DAMAGE: ☐ Loss Payable Status (AOIMA) ()
☐ Replacement Value ☐ Actual Cash Value ☐ Agreed Amount
☐ All Risk Form ☐ Named Perils Form ☐ Earthquake: _____
☐ Builder's Risk:\$ _____ ☐ Boiler and Machinery ☐ Flood: _____
☐ Transportation Floater:\$ _____ ☐ Contractors Equipment\$ _____ ☐ Loss of Rental Income: _____
☐ Scheduled Locations/Propt. ☐ Other: _____ ☐ Other: _____

☐ WATERCRAFT: ()
☐ Protection and Indemnity ☐ Pollution ☐ Additional Insured
☐ Waiver of Subrogation ☐ Other: _____ ☐ Other: _____

☐ POLLUTION: ()
☐ Incipient/Long Term ☐ Sudden and Accidental ☐ Additional Insured
☐ Waiver of Subrogation ☐ Contractor's Pollution ☐ Other: _____

☐ CRIME: ☐ Joint Loss Payable Status ☐ Additional Insured ()
☐ Fidelity Bond ☐ Financial Institution Bond ☐ Loss of Monies/Securities
☐ Employee Dishonesty ☐ In Transit Coverage ☐ Wire Transfer Fraud
☐ Computer Fraud ☐ Commercial Crime ☐ Forgery/Alteration of Docs.
☐ Other: _____ ☐ Other: _____

☐ ASBESTOS LIABILITY: ☐ Additional Insured ()

Appendix K

CEC Form 55 – Prohibited Contributors (Bidders)

In accordance with the City of Los Angeles Charter Section 470(c)(12) and related ordinances, bidders 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 they submit a bid to LADWP until either the contract is awarded or, for successful bidders, 12 months after the contract is executed. The bidder's principals and subcontractors performing \$100,000 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.

As part of their proposal to LADWP, bidders shall complete, sign, and attach the City Ethics Commission's "Prohibited Contributors (Bidders) – CEC Form 55" (3 pages) affidavit provided in **Appendix K**. The affidavit requires bidders to identify their principals, their subcontractors performing \$100,000 or more in work on the contract, and the principals of those subcontractors. Bidders shall also notify their principals and subcontractors in writing of the restrictions and include the notice in contracts with subcontractors. Proposals submitted without a completed and signed "Prohibited Contributors (Bidders) – CEC Form 55" affidavit 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 <https://ethics.lacity.org>.

Prohibited Contributors (Bidders)

This form must be completed in its entirety and submitted with your bid or proposal to the City department that is awarding the contract. Failure to submit a completed form may affect your bid or proposal. If you have questions about this form, please contact the Ethics Commission at (213) 978-1960.

☐ **Original Filing** ☐ **Amendment:** Date of Signed Original _____ Date of Last Amendment _____

Reference Number (Bid, Contract, or RAMP): _____ Date Bid Submitted: _____

Contract Description (Title of the RFP or City contract solicitation and description of the services to be provided):

Awarding Authority (Department awarding the contract): _____

Bidder Name: _____

Bidder Address: _____

Bidder Email Address: _____ Bidder Phone Number: _____

Schedule Summary

Please complete all three of the following:

1. SCHEDULE A – Bidder's Principals (check one)

The bidder has one or more **PRINCIPALS**, as defined in LAMC § 49.7.35(A)(6).
At least one principal is required for entities. (If you check "Yes", Schedule A is required.)

Yes

☐

No

☐

2. SCHEDULE B – Subcontractors and Their Principals (check one)

The bidder has one or more **SUBCONTRACTORS** on this bid or proposal with
subcontracts worth \$100,000 or more. (If you check "Yes", Schedule B is required.)

Yes

☐

No

☐

3. TOTAL NUMBER OF PAGES SUBMITTED (including this cover page): _____

Certification

I certify the following under penalty of perjury under the laws of the City of Los Angeles and the state of California:

A) I understand, will comply with, and have notified my principals and subcontractors of the requirements and restrictions in Los Angeles City Charter § 470(c)(12) and any related ordinances; B) I understand that I must amend this form within ten business days if any information changes; C) I am the bidder named above or I am authorized to represent the bidder named above, and my name appears below; and D) The information provided in this form is true and complete to the best of my knowledge and belief.

Name

Signature

Title

Date

Schedule A - Bidder's Principals

Please identify the names and titles of all the bidder's principals (attach additional sheets if necessary). Principals include a bidder's board chair, president, chief executive officer, chief operating officer, and individuals who serve in the functional equivalent of one or more of those positions. Principals also include individuals who hold an ownership interest in the bidder of at least 20 percent and employees of the bidder who are authorized by the bid or proposal to represent the bidder before the City.

Name: _____ Title: _____
Address: _____

Name: _____ Title: _____
Address: _____

Name: _____ Title: _____
Address: _____

Name: _____ Title: _____
Address: _____

Name: _____ Title: _____
Address: _____

Name: _____ Title: _____
Address: _____

Name: _____ Title: _____
Address: _____

Name: _____ Title: _____
Address: _____

Name: _____ Title: _____
Address: _____

☐ Check this box if additional Schedule A pages are attached.

Schedule B - Subcontractors and Their Principals

Please identify all subcontractors whose subcontracts are worth \$100,000 or more. Separate Schedule B pages are required for each subcontractor who meets the threshold.

Subcontractor's Name

Subcontractor's Address

Please check one of the following options:

This subcontractor has one or more principals. ☐ Yes* ☐ No

* Each principal's name and title must be identified below. Attach additional sheets if necessary. Principals include a subcontractor's board chair, president, chief executive officer, chief operating officer, and individuals who serve in the functional equivalent of one or more of those positions. Principals also include individuals who hold an ownership interest in the subcontractor of at least 20 percent and employees of the subcontractor who are authorized by the bid or proposal to represent the subcontractor before the City.

Name: _____ Title: _____
Address: _____

Name: _____ Title: _____
Address: _____

Name: _____ Title: _____
Address: _____

Name: _____ Title: _____
Address: _____

Name: _____ Title: _____
Address: _____

Name: _____ Title: _____
Address: _____

☐ Check this box if additional Schedule B pages are attached.

Form 55 Instructions

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INTRODUCTION

Bidders who respond to certain City contract solicitations are limited by City law in their ability to spend money in connection with City elections. They are prohibited from making campaign contributions to and engaging in prohibited fundraising activity for City candidates and officeholders. They are also required to disclose their identities and the identities of their subcontractors and principals. Form 55 must be used for that purpose, and these instructions provide information about how to complete the form.

CONTACT INFORMATION

All questions about Form 55 and the laws regarding bidders and contractors should be directed to the Los Angeles City Ethics Commission:

ethics.commission@lacity.org

(213) 978-1960 phone
(213) 978-1988 fax
Whistleblower Hotline: (800) 824-4825

200 North Spring Street
City Hall 24th Floor, Suite 2410
Los Angeles CA 90012

ethics.lacity.org

BIDDER RESPONSIBILITIES

A bidder is any person who bids on or submits a proposal or other response to a City contract solicitation, whether it involves a competitive or a non-competitive selection process.

You are a bidder required to complete Form 55 when all of the following apply:

- You submit a response or proposal for an RFP (request for proposals), RFQ (request for qualifications), RFB (request for bids), or any other written or verbal request to enter into a competitive or non-competitive City contract; and
- The contract is expected to be valued at \$100,000 or more; and
- The contract must be approved by an elected office (City Council, Mayor, City Controller, or City Attorney).

For purposes of Form 55, a **contract** is any agreement, franchise, lease, non-regulatory permit, land use license or easement, or concession with the City that meets the qualifications listed above. This includes an agreement for the performance of any work, service, or construction; the provision of any materials, goods, or equipment; the sale or purchase of property; and the making of grants. This also includes the selection of a pre-qualified list of persons to contract with the City if the RFQ's not-to-exceed amount is at least \$100,000 and the list selection requires approval by an elected City office. The definition does *not* include a contract with another government agency or a contract between a City proprietary department and an underwriting firm for a noncompetitive sale of revenue bonds.

Form 55 is used to disclose information about the following individuals and entities:

- You (the bidder);
- Your principals;
- Your subcontractors with subcontracts valued at \$100,000 or more; and
- The principals of those subcontractors.

The campaign finance restrictions and requirements in [Los Angeles City Charter § 470\(c\)\(12\)](#) and [Los Angeles Municipal Code § 49.7.35](#) apply to all of those individuals and entities. They are subject to the laws because of the positions they hold in relation to a City bid, not because they are disclosed on your Form 55. See section G for more information.

You are required to do all of the following:

1. **Submit** a completed Form 55 with your bid or proposal documents to the City department awarding the contract.
2. **Amend** your Form 55 within 10 business days if the information in the form changes after you submit it with your bid or proposal.
3. **Notify** your principals and subcontractors of the campaign finance restrictions and requirements that apply to them.

PAGE 1: COVER PAGE AND BIDDER INFORMATION

You must complete all sections on the cover page.

A. ORIGINAL OR AMENDED FILING

ORIGINAL FILING

Check this box if this is the first time you are submitting a Form 55 in connection with the City contract that you are currently seeking or have been awarded.

AMENDMENT

Check this box if you are making changes to a Form 55 that you previously submitted in connection with the same City contract that you are seeking or have been awarded. For an amended filing, you must provide the later of:

- The date that your original Form 55 submission was signed; or
- The date that your most recent amendment was signed.

Example 1: *Your law firm submitted a Form 55 last month when responding to an RFP from the City Attorney's Office for legal services. Your law firm is now responding to an RFP with the Port of Los Angeles for a different contract to provide legal services. Check the "Original Filing" box on the Form 55 submitted to the Port, because this is the first time your firm is submitting Form 55 in connection with the contract with the Port.*

Example 2: *Your company submitted a Form 55 last week when responding to an RFP from the Department of Water and Power (DWP) for construction services. This week, your company moved its offices to a new location. Your company is required to update its contact information on the Form 55 submitted with its proposal. On a new Form 55, check the "Amendment" box, because your company is submitting an updated version of the Form 55 that was already submitted in connection with the construction services contract.*

B. REFERENCE NUMBER

If applicable, provide the bid number, contract number, RAMP ID, or other identifying number or code assigned to the bid or contract that you seek. You can usually find this number on the City solicitation package (e.g., the RFP documents). However, not all solicitations have a reference number.

If there is no reference number for the bid or contract, enter "N/A" in this box.

C. DATE BID SUBMITTED

Enter the date that you submit your bid or response documents to the City department that will be awarding the contract.

D. CONTRACT DESCRIPTION

Provide the following information in this section:

- Title of the RFP, RFQ, or RFB, as listed on the City solicitation documents; and
- Description of the services to be provided under the contract.

A brief description of the contract is usually given in the RFP, RFQ, RFB, or solicitation documents. If you cannot find one, describe what will be performed under the contract.

E. AWARDING AUTHORITY

Provide the name of the City department that will be awarding the contract you seek.

F. BIDDER INFORMATION

Provide all of the following information:

- Bidder's full legal name;
- Bidder's business address;
- Bidder's phone number; and
- Bidder's email address.

The email address and telephone number provided in this section will be used to contact you if there are questions about the information provided in your Form 55.

Remember to amend your Form 55 to keep this information current.

G. SCHEDULE SUMMARY

ITEM 1: BIDDER'S PRINCIPALS

Indicate whether you have one or more principals. Check only one box ("Yes" or "No").

A **principal** is any of the following:

- Board chair;
- President;
- Chief executive officer;
- Chief operating officer;
- An individual who serves in the functional equivalent of any of the above positions;
- An individual who holds an ownership interest of 20% or more; or
- An employee authorized to represent you before the City regarding this contract.

Example 1: You are putting together a proposal for a City contract on behalf of your employer, ABC, Inc. The proposal must include a Form 55. Because ABC, Inc. is an entity, you must check the “Yes” box and disclose ABC, Inc.’s principals on attached Schedule A pages.

Example 2: You are an individual submitting a proposal for a City contract and must complete a Form 55. You have two employees who are authorized to represent you before the City on this proposal. You must check the “Yes” box and disclose yourself and those employees as your principals on attached Schedule A pages.

All bidders who are entities are required to complete Schedule A. Most bidders are entities, so most bidders must check the “Yes” box and attach Schedule A pages to the cover page.

Attach to the cover page as many Schedule A pages as necessary to identify all of your principals.

ITEM 2: SUBCONTRACTORS AND THEIR PRINCIPALS

Indicate whether you have one or more subcontractors with subcontracts valued at \$100,000 or more on the City contract you seek. Check only one box (“Yes” or “No”).

Example 1: Your construction company is submitting a response to a City RFP to provide construction services on a development project and must submit a Form 55. For the proposed project, you expect to hire ABC Company as a subcontractor that will perform \$50,000 worth of work and XYZ Corporation as another subcontractor that will perform \$200,000 worth of work. Check the “Yes” box and attach Schedule B pages to disclose XYZ Corporation and its principals.

Example 2: Your architecture firm is submitting a response to a City RFP to provide landscape design services at a new park, and a Form 55 is required. For the proposed project, you expect to hire two subcontractors: More Sunshine, Inc., which will provide consulting services worth \$30,000; and Beautiful Parks Company, which will perform \$85,000 worth of the work. Check the “No” box, indicating that you do not have any subcontractors with subcontracts valued at \$100,000 or more.

Attach to the cover page as many Schedule B pages as necessary to identify all of your subcontractors and their principals.

ITEM 3: TOTAL NUMBER OF PAGES SUBMITTED

Enter the total number of Form 55 pages that you are submitting, including the cover page and all attached Schedule A and B pages.

H. CERTIFICATION

Form 55 must be signed by an authorized representative of the bidder. By signing this section, you are certifying under penalty of perjury all of the following:

- You understand and will comply with the requirements and restrictions in [Los Angeles City Charter](#) § 470(c)(12) and [Los Angeles Municipal Code](#) § 49.7.35;
- You have notified your principals and subcontractors of the requirements and restrictions; and
- The information you provided in the Form 55 and all attached pages is true and complete to the best of your knowledge and belief.

PAGE 2: SCHEDULE A – BIDDER’S PRINCIPALS

You must complete this section if you have principals. If you are an entity, this section is required. You must disclose the name, title, and business address for each of your principals. For a definition of “principal”, see the instructions for Page 1, Section G.

If you need more space, mark the box indicating that you are attaching additional Schedule A pages. You may attach as many additional Schedule A pages as necessary to disclose all of your principals.

Remember to include all Schedule A pages in the total page count on your cover page and attach them to the cover page.

PAGE 3: SCHEDULE B – SUBCONTRACTORS AND THEIR PRINCIPALS

You must complete this section if you will have subcontractors with subcontracts worth \$100,000 or more. You must disclose the names and business addresses of those subcontractors and the names, titles, and business addresses of their principals. For a definition of “principal”, see the instructions for Page 1, Section G.

You must submit at least one Schedule B page for each subcontractor. Provide the name and business address of the subcontractor, and then mark the appropriate box to indicate whether the subcontractor has principals.

If a subcontractor has more principals than will fit on one page—or if you have multiple subcontractors to disclose—mark the box indicating that you are attaching additional Schedule B pages. You may attach as many additional Schedule B pages as necessary to disclose all of your subcontractors with subcontracts worth \$100,000 or more and all of their principals.

Remember to include all Schedule B pages in the total page count on your cover page and attach them to the cover page.

Appendix L

Non-Discrimination and Equal Employment Practices and Affirmative Action Program

Non-Discrimination and Equal Employment Practices: The Proposer shall not discriminate in employment practices against any employee or applicant for employment because of race, religion, national origin, sex, age, or physical handicap. Submittal of the proposal in eRSP constitutes acceptance of this requirement.

Affirmative Action Program: The Agreement resulting from this RFP shall comply with the provisions of the Los Angeles Administrative Code Section 10.8.4, Affirmative Action Program. By affixing its signature on the Agreement that is subject to the Affirmative Action Program provisions, the Proposer shall agree to adhere to the provisions in the Affirmative Action Program for the duration of the contract.

Furthermore, the Proposer shall include similar provisions in all subcontracts awarded for work to be performed under the Agreement with LADWP and shall impose the same obligations. The contract with the subconsultant that contains similar language shall be made available to LADWP upon request.

Proposers seeking additional information regarding the requirements of LADWP's Non-Discrimination Clause and Equal Employment Practices *and Affirmative Action Program* may visit the Bureau of Contract Administration's website at <http://bca.lacity.org>.

Appendix M

RESERVED

Appendix N

RESERVED

Appendix O

Confidentiality Agreement for LADWP Proprietary Information

All information contained in drawings, specifications, technical reports, and data provided by LADWP or on LADWP's behalf to the Proposer shall be held in confidence by the Proposer and its employees, representatives and subcontractors, and such information and documentation shall be used only to provide services or work to LADWP. The Proposer and its employees, representatives and subcontractors shall not disclose said information without the Contract Administrator or their designated representative's written consent. If determined as necessary by LADWP, the Proposer is required to complete, sign, and submit the "Confidentiality Agreement for LADWP Proprietary Information" affidavit (2 pages) provided in **Appendix O** of this RFP.

APPENDIX O

Confidentiality Agreement for LADWP Proprietary Information

A. Confidentiality

All documents, records, and information provided by LADWP to the Contractor, or accessed or reviewed by the Contractor, during performance of this Agreement shall remain the property of LADWP. All documents, records and information provided by LADWP to the Contractor, or accessed or reviewed by the Contractor during performance of this Agreement, are deemed confidential. The Contractor agrees not to provide these documents and records, nor disclose their content or any information contained in them, either orally or in writing, to any other person or entity. The Contractor agrees that all documents, records, or other information used or reviewed in connection with the Contractor's work for LADWP shall be used only for the purpose of carrying out LADWP business and cannot be used for any other purpose. The Contractor shall be responsible for protecting the confidentiality and maintaining the security of LADWP documents, records, and information in its possession.

B. Document Access/Control

1. The Contractor shall make the confidential information provided by LADWP to the Contractor, or accessed or reviewed by the Contractor during performance of this Agreement, available to its employees, agents and /or subcontractors, only on a need-to-know basis. Further, the Contractor shall provide written instructions to all of its employees, agents and subcontractors, with access to the confidential information about the penalties for its unauthorized use or disclosure.
2. The Contractor shall store and process confidential information in an electronic format in such a way that unauthorized persons cannot retrieve the information by computer, remote terminal or other means.
3. The Contractor shall not remove documents, records, or information used or reviewed in connection with the Contractor's work for LADWP from LADWP facilities without prior approval from LADWP. The Contractor shall not use, other than in direct performance of work required pursuant to the Agreement, or make notes of any home address or home telephone numbers contained in personnel or customer files, confidential information, documents, or records provided by LADWP that are reviewed during work on this Agreement.
4. The Contractor shall not make or retain copies of any such documents, written and electronic materials, notes, documents, confidential information, records, or other information. Provided however, with prior written approval from LADWP, the Contractor may make copies of such documents, written materials, notes, documents, confidential information, or other information, as necessary to perform its duties under this Agreement.
5. The Contractor shall document and immediately report to LADWP any unauthorized use or disclosure of confidential information of which the Contractor becomes aware.

6. The Contractor shall require that all its employees, agents, and subcontractors who shall, or may, review, be provided, or have access to LADWP data, information, personnel or customer files, confidential information, documents, or records during the performance of this Agreement, execute a confidentiality agreement that incorporates the provisions of this Confidentiality Agreement, prior to performing work under this Agreement.

C. Return of All Documents to LADWP

The Contractor shall, at the conclusion of this Agreement or at the request of LADWP, promptly return any and all written materials, notes, documents, records, confidential information, or other information obtained by the Contractor during the course of work under this Agreement to LADWP, and all paper and electronic copies thereof. Provided however, the Contractor may retain duplicates and originals, as appropriate, of Contractor's administrative communications, records, files, and working papers relating to the services provided by the Contractor pursuant to this Agreement.

D. Work Product and Deliverable Confidentiality

Any reports, findings, deliverables, analyses, studies, notes, information or data generated as a result of this Agreement are to be considered confidential. The Contractor shall not make such information available to any individual, agency, or organization except as provided for in this Agreement or as required by law. Notwithstanding the foregoing, the Contractor may reference its work under this Agreement in general terms in presentations and proposals, provided that in doing so, the Contractor does not disclose any non-public information. The Contractor may not release any information, whether or not such information is public information, to the media without prior written approval from LADWP.

E. Subcontractors Subject to the Confidentiality Agreement

Any subcontract entered into pursuant to the terms of this Agreement shall be subject to, and shall incorporate, the provisions of this Confidentiality Agreement.

Bidder has caused their duly authorized representative to execute this Agreement as follows:

Date: _____

Signature: _____

Firm: _____

Title: _____

Appendix P

Safety Compliance Certificate

The successful Proposer(s) will be required to execute and submit the form titled, "Safety Compliance Certificate" provided in **Appendix P** of this RFP.

SAFETY COMPLIANCE CERTIFICATE

I, _____ the undersigned,
(Print Company Representative Name)

(Print Company Representative Title) of

_____ hereby certify the
(Print Company Name)

Information contained herein and that undersigned is duly authorized to certify that:

- A. Contractor has an Injury and Illness Prevention Program which meets the requirements of all applicable laws and regulations, including, but not limited to, industry standards and the California Occupational Safety and Health Administration, Title 8 of the California Code of Regulations, General Industry and Construction Safety Orders. (This section does not apply if Contractor does not perform any work under this agreement within the State of California.)

California Code of Regulations General Industry Safety Orders
<http://www.dir.ca.gov/Title8/3203.html>

California Code of Regulations Construction Safety Orders
<http://dir.ca.gov/Title8/1509.html>

If Contractor performs any work under this agreement outside the State of California, Contractor shall comply with applicable local, State, and Federal laws and regulations, including, but not limited to, industry standards and the Occupational Safety and Health Administration, General Duty Clause.

<https://www.osha.gov/laws-regs/oshact/section5-duties>

- B. Contractor agrees that it is fully responsible for the acts and omissions of its subcontractors and all persons either directly or indirectly employed by Contractor.
- C. The above-named person has the authority and responsibility for implementing and administering Contractor's Injury and Illness Prevention Program.

IN WITNESS WHEREOF, the undersigned has executed this Safety Compliance Certificate under the penalty of perjury of the laws of the State of _____ on:

Signature: _____

Print Name: _____

Date: _____

Appendix Q

Notice of Use of Former LADWP Employees

State whether Proposer will or will not use a former LADWP employee for the performance of the services if awarded a contract, either as an employee of Proposer or as a subcontractor or employee of a subcontractor. Also indicate whether any former LADWP employee is a principal of Proposer or any subcontractor of Proposer. For purposes of this disclosure, a principal shall mean a person who is an officer of, or owns at least 5% of, Proposer or any subcontractor of Proposer.

The Proposer shall complete and submit the Notice of Use of Former LADWP Employees form.

Appendix Q
Notice of Use of Former LADWP Employees

[Authorized Representative]

Los Angeles Department of Water and Power

[Division]

[Primary Location]

Los Angeles, CA 90012

Phone Number: (XXX) XXX-XXXX

Email Address: [firstname.lastname@ladwp.com]

_____ understands that California Government Code Section 1090, et seq., prohibits city officers and employees from being financially interested in any contract made by them in their official capacity. Making a contract is broadly defined as any act involving preliminary discussions, developing specifications, negotiations, planning, and solicitations of bids.

Bidder/Proposer shall mark A. or B.

☐ A. _____ proposes using former Los Angeles Department of Water and Power (LADWP) employees on any proposed contract resulting from [Bid/Request for Proposal/Request for Qualification](#) No. [9XXXX](#) between _____ and LADWP, or as a principal of _____ or one of its Subconsultants is a former LADWP employee.

The following individuals, Consultants or Subconsultants include former LADWP employees:

☐ B. _____ does not propose using former Los Angeles Department of Water and Power (LADWP) employees on any proposed contract resulting from [Bid/Request for Proposal/Request for Qualification](#) No. [9XXXX](#) between _____ and LADWP, or as a principal of _____ or one of its Subconsultants is a former LADWP employee.

Company Name: _____

Authorized Representative: _____

Title: _____

Signature: _____

Date: _____

Appendix R

Proposer Exceptions

The Proposer shall note all exceptions taken to the RFP requirements, Statement of Work, specifications, and/or proposed contractual terms and conditions in the Draft Agreement, Section Five of the RFP. Only exceptions included in this Appendix Word version may be considered. Exceptions noted anywhere else in Proposer's proposal **will not** be considered and **will not** be part of any resulting agreement, if any. LADWP reserves the right to reject any proposal based on noncompliance with the contract terms and conditions included herein.

Exceptions to be submitted as a separate Word file.

Appendix R
Proposer Exceptions

RFP No. and Title RFP No. 90907 - Water Market Research and Analysis

Proposer/Company Name: _____

SECTION A: VENDOR EXCEPTIONS

Item No.	RFP/RFQ or Agreement Section Number	Exception Taken by Vendor
A1	Section/Article XXX - Title	
A2	[Add rows as necessary]	

Sample Only. Use the Word file.

END OF SECTION SIX

SECTION SEVEN
SOCIO-ECONOMIC PROGRAMS - COMPLIANCE REQUIREMENTS AND FORMS

SOCIO-ECONOMIC PROGRAMS - COMPLIANCE REQUIREMENTS AND FORMS

1.0 SMALL BUSINESS ENTERPRISE (SBE)/DISABLED VETERAN BUSINESS ENTERPRISE (DVBE) PARTICIPATION PROGRAM

- Attachment A Bidder's SBE/DVBE Certification Status Form
- Attachment B SBE/DVBE Subcontractor Commitment & Affidavit and List of Proposed Subcontractors
- Attachment C Letter of Intent between a Bidder and SBE/DVBE Subcontractors

2.0 LOCAL BUSINESS PREFERENCE PROGRAM (applies to contracts > \$150,000)

- Attachment D Local Business Preference Program Documentation

1.0 **SMALL BUSINESS ENTERPRISE (SBE)/DISABLED VETERAN BUSINESS ENTERPRISE (DVBE) PARTICIPATION PROGRAM**

1.1 **General**

The SBE/DVBE Participation Program is a race and gender-neutral program developed to create more competition and to offer additional opportunities to small, disabled veteran-owned, and other businesses to participate in LADWP's Board-awarded construction, non-professional and personal services including professional services contracts. As part of the program, LADWP will establish a contract-specific mandatory SBE and/or DVBE participation level for each proposed contract. LADWP's overall annual SBE and DVBE participation goals are set at 25 percent and 3 percent, respectively. The contract-specific mandatory SBE and/or DVBE participation requirement for each bidding opportunity may be higher or lower based on the scope of work, subcontracting opportunities, and the number of small and disabled veteran businesses available to perform the type of work.

1.2 **Definitions**

For the purpose of the SBE/DVBE Participation Program, the following definitions are provided:

- A. **Affiliate:** A person or entity that directly or indirectly controls or is controlled by, or is under common control with, the person or entity, or an identity of interest between or among parties exists such that affiliation may be found. In determining Affiliation, LADWP shall consider all appropriate factors, including common ownership, common management, and contractual relationships.
- B. **Annual DVBE Requirement:** Targeted level established by LADWP for participation of DVBEs in LADWP contracts.
- C. **Annual SBE Requirement:** Targeted level established by LADWP for participation of SBEs in LADWP contracts.
- D. **Bidder/Proposer:** Any person or entity that submits a bid or proposal to LADWP or has expressed interest in submitting a bid or proposal in response to a solicitation issued by LADWP.
- E. **Broker:** Any person or entity who serves as an agent or intermediary in commercial negotiations or transactions for the furnishing of labor, materials, or equipment for the work proposed under the contract and does not have title, possession, control, or risk of loss of the materials, supplies, services, or equipment to be furnished.

- F. Commercially Useful Function:** Responsibility for the execution of a distinct element of work of the contract, which is carried out by actually performing, managing, and supervising the work involved, or fulfilling responsibilities as a Joint Venture partner, and has a necessary and useful role and the firm's role is not superfluously added in an attempt to meet credit toward achievement of the contract-specific mandatory SBE and/or DVBE requirement.
- G. Compliance:** The condition existing when LADWP has determined that a participant has met the requirements of this program.
- H. Contract:** Any mutually binding legal obligation of LADWP created to acquire goods and/or services from one or more firms, which is paid or which is to be paid for, in whole or part, with funds from LADWP. In this context, the terms "contracting," "purchasing," and "procurement" are synonymous and refer to the process or processes under which LADWP undertakes such acquisitions.
- I. Contract-Specific Mandatory SBE and/or DVBE Requirement:** The requirement expressed as a percentage of the total amount of the contract required for SBE and/or DVBE participation on a particular bidding opportunity.
- J. Disabled Veteran Business Enterprise (DVBE):** A business enterprise in which a "Disabled Veteran" owns at least 51% of the business, and the daily business operations are managed and controlled by one or more disabled veterans. The term "Disabled Veteran" shall mean a veteran of the U.S. military, naval, or air service; the veteran must have a service connected disability of at least 10% or more; and the veteran must reside in California.
- K. Disadvantaged Business Enterprise (DBE):** A small business concern where:
1. At least 51% owned and controlled by one or more socially and economically disadvantaged individuals or in the case of any publicly-owned business, at least 51% of the stock of which is owned by one or more socially and economically disadvantaged individuals; and
 2. The management and daily business operations of which are controlled by one or more socially and economically disadvantaged individuals who own it as defined by the Code of Federal Regulations (CFR) 49 Part 26.

- L. Emerging Business Enterprise (EBE):** A business enterprise whose 3-year average annual gross revenue does not exceed \$3.5 million, and is certified as EBE by the City of Los Angeles. The State of California's Micro business certification will be considered equivalent to the EBE certification.
- M. Joint Venture:** A contractual arrangement between two businesses that is undertaken to complete a specific task. In a joint venture, a separate entity is formed that ceases to exist upon the completion of the tasks agreed.
- N. Lesbian, Gay, Bisexual, or Transgender Business Enterprise (LGBTBE):** A business enterprise that meets both of the following criteria:
1. A business that is at least 51% owned by a lesbian, gay, bisexual, or transgender person or persons or, in the case of any business whose stock is publicly held, at least 51% of the stock is owned by one or more lesbian, gay, bisexual, or transgender persons; and
 2. A business whose management and daily business operations are controlled by one or more of those individuals.
- O. Letter of Intent:** A written documentation of the bidder's commitment to utilize an SBE or DVBE subcontractor, and confirmation from a subcontractor listed SBE or DVBE that it is willing to participate in the contract. A "Letter of Intent" is required from each SBE or DVBE subcontractor that is listed for meeting or exceeding the established contract-specific mandatory SBE and/or DVBE participation requirement. A "Letter of Intent" shall be submitted to LADWP at the time of bid submittal.
- P. Letter of Notification:** A post-award letter sent by LADWP to the Prime Contractor and all listed subcontractors specifying committed subcontracting amounts.
- Q. Manufacturer:** An individual or firm that owns, operates, or maintains a factory or establishment that produces on the premises the components, materials and/or equipment, or supplies equipment required under the contract.
- R. Minority Business Enterprise (MBE):** A business enterprise that meets both of the following criteria:
1. A business that is at least 51% owned by one or more minority

persons or, in the case of any business whose stock is publicly held, at least 51% of the stock is owned by one or more minority persons; and

2. A business whose management and daily business operations are controlled by one or more minority persons.

- S. Non-Compliance:** The condition that exists when a Bidder/Proposer or Contractor has failed to meet the requirements of the SBE/DVBE Participation Program.
- T. Other Business Enterprise (OBE):** An OBE is any business enterprise that is not certified as SBE, MBE, WBE, or DVBE.
- U. Prime Contractor:** The Contractor who enters into contract with LADWP and who is primarily responsible for performance under such contract.
- V. Small Business Enterprise (SBE):** A business enterprise that meets the certification requirements set forth in the Article titled "Accepted Certifications to Qualify as an SBE" of this section.
- W. Subcontractor:** An individual, firm, or corporation having a direct contract with the Prime Contractor for the performance of a part of the work which is proposed to be constructed or performed under the contract or permit, including the furnishing of all labor, materials, or equipment. A Subcontractor shall perform a commercially useful function.
- X. Subcontractor Utilization Plan:** A document provided by the Contractor and approved by LADWP identifying all SBEs, DVBEs, and other Subcontractors that the Contractor intends to use on a project, including corresponding scopes of work and dollar amounts.
- Y. Women Business Enterprise (WBE):** A business enterprise that meets both of the following criteria:
 1. A business that is at least 51% owned by one or more women or, in the case of any business whose stock is publicly held, at least 51% of the stock is owned by one or more women; and
 2. A business whose management and daily business operations are controlled by one or more women.

1.3 Accepted SBE and DVBE Certifications

The Department will accept the following agency certifications for determining SBE and DVBE:

CERTIFYING AGENCY	CERTIFICATION
City of Los Angeles (Bureau of Contract Administration)	Local Small Business (LSB)/ Small Local Business (SLB)
	Small Business Enterprise (SBE LA)
	Small Business Enterprise (SBE Proprietary)
	Emerging Business Enterprise (EBE)
State of California Department of General Services (DGS)	Small Business (SB)
	Small Business-Public Works (SB-PW)
	Micro-Business (MB)
	Disabled Veteran Business Enterprise (DVBE)
Los Angeles County	Local Small Business Enterprise (LSBE)
LA County Metropolitan Transportation Authority (Metro)	Small Business Enterprise (SBE Metro)
Federal – Small Business Administration (SBA)	SBA 8(a) Business Development Program
California Unified Certification Program (CUCP)	Disadvantaged Business Enterprise (DBE)
California Department of Transportation (CALTRANS)	Small Minority Business Enterprise (SMBE)
	Small Women Business Enterprise (SWBE)
U.S. Women's Chamber of Commerce (USWCC)	Women-Owned Small Business (WOSB)
	Economically Disadvantaged Women-Owned Small Business (EDWOSB)
National Women Business Owners Corporation (NWBOC)	Women-Owned Small Business (WOSB)
	Economically Disadvantaged Women-Owned Small Business (EDWOSB)

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1.4 Contract-specific Mandatory SBE and/or DVBE Participation Requirement

LADWP's Contract-specific mandatory SBE and/or DVBE participation requirement for this RFP is listed in Section One – Instructions to Proposers, Paragraph 3.0 of this RFP.

1.5 Resources for Finding Certified SBEs and DVBEs

For the purpose of the SBE/DVBE Participation Program, proposers can use the following SBE and DVBE databases and links to search for and identify certified SBE or DVBE subcontractors.

CERTIFYING AGENCY	CERTIFICATION	CERTIFIED SBE OR DVBE SEARCH DATABASE
City of Los Angeles (Bureau of Contract Administration)	Local Small Business (LSB)/ Small Local Business (SLB)	https://www.rampla.org/s/regional-profiles
	Small Business Enterprise (SBE LA)	
	Small Business Enterprise (SBE Proprietary)	
	Emerging Business Enterprise (EBE)	
State of California Department of General Services (DGS)	Small Business (SB)	https://caleprocure.ca.gov/pages/PublicSearch/supplier-search.aspx
	Small Business-Public Works (SB-PW)	
	Micro-Business (MB)	
	Disabled Veteran Business Enterprise (DVBE)	
Los Angeles County	Local Small Business Enterprise (LSBE)	https://camisvr.co.la.ca.us/webven/
LA County Metropolitan Transportation Authority (Metro)	Small Business Enterprise (SBE Metro)	http://smallbusinessquery.metro.net
Federal – Small Business Administration (SBA)	SBA 8(a) Business Development Program	http://dsbs.sba.gov/dsbs/search/dsp_dsbs.cfm
California Unified Certification Program (CUCP)	Disadvantaged Business Enterprise (DBE)	http://www.dot.ca.gov
California Department of Transportation (CALTRANS)	Small Minority Business Enterprise (SMBE)	http://www.dot.ca.gov
	Small Women Business Enterprise (SWBE)	

U.S. Women's Chamber of Commerce (USWCC)	Women-Owned Small Business (WOSB)	http://womenowned.us
	Economically Disadvantaged Women-Owned Small Business (EDWOSB)	
National Women Business Owners Corporation (NWBOC)	Women-Owned Small Business (WOSB)	http://www.nwboc.org
	Economically Disadvantaged Women-Owned Small Business (EDWOSB)	

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1.6 Rules for Calculating and Counting SBE and/or DVBE Participation

SBEs and DVBEs shall perform a commercially useful function and shall be certified by the time of bid submission to be counted towards meeting the contract-specific mandatory SBE and/or DVBE participation requirement.

LADWP will not offer extra credit to a Subcontractor that is dually-certified as an SBE and DVBE and listed "only" in one work area. However, a Subcontractor that is dually-certified as an SBE and DVBE can be listed as an SBE in one work area and as a DVBE in another work area to earn respective credits for SBE and DVBE participation.

LADWP will utilize the following criteria for calculating and counting SBE and DVBE participation:

- A. For Bidders that are Certified as SBEs or DVBEs:** Credit will be limited to the portion of the contract that will be performed by bidder's own forces.
- B. For Subcontractors that are Certified as SBEs or DVBEs:** Credit will be limited to the portion of the contract that will be performed by a Subcontractor. Credit for SBE or DVBE certified subcontractors who are brokers will be limited to the fees or commission paid to the broker.

1.7 SBE/DVBE Participation Program Compliance Criteria

To be deemed responsive, bidders shall meet or exceed the contract-specific mandatory SBE and/or DVBE participation requirement.

1.8 Documentation and Submittals

To be deemed responsive to the requirements of the SBE/DVBE Participation Program, bidders shall complete and submit the following documents:

A. Bidder's SBE/DVBE Certification Status Form:

Bidder shall complete and submit the "Bidder's SBE/DVBE Certification Status" form set forth in **Attachment A** to indicate whether the bidder itself is certified as an SBE or DVBE. **"If"** the

bidder is certified as an SBE or DVBE, credit will be limited to the portion of the contract that will be performed by the bidder's own forces. To receive SBE or DVBE credit, a certified bidder shall submit with its bid a copy or proof of valid certification issued by a certifying agency recognized by LADWP, and the bidder shall be certified by the time of bid submittal;

B. SBE/DVBE Subcontracting Commitment & Affidavit and List of Proposed Subcontractors:

Bidder shall complete and submit the form "SBE/DVBE Subcontracting Commitment & Affidavit and List of Proposed Subcontractors" provided in **Attachment B** of this RFP. The Bidder shall list all certified SBE and DVBE Subcontractors that will be utilized for the achievement of the mandatory SBE and/or DVBE participation requirement and all other Subcontractors who are not certified as an SBE or DVBE;and

C. Letter of Intent:

To receive credit, the bidder shall submit a completed and signed "Letter of Intent" for "**each**" certified SBE or DVBE Subcontractor that is listed for the achievement of the mandatory SBE and/or DVBE participation requirement. A "Letter of Intent" form is provided in **Attachment C** of this RFP. No credit will be given to a certified SBE or DVBE Subcontractor if the bidder fails to submit a "Letter of Intent" signed by both the bidder and listed SBE or DVBE Subcontractor. Completed and signed "Letter of Intent" shall be submitted to LADWP at the time of bid submittal;

D. Copy or Proof of Valid Certification

Bidder shall submit a "copy or proof of valid certification" issued by a certifying agency recognized by LADWP for "**each**" certified SBE or DVBE Subcontractor that is listed for the achievement of the mandatory SBE and/or DVBE participation requirement. SBE or DVBE Subcontractors listed for the achievement of the mandatory SBE and/or DVBE participation requirement shall be certified by the time of bid submittal.

1.9 Post-Award Documentation

On a monthly basis, the successful bidder shall complete and submit to LADWP, a form titled "Monthly Subcontractor Utilization Report" with its invoice listing all Subcontractors utilized during the reporting period including SBEs and DVBEs. The form titled "Monthly Subcontractor Utilization Report" will be provided by the Contract Administrator.

The successful bidder shall cooperate with Department personnel in providing such information as requested in order to ensure compliance.

LADWP will not process or pay the successful bidder's subsequent invoices if Subcontractor Utilization Reports are not submitted in a timely manner or if the successful bidder fails to cooperate with the Department personnel by promptly providing any and all information related to Subcontractor participation as requested by LADWP.

As part of its "final invoice," the successful bidder shall submit an overall project subcontractor utilization report indicating that the overall committed subcontracting commitments were achieved. Final payment will not be processed without the overall project Subcontractor Utilization Report.

1.10 Subcontractor Substitution, Reduction, or Addition

The Consultant shall notify LADWP Contract Administrator in writing of any proposal to add, reduce, or substitute a Subconsultant in place of a Subconsultant listed in the Consultant's Qualification/Proposal. Prior to such change, the Consultant shall secure the acceptance of LADWP. The Consultant shall submit the following information in a form similar to that contained in the Consultant's original Qualification/Proposal.

- A.** Name of Subconsultant
- B.** Location and Phone Number of Place of Business
- C.** Contact Person
- D.** Subconsultant's License(s) number and expiration date (if applicable)
- E.** Current Certification Status (if applicable)
- F.** The portion of the Services that will be performed by each Subconsultant
- G.** Reason for the change

LADWP will promptly initiate a review of the information submitted on each Subconsultant and transmit written notification to the Consultant concerning its decision.

LADWP shall not be responsible for delays incurred by the Consultant because of a timely disapproval by LADWP of a Subconsultant proposed by the Consultant, or for the late submittal for acceptance of a Subconsultant to LADWP, or because of a Subconsultant's removal from the performance of the Work.

1.11 Falsification of Subcontractor Agreement

Falsification or misrepresentation as to company name, contract amount, or actual work to be done by the Subcontractor will result in sanctions as set forth in applicable local, state, and federal laws.

1.12 Penalties

A successful bidder violating any provision(s) of this program shall, subject to prior notice of the alleged violation(s), and an opportunity to be heard and to present evidence in its own defense, be deemed in violation of the Contract, and LADWP may:

- A.** Terminate the contract; **or**
- B.** Assess the successful bidder a penalty of not more than 10% of the amount of the unpaid or underpaid amount of the Subcontract(s) involved.

END OF SBE/DVBE PARTICIPATION PROGRAM

Attachment A
Bidder's SBE/DVBE Certification Status Form

BIDDER'S SBE/DVBE CERTIFICATION STATUS FORM

A bidder that is certified as an SBE or DVBE is eligible to earn credit towards meeting or exceeding the contract-specific mandatory SBE and/or DVBE participation requirement, for the portion of the contract that will be performed by its own forces. **All bidders shall indicate their certification status on the table shown below.**

To be eligible for SBE/DVBE credit, certified bidders shall submit with its bid, a copy or proof of valid certification issued by a certifying agency recognized by LADWP and must be certified by the time of bid submittal.

NAME OF BIDDER: _____ RFP/IFB No.: _____	
<div style="background-color: #f2f2f2; padding: 5px; border: 1px solid black; text-align: center;"> SBE or DVBE CERTIFICATION STATUS OF BIDDER <i>[Check all that apply & select the issuing certification agency/acceptable SBE or DVBE Certification in the next column]</i> </div> <div style="padding: 10px;"> <input type="checkbox"/> SBE – Small Business Enterprise <i>(certification must be recognized by LADWP)</i> Certification Expiry Date: _____ </div> <div style="padding: 10px;"> <input type="checkbox"/> DVBE – Disabled Veteran Business Enterprise <i>(certification must be recognized by LADWP)</i> Certification Expiry Date: _____ </div> <div style="padding: 10px; margin-top: 10px;"> <p><i>If the bidder is a certified SBE or DVBE, what portion of the contract will be performed by the bidder's own forces (as a percentage)?</i></p> <div style="text-align: right; margin-right: 50px;"> _____% </div> </div>	<div style="background-color: #f2f2f2; padding: 5px; border: 1px solid black; text-align: center;"> CERTIFICATION AGENCY and ACCEPTABLE SBE or DVBE CERTIFICATION <i>[check applicable box(es)]</i> </div> <div style="padding: 10px;"> <input type="checkbox"/> City of Los Angeles – Bureau of Contract Administration: LSB/SLB, SBE (LA), SBE (Proprietary), and EBE certifications </div> <div style="padding: 10px;"> <input type="checkbox"/> State of California Department of General Services (DGS): SB, SB-PW, MB or DVBE certifications </div> <div style="padding: 10px;"> <input type="checkbox"/> Los Angeles County: LSBE certification </div> <div style="padding: 10px;"> <input type="checkbox"/> Los Angeles County Metropolitan Transportation Authority (Metro): SBE Metro certification </div> <div style="padding: 10px;"> <input type="checkbox"/> Federal Small Business Administration (SBA): SBA 8(a) certification </div> <div style="padding: 10px;"> <input type="checkbox"/> California Unified Certification Program (CUCP): DBE certification </div> <div style="padding: 10px;"> <input type="checkbox"/> California Department of Transportation (CALTRANS): SMBE and SWBE certifications </div> <div style="padding: 10px;"> <input type="checkbox"/> U.S. Women's Chamber of Commerce (USWCC): WOSB and EDWOSB certifications </div> <div style="padding: 10px;"> <input type="checkbox"/> National Women Business Owners Corporation (NWBOC): WOSB and EDWOSB certifications </div>
<div style="background-color: #f2f2f2; padding: 5px; border: 1px solid black; text-align: center;"> OTHER CERTIFICATION STATUS OF BIDDER <i>[Check all that apply & indicate certifying agency]</i> </div> <div style="padding: 10px;"> <input type="checkbox"/> MBE* – Minority-Owned Business Enterprise Certification Agency: _____ </div> <div style="padding: 10px;"> <input type="checkbox"/> WBE* – Woman-Owned Business Enterprise Certification Agency: _____ </div> <div style="padding: 10px;"> <input type="checkbox"/> LGBTBE* – Lesbian, Gay, Bisexual, or Transgendered –Owned Business Enterprise Certification Agency: _____ </div> <div style="padding: 10px;"> <input type="checkbox"/> None* </div> <div style="padding: 10px; margin-top: 10px;"> <p><small>* Information collected for statistical purposes only; this information does not factor into the SBE/DVBE Participation requirement.</small></p> </div>	

Attachment B
SBE/DVBE Subcontracting Commitment & Affidavit
and
List of Proposed Subcontractors

SBE/DVBE Subcontracting Commitment & Affidavit

and List of Proposed Subcontractors

LIST ALL SUBCONTRACTORS (regardless of certification status)

PERFORMING WORK, LABOR, SERVICE, OR SUPPLYING MATERIALS OR EQUIPMENT

INSTRUCTIONS

In accordance with the Article titled "Small Business Enterprise/Disabled Veteran Business Enterprise (DVBE) Participation Program" in SECTION SEVEN of this RFP:

1. Bidder shall commit to a total overall SBE/DVBE participation commitment percentage, to be applied to the aggregate value of all task orders awarded to the bidder over the term of the contract, by indicating the bidder's total overall commitment percentage and signing the affidavit below.
2. Bidder shall list all anticipated subcontractors and provide each subcontractor's information and certification status on the subsequent *Proposed Subcontractor* pages. (On the subsequent *Proposed Subcontractor pages*, the specific "*percentage of contract amount for subcontracting*" for each proposed subcontractor may be left blank for task-order based contracts)
3. To earn credit toward the mandatory SBE/DVBE participation requirement, the bidder shall submit proof of certification and a signed "**Letter of Intent**" for each **certified SBE or DVBE subcontractor** that is listed. The "Letter of Intent" is provided in SECTION SEVEN of this RFP.

The bidder must meet or exceed the contract-specific mandatory SBE and/or DVBE participation percentage requirement specified in SECTION ONE of this RFP to be deemed responsive.

INDICATE THE TOTAL OVERALL SBE/DVBE PARTICIPATION COMMITMENT FOR THIS CONTRACT*:

%

**If the bidder is a certified SBE or DVBE, include the portion of work to be completed by the bidder's own forces in the total overall SBE/DVBE participation commitment percentage.*

AFFIDAVIT – COMMITMENT TO THE TOTAL OVERALL SBE/DVBE PARTICIPATION % STATED ABOVE

The undersigned Director, Officer, General Partner, or similarly situated Principal of the business declares that to the best of their knowledge, information and belief, the information set forth on this page of this document and any attachments, is current, complete, and accurate.

Executed on: _____, 20____, at _____
State Date City

Business Name: _____

Business Address: _____
Street City State

Authorized Signature: _____

Printed Name: _____ Title: _____

Phone: _____ Email: _____

PROPOSED SUBCONTRACTOR NO.

1

SUBCONTRACTOR INFORMATION	
Subcontractor Name:	
Business Address:	
Contact Person:	
Telephone Number:	
Email Address:	
Contractor's License (if applicable):	
Gender*:	
Ethnicity*:	
Description of Work:	
PERCENTAGE OF CONTRACT AMOUNT FOR SUBCONTRACTING:	
%	
SBE or DVBE CERTIFICATION STATUS OF SUBCONTRACTOR <i>[Check all that apply & select the issuing certification agency/acceptable SBE or DVBE Certification in the next column]</i>	CERTIFICATION AGENCY and ACCEPTABLE SBE or DVBE CERTIFICATION <i>[check applicable box(es)]</i>
<input type="checkbox"/> SBE – Small Business Enterprise <i>(certification must be recognized by LADWP)</i> Certification Expiry Date: _____	<input type="checkbox"/> City of Los Angeles – Bureau of Contract Administration: LSB/SLB, SBE (LA), SBE (Proprietary), and EBE certifications
<input type="checkbox"/> DVBE – Disabled Veterans Business Enterprise <i>(certification must be recognized by LADWP)</i> Certification Expiry Date: _____	<input type="checkbox"/> State of California Department of General Services (DGS): SB, SB-PW, MB or DVBE certifications
<input type="checkbox"/> Los Angeles County: LSBE certification	<input type="checkbox"/> Los Angeles County Metropolitan Transportation Authority (Metro): SBE Metro certification
<input type="checkbox"/> Los Angeles County Metropolitan Transportation Authority (Metro): SBE Metro certification	<input type="checkbox"/> Federal Small Business Administration (SBA): SBA 8(a) certification
<input type="checkbox"/> California Unified Certification Program (CUCP): DBE certification	<input type="checkbox"/> California Department of Transportation (CALTRANS): SBE and SWBE certifications
<input type="checkbox"/> U.S. Women's Chamber of Commerce (USWCC): WOSB and EDWOSB certifications	<input type="checkbox"/> National Women Business Owners Corporation (NWBOC): WOSB and EDWOSB certifications
<input type="checkbox"/> MBE* – Minority-Owned Business Enterprise Certification Agency: _____	
<input type="checkbox"/> WBE* – Woman-Owned Business Enterprise Certification Agency: _____	
<input type="checkbox"/> LGBTBE* – Lesbian, Gay, Bisexual, or Transgendered –Owned Business Enterprise Certification Agency: _____	
<input type="checkbox"/> None*	

* Information collected for statistical purposes only; this information does not factor into the SBE/DVBE Participation requirement.

PROPOSED SUBCONTRACTOR NO.

2

SUBCONTRACTOR INFORMATION	
Subcontractor Name:	
Business Address:	
Contact Person:	
Telephone Number:	
Email Address:	
Contractor's License (if applicable):	
Gender*:	
Ethnicity*:	
Description of Work:	
PERCENTAGE OF CONTRACT AMOUNT FOR SUBCONTRACTING:	
SBE or DVBE CERTIFICATION STATUS OF SUBCONTRACTOR <i>[Check all that apply & select the issuing certification agency/acceptable SBE or DVBE Certification in the next column]</i>	CERTIFICATION AGENCY and ACCEPTABLE SBE or DVBE CERTIFICATION <i>[check applicable box(es)]</i>
<input type="checkbox"/> SBE – Small Business Enterprise <i>(certification must be recognized by LADWP)</i> Certification Expiry Date: _____	<input type="checkbox"/> City of Los Angeles – Bureau of Contract Administration: LSB/SLB, SBE (LA), SBE (Proprietary), and EBE certifications
<input type="checkbox"/> DVBE – Disabled Veterans Business Enterprise <i>(certification must be recognized by LADWP)</i> Certification Expiry Date: _____	<input type="checkbox"/> State of California Department of General Services (DGS): SB, SB-PW, MB or DVBE certifications
<input type="checkbox"/> MBE* – Minority-Owned Business Enterprise Certification Agency: _____	<input type="checkbox"/> Los Angeles County: LSBE certification
<input type="checkbox"/> WBE* – Woman-Owned Business Enterprise Certification Agency: _____	<input type="checkbox"/> Los Angeles County Metropolitan Transportation Authority (Metro): SBE Metro certification
<input type="checkbox"/> LGBTBE* – Lesbian, Gay, Bisexual, or Transgendered –Owned Business Enterprise Certification Agency: _____	<input type="checkbox"/> Federal Small Business Administration (SBA): SBA 8(a) certification
<input type="checkbox"/> None*	<input type="checkbox"/> California Unified Certification Program (CUCP): DBE certification
	<input type="checkbox"/> California Department of Transportation (CALTRANS): SMBE and SWBE certifications
	<input type="checkbox"/> U.S. Women's Chamber of Commerce (USWCC): WOSB and EDWOSB certifications
	<input type="checkbox"/> National Women Business Owners Corporation (NWBOC): WOSB and EDWOSB certifications

* Information collected for statistical purposes only; this information does not factor into the SBE/DVBE Participation requirement.

PROPOSED SUBCONTRACTOR NO.

3

SUBCONTRACTOR INFORMATION	
Subcontractor Name:	
Business Address:	
Contact Person:	
Telephone Number:	
Email Address:	
Contractor's License (if applicable):	
Gender*:	
Ethnicity*:	
Description of Work:	
PERCENTAGE OF CONTRACT AMOUNT FOR SUBCONTRACTING:	
%	
SBE or DVBE CERTIFICATION STATUS OF SUBCONTRACTOR <i>[Check all that apply & select the issuing certification agency/acceptable SBE or DVBE Certification in the next column]</i>	CERTIFICATION AGENCY and ACCEPTABLE SBE or DVBE CERTIFICATION <i>[check applicable box(es)]</i>
<input type="checkbox"/> SBE – Small Business Enterprise <i>(certification must be recognized by LADWP)</i> Certification Expiry Date: _____	<input type="checkbox"/> City of Los Angeles – Bureau of Contract Administration: LSB/SLB, SBE (LA), SBE (Proprietary), and EBE certifications
<input type="checkbox"/> DVBE – Disabled Veterans Business Enterprise <i>(certification must be recognized by LADWP)</i> Certification Expiry Date: _____	<input type="checkbox"/> State of California Department of General Services (DGS): SB, SB-PW, MB or DVBE certifications
OTHER CERTIFICATION STATUS OF SUBCONTRACTOR <i>[Check all that apply & indicate certifying agency]</i>	<input type="checkbox"/> Los Angeles County: LSBE certification
<input type="checkbox"/> MBE* – Minority-Owned Business Enterprise Certification Agency: _____	<input type="checkbox"/> Los Angeles County Metropolitan Transportation Authority (Metro): SBE Metro certification
<input type="checkbox"/> WBE* – Woman-Owned Business Enterprise Certification Agency: _____	<input type="checkbox"/> Federal Small Business Administration (SBA): SBA 8(a) certification
<input type="checkbox"/> LGBTBE* – Lesbian, Gay, Bisexual, or Transgendered –Owned Business Enterprise Certification Agency: _____	<input type="checkbox"/> California Unified Certification Program (CUCP): DBE certification
<input type="checkbox"/> None*	<input type="checkbox"/> California Department of Transportation (CALTRANS): SMBE and SWBE certifications
	<input type="checkbox"/> U.S. Women's Chamber of Commerce (USWCC): WOSB and EDWOSB certifications
	<input type="checkbox"/> National Women Business Owners Corporation (NWBOC): WOSB and EDWOSB certifications

* Information collected for statistical purposes only; this information does not factor into the SBE/DVBE Participation requirement.

PROPOSED SUBCONTRACTOR NO.

4

SUBCONTRACTOR INFORMATION	
Subcontractor Name:	
Business Address:	
Contact Person:	
Telephone Number:	
Email Address:	
Contractor's License (if applicable):	
Gender*:	
Ethnicity*:	
Description of Work:	
PERCENTAGE OF CONTRACT AMOUNT FOR SUBCONTRACTING:	
%	
SBE or DVBE CERTIFICATION STATUS OF SUBCONTRACTOR <i>[Check all that apply & select the issuing certification agency/acceptable SBE or DVBE Certification in the next column]</i>	CERTIFICATION AGENCY and ACCEPTABLE SBE or DVBE CERTIFICATION <i>[check applicable box(es)]</i>
<input type="checkbox"/> SBE – Small Business Enterprise <i>(certification must be recognized by LADWP)</i> Certification Expiry Date: _____	<input type="checkbox"/> City of Los Angeles – Bureau of Contract Administration: LSB/SLB, SBE (LA), SBE (Proprietary), and EBE certifications
<input type="checkbox"/> DVBE – Disabled Veterans Business Enterprise <i>(certification must be recognized by LADWP)</i> Certification Expiry Date: _____	<input type="checkbox"/> State of California Department of General Services (DGS) : SB, SB-PW, MB or DVBE certifications
<input type="checkbox"/> MBE* – Minority-Owned Business Enterprise Certification Agency: _____	<input type="checkbox"/> Los Angeles County : LSBE certification
<input type="checkbox"/> WBE* – Woman-Owned Business Enterprise Certification Agency: _____	<input type="checkbox"/> Los Angeles County Metropolitan Transportation Authority (Metro) : SBE Metro certification
<input type="checkbox"/> LGBTBE* – Lesbian, Gay, Bisexual, or Transgendered –Owned Business Enterprise Certification Agency: _____	<input type="checkbox"/> Federal Small Business Administration (SBA) : SBA 8(a) certification
<input type="checkbox"/> None*	<input type="checkbox"/> California Unified Certification Program (CUCP) : DBE certification
	<input type="checkbox"/> California Department of Transportation (CALTRANS) : SMBE and SWBE certifications
	<input type="checkbox"/> U.S. Women's Chamber of Commerce (USWCC) : WOSB and EDWOSB certifications
	<input type="checkbox"/> National Women Business Owners Corporation (NWBOC) : WOSB and EDWOSB certifications

* Information collected for statistical purposes only; this information does not factor into the SBE/DVBE Participation requirement.

PROPOSED SUBCONTRACTOR NO.

Bidder is advised to print extra copies of this page to “number” and list additional subcontractors.

SUBCONTRACTOR INFORMATION	
Subcontractor Name:	
Business Address:	
Contact Person:	
Telephone Number:	
Email Address:	
Contractor's License (if applicable):	
Gender*:	
Ethnicity*:	
Description of Work:	
PERCENTAGE OF CONTRACT AMOUNT FOR SUBCONTRACTING: <input type="text"/> %	
SBE or DVBE CERTIFICATION STATUS OF SUBCONTRACTOR <i>[Check all that apply & select the issuing certification agency/acceptable SBE or DVBE Certification in the next column]</i>	CERTIFICATION AGENCY and ACCEPTABLE SBE or DVBE CERTIFICATION <i>[check applicable box(es)]</i>
<input type="checkbox"/> SBE – Small Business Enterprise <i>(certification must be recognized by LADWP)</i> Certification Expiry Date: _____	<input type="checkbox"/> City of Los Angeles – Bureau of Contract Administration: LSB/SLB, SBE (LA), SBE (Proprietary), and EBE certifications
<input type="checkbox"/> DVBE – Disabled Veterans Business Enterprise <i>(certification must be recognized by LADWP)</i> Certification Expiry Date: _____	<input type="checkbox"/> State of California Department of General Services (DGS): SB, SB-PW, MB or DVBE certifications <input type="checkbox"/> Los Angeles County: LSBE certification <input type="checkbox"/> Los Angeles County Metropolitan Transportation Authority (Metro): SBE Metro certification
OTHER CERTIFICATION STATUS OF SUBCONTRACTOR <i>[Check all that apply & indicate certifying agency]</i>	<input type="checkbox"/> Federal Small Business Administration (SBA): SBA 8(a) certification <input type="checkbox"/> California Unified Certification Program (CUCP): DBE certification <input type="checkbox"/> California Department of Transportation (CALTRANS): SMBE and SWBE certifications <input type="checkbox"/> U.S. Women's Chamber of Commerce (USWCC): WOSB and EDWOSB certifications <input type="checkbox"/> National Women Business Owners Corporation (NWBOC): WOSB and EDWOSB certifications
<input type="checkbox"/> MBE* – Minority-Owned Business Enterprise Certification Agency: _____ <input type="checkbox"/> WBE* – Woman-Owned Business Enterprise Certification Agency: _____ <input type="checkbox"/> LGBTBE* – Lesbian, Gay, Bisexual, or Transgendered –Owned Business Enterprise Certification Agency: _____ <input type="checkbox"/> None*	

* Information collected for statistical purposes only; this information does not factor into the SBE/DVBE Participation requirement.

Attachment C

Letter of Intent between a Bidder and SBE/DVBE Subcontractor

LETTER OF INTENT
BETWEEN
A BIDDER AND SBE/DVBE SUBCONTRACTOR

The Bidder shall submit a completed and signed copy of this Letter of Intent for “each” SBE or DVBE Subcontractor that is listed for the achievement of the contract-specific mandatory SBE and/or DVBE participation requirement.

Invitation-for-Bid (IFB)/Request-for-Proposal (RFP) Number: _____

Title of IFB/RFP: _____

Name of Bidder: _____

Name of Bidder’s Authorized Representative: _____

Name of SBE or DVBE Subcontractor: _____

Name of Subcontractor’s Authorized Representative: _____

Phone No. and E-mail Address of Subcontractor: _____

TERMS:

- A. This is a letter of intent between the Bidder and an SBE or DVBE Subcontractor that is listed for the achievement of the contract-specific mandatory SBE and/or DVBE participation requirement.
- B. By signing below, the Bidder is committing to utilize the above-named SBE or DVBE Subcontractor to perform the work shown below.
- C. By signing below, the above-named SBE or DVBE Subcontractor is confirming that it is willing to participate in the Contract for the work area shown below.

SUBCONTRACTING WORK AREA		
Description	NAICS* Code	Percentage of Contract Amount for Subcontracting (%)

AFFIRMATION: I hereby affirm that the information above is true and correct.

Bidder’s Authorized Representative:

(Signature) (Title) (Date)

SBE or DVBE Subcontractor’s Authorized Representative:

(Signature) (Title) (Date)

*Visit <http://www.census.gov/naics/> to search. Match type of work with NAICS code as closely as possible.

*To be provided only when the solicitation requires that bidder include a dollar amount in its bid-offer.

In the event the bidder does not receive award of the prime contract, any and all representations in this Letter of Intent and Affirmation shall be null and void.

2.0 LOCAL BUSINESS PREFERENCE PROGRAM (LBPP):

2.1 General

This contract is subject to the applicable provisions of the Local Business Preference Program (LBPP) Ordinance, Division 10, Chapter 1, Article 4 of the City of Los Angeles Administrative Code.

LADWP is committed to maximizing opportunities for Local Businesses, as well as encouraging Local Businesses to locate and operate in the Los Angeles area. It is the policy of the City and LADWP to reduce local unemployment, stimulate the expansion and retention of local jobs, and create sustainable local economic development.

LADWP will implement the LBPP in all competitively advertised Proposals except for:

- A.** Contracts that involve the expenditure of funds that are not entirely within LADWP control, such as state and federal grant funds that, due to legal restrictions, prohibit its application.
- B.** If the Proposal would violate or conflict with federal or state law.
- C.** Contracts where full and open competition is limited because of a sole source or single source vendor, provider, or supplier.
- D.** Contracts where LADWP's General Manager or its designee makes a written determination that it is not in LADWP's best interest to grant a Proposal preference.

The City of Los Angeles, Department of Public Works, Bureau of Contract Administration (BCA), Office of Contract Compliance (OCC) Certification, Outreach, Regulations and Enforcement Section (CORE) Centralized Certification Administration (CCA) is the Designated Administrative Agency (DAA) for the LBPP. The DAA will determine whether a Person qualifies as a Local Business Enterprise, a Local Small Business, or a Local Transitional Employer. The DAA may also audit or monitor contractors and subcontractors for compliance with the provisions of the Ordinance and conduct investigations of claimed violations.

2.2 Definitions

For the application of the LBPP, the following terms shall have the following meanings:

- A. Broker:** A manufacturer's representative, packager, or other Person who arranges or expedites a transaction of equipment, goods or materials that are manufactured in the County of Los Angeles.

- B. Contract:** A written agreement for the purchase of equipment, goods, or materials, or the performance of any work or services by or for the benefit of LADWP.
- C. Dealer or Supplier:** Any Person who owns, operates, or maintains a store, warehouse, or other establishment in the County of Los Angeles in which the equipment, goods, or materials of the general character described in the Proposal specifications and required under the Contract are regularly sold or leased to the public from its own inventory or otherwise procured in the usual course of its business. A Dealer or Supplier does not include a packager, broker, manufacturer's representative, or other person who arranges or expedites a transaction without taking ownership of the finished or assembled equipment, goods or materials prior to the sale or lease to LADWP.
- D. Designated Administrative Agency (DAA):** The City of Los Angeles, Department of Public Works, Bureau of Contract Administration.
- E. Local Business Enterprise (LBE):** A Person certified by the DAA as a Local Business.
- F. Local Small Business (LSB):** A Person certified by the DAA as a Local Small Business.
- G. Local Transitional Employer (LTE):** A Person certified by the DAA as a Local Transitional Employer.
- H. Person:** Any individual, business, proprietorship, partnership, joint venture, corporation, limited liability company, trust, association, organization, or other entity that may enter a Contract.
- I. Supportive Services:** Include, but are not limited to, counseling services, individual case management, pre-employment job readiness training, daily monitoring of participants while on the job, provision of competitive employment opportunities, and assistance in applying for, obtaining, and maintaining competitive employment.
- J. Transitional Job:** Short-term, wage-paying employment that combines real work, skill development, and Supportive Services to help participants overcome barriers to employment and transition to competitive employment.

2.3 Eligibility Criteria for the LBPP

To be eligible for any preference under this Article, a Proposer must be certified and approved by the DAA, pursuant to its rules and procedures, as a Local

Business Enterprise (LBE), a Local Small Business (LSB), and/or a Local Transitional Employer (LTE).

- A. Registration and Certification:** To become certified, the BCA/OCC requires a prospective Proposer to register and apply for certification prior to the Proposal deadline by submitting an Affidavit on Regional Alliance Marketplace for Procurement (RAMP) system. The Affidavit is available for download on the RAMP website at <https://www.RAMPLA.org>. For more information, the Proposer shall e-mail or call the City of Los Angeles, Bureau of Contract Administration, Office of Contract Compliance at bca.certifications@lacity.org or (213) 847-2684.

Proposers are solely responsible for keeping apprised of this requirement by utilizing the information identified above.

2.4 Application of Preference to Proposals for Services and Goods – Additional Requirements

The preferences awarded shall be subject to the following additional requirements:

- A. Services:** A Proposal for services shall be eligible for a preference if two thirds of the services under the Contract are to be produced or performed in the County of Los Angeles.
- B. Equipment, Goods, or Materials:** A Proposal for equipment, goods or materials shall be eligible for a preference if the LBE, LSB, or LTE:
1. Designs, manufactures, or assembles the equipment, goods, or materials where a minimum of two thirds of the work, based on the dollar amount under the Contract, is performed in the County of Los Angeles;
 2. Is a Dealer or Supplier; or
 3. Is a Broker.
- C.** LADWP reserves the right to request additional information and documents from an LBE, LSB, or LTE to determine whether the LBE, LSB, or LTE meets the qualification(s) required to receive a Proposal preference in accordance with sub-articles 2.4A and 2.4B of this Article. Upon request by Supply Chain Services, the LBE, LSB, or LTE shall email copies of ALL requested information and supporting documents to LADWP within 5 business days. Failure to comply with this requirement may result in LADWP not awarding Proposal preference to the LBE, LSB, or LTE.

2.5 Awarding Preferences – Contracts up to \$150,000

- A. Award of Local Small Business (LSB) and Local Transitional Employer (LTE) Preference:** LADWP will grant a 10% preference to an LSB or LTE.

LADWP will apply the preference to a Proposal solely for Proposal evaluation purposes such that the score awarded to a Proposal shall be increased by 10% of the total possible evaluation points.

$$\text{Evaluated Score of RFP} = (\text{Final Score of Proposal}) + (0.10 \times \text{Total Possible Evaluation Points of RFP})$$

- B. Award of Subcontracting Preference:** LADWP will provide a preference of up to 5% to a contractor's Proposal that does not qualify for LSB or LTE preference, but identifies a Subcontractor certified an LSB or LTE. The Proposal shall identify each Subcontractor, the proposed work of the Subcontractor, and the cost of the work for each Subcontractor.

LADWP will provide a 1% increase of the total possible evaluation points for every 10% of the total cost of the proposed work under the Contract to be performed by the qualifying Subcontractor.

2.6 Awarding Preferences – Contracts over \$150,000

- A. Award of Local Business Enterprise (LBE) Preference:** LADWP will grant an 8% preference to an LBE.

LADWP will apply the preference to a Proposal solely for Proposal evaluation purposes such that the score awarded to a Proposal submitted by a Local Business shall be increased by 8% of the total possible evaluation points.

$$\text{Evaluated Score of RFP} = (\text{Final Score of Proposal}) + (0.08 \times \text{Total Possible Evaluation Points of RFP})$$

If the LBE also receives any of the preference in sub-article 2.6B of this Article, the total Proposal's score shall be further increased by the additional preference awarded.

$$\text{Evaluated Score of RFP} = (\text{Final Score of Proposal}) + [(0.08 + \text{Additional Preferences}) \times \text{Total Possible Evaluation Points of RFP}]$$

- B. Award of Additional Preferences:** An LBE that is awarded the 8% preference in sub-article 2.6A of this Article may receive up to an additional 4% preference as provided in this Subarticle.

1. An LBE that is also certified by the DAA as an LSB or an LTE shall receive a 2% preference for each additional certification.
2. An LBE that is not eligible for the additional preference in sub-article 2.6B1 of this Article, but identifies a Subcontractor that is certified by the DAA as an LSB or an LTE, will receive up to a 2% preference for each Subcontractor certification. The additional preference under this Subarticle shall be applied as follows:
 - a. An LBE that identifies a Subcontractor certified by the DAA as an LSB shall receive a 1% preference to the Proposal for every 10% of the cost of the proposed work to be performed by the qualifying Subcontractor. The maximum additional preference under this Subarticle shall not exceed 2%.
 - b. An LBE that identifies a Subcontractor certified by the DAA as an LTE shall receive a 1% preference to the Proposal for every 10% of the cost of the proposed work to be performed by the qualifying Subcontractor. The maximum additional preference under this Subarticle shall not exceed 2%.
 - c. The Proposal shall identify each Subcontractor, the proposed work of the Subcontractor, and the cost of the work for each Subcontractor.

- C. Award of Subcontracting Preference:** LADWP will provide a preference of up to 5% to a contractor's Proposal that does not qualify for LBE preference in sub-article 2.6A of this Article, but identifies a Subcontractor certified by the DAA as an LBE, LSB or LTE. The Proposal shall identify each Subcontractor, the proposed work of the Subcontractor, and the cost of the work for each Subcontractor.

LADWP will provide a 1% increase of the total possible evaluation points for every 10% of the total cost of the proposed work under the Contract to be performed by the qualifying Subcontractor.

- D. Preference Cap:** The maximum combined preference that may be awarded to a Proposal under sub-article 2.6 of this Article shall not exceed 12%.

2.7 Failure to Comply with this Article and the Rules and Procedures, Remedies

- A.** The penalties in sub-article 2.7B of this Article may be assessed on any Contractor that:

1. Fails to qualify or maintain its status as an LBE, LSB, or LTE for more than 60 days during the entire term of the Contract;
2. Fails to utilize the Subcontractor that provided the basis for the preference or, in the event the Subcontractor is unable to perform the work, fails to replace the Subcontractor, within 60 days of non-performance, with another Subcontractor that has qualifying criteria for providing a basis for a Subcontractor preference;
3. Provides false or incorrect information for certification as a Local Business Enterprise, Local Small Business, or Local Transitional Employer, and because of such classification, is awarded a Contract to which it would not otherwise be entitled;
4. Fails to cooperate with the DAA pursuant to sub-article 2.8 of this Article; or
5. Fails to comply with the rules and procedures for this Article.

B. LADWP may impose the following remedies:

1. Withhold or recover funds from the Contractor up to an amount that represents the value of the Proposal preference. The amount shall be determined as the difference between the amounts paid to the Contractor pursuant to the Contract and what LADWP costs would have been if the Contract has been awarded to the next lowest responsive and responsible Proposer.
2. Additional costs and expenses to LADWP resulting from the Contractor's failure to comply with this Article.
3. Termination of all or part of the Contract.

C. The remedies available to LADWP under this Article are in addition to all other contractual or legal rights and remedies available to LADWP under law.

2.8 Audit

The DAA may audit Contractors and Subcontractors and monitor compliance, including the investigation of alleged violations of this Article. The Contractor and Subcontractor(s) shall cooperate with the DAA and LADWP in the course of an audit or investigation.

2.9 Reporting Complaints and Protests:

- A.** All complaints or protests regarding qualifying local business, and local subcontractors, including LSBs and LTEs, claiming non-

compliance by LADWP or its failure to maintain certification criteria, shall be made to the BCA/OCC either in writing or by email for further investigations. Complaints or protests shall be accompanied by documentation which substantiates complainant's allegations.

- B.** Any complaints or protests that meet criteria as specified in sub-article 2.9A of this Article will be investigated by BCA/OCC in its role as DAA.
- C.** Bidders interested in reporting any complaints or submit protests shall contact BCA/OCC:

By Mail:

CITY OF LOS ANGELES
BUREAU OF CONTRACT ADMINISTRATION
OFFICE OF CONTRACT COMPLIANCE
1149 S BROADWAY ST STE 300
LOS ANGELES CA 90015

By Email: bca.biphelp@lacity.org

2.10 Documentation

Proposers that are eligible for a Proposal preference shall provide all required information in Attachment D – Local Business Preference Documentation of this RFP.

Attachment D
Local Business Preference Program Documentation

Local Business Preference Program Documentation – Contracts over \$150,000

In accordance with the Article titled “Local Business Preference Program”, bidders shall furnish all required Local Business Preference Program related information to be eligible for a bid or proposal preference.

A bid or proposal preference will be granted under the following qualifications.

- a.** If the bidder or proposer is qualified and is registered on the RAMP system to be certified as a Local Business Enterprise (LBE), the bidder or proposer shall state its RAMP ID Number.

RAMP ID: _____

The LADWP will use the RAMP ID Number to verify the registration and certification status of the bidder or proposer.

(1) If the bidder or proposer is **NOT** qualified for LBE preference, but it identifies local Subcontractor(s) certified by DAA as an LBE, LSB, or LTE to perform work under the contract, the bidder or proposer shall list each proposed local Subcontractor’s name, the corresponding estimated dollar amount of proposed work, and RAMP ID Number on the table shown below. Each Local Subcontractor shall register on the RAMP system to be certified. The RAMP ID Numbers of local Subcontractors will be used by the LADWP to verify the registration and certification status of each local Subcontractor.

- b.** If the bidder or proposer is qualified for LBE preference and is also certified as LSB and/or LTE, the LADWP will verify the LSB and/or LTE registration certification status of the bidder or proposer using the same RAMP ID in Subarticle a of this Article for additional preferences.

(1) If the bidder or proposer is qualified for LBE preference but is **NOT** certified as an LSB and/or LTE, but it identifies Subcontractor(s) certified by DAA as an LSB, or LTE to perform work under the contract, the bidder or proposer shall list each proposed local Subcontractor’s name, the corresponding estimated dollar amount of proposed work, and RAMP ID Number on the table shown below. Each Local Subcontractor shall register on the RAMP system to be certified. The RAMP ID Numbers of local Subcontractors will be used by the LADWP to verify the registration and certification status of each local Subcontractor.

Name of Local Subcontractor	List <u>ALL</u> Certification Status of Subcontractor (LBE/ LSB/LTE)	Estimated Dollar Amount	RAMP ID Number

(To list more local Subcontractors, attach additional sheets with identical table headings.)

END OF SECTION SEVEN