



MARK PESTRELLA, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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November 8, 2022

IN REPLY PLEASE

REFER TO FILE: **BRC-1**

REQUEST FOR PROPOSALS – ADDENDUM NO. 1 ARMED AND UNARMED SECURITY SERVICES FOR PUBLIC WORKS HEADQUARTERS COMPLEX (BRC0000344)

Please note that the deadline for proposal submission is **Tuesday, November 15, 2022, at 5:30 p.m.**

All addenda and informational updates will be posted at <https://pw.lacounty.gov/brcd/servicecontracts/>. Please check the website frequently for any changes to this solicitation.

Important Notice: Due to the rapidly approaching proposal submission deadline, no additional questions will be accepted, we recommend reading the RFP in its entirety for any possible questions or concerns.

Please take note of the following revisions to the Request for Proposals (RFP). (Note that the changes that have been added are in **boldface** and deleted languages are ~~strikethrough~~). Section A is the Addendum and Section B is the Questions and Answers.

A. ADDENDUM:

1. Part I, Section 2.B, Proposal Submission has been revised to add Item No. 6 to read as follows:
 6. **A copy of the bid guarantee must be submitted electronically with the proposal and the original bid guarantee must be mailed or submitted to the Cashier's Office in the Public Works Headquarters building. The Cashier's office is located on the Mezzanine Floor, 900 South Fremont Avenue, Alhambra, California 91803. The bid guaranty deadline will not be extended. Bid guarantees are due at the time of proposal submission, which is Wednesday, November 9, 2022, at 5:30 p.m. A corporate surety will be approved by the County if they are licensed to transact business as a surety in the State of California. Proposers do not need to provide additional information for the approval of a surety company. Please refer**

to the Notice of Request, page 2, No. 3; Part I, Section 1, B.3; Part I, Section 2, A.14, Bid Guaranty; Part I, Section 4, D.11; and Form PW-16.

2. Part I, Section 4.E, Evaluation Criteria, Item No. 1 has been revised as follows:

1. Proposed Price (50 points)

The proposed price should accurately reflect the Proposer's cost of providing the required products and services and any profit expected during the Contract term. Prior to scoring, the proposed prices will be adjusted in accordance with the LSBE, DVBE, or SE Preference Programs, as applicable.

LSBE, DVBE, or SE Preference Programs: To the extent permitted by State and Federal law, should one or more of the ~~bidders~~ **proposers** qualify for the County's Preference Programs stated in Part I of Form PW-5, Request for Preference Consideration, the price component points will be adjusted prior to scoring as follows: 15 percent of the lowest price proposed will be calculated, which will not exceed \$150,000, and that amount will be deducted from the prices submitted by all LSBE, DVBE, or SE ~~Bidders~~ **Proposers** who requested and were granted the LSBE, DVBE, or SE Preference. The LSBE, DVBE, or SE Preference will not reduce or change the Proposer's payment, which is based on the Proposer's bid amount.

Subject to such adjustment(s), the lowest **average** Total Adjusted Proposed **Annual** Price for years 1 through 4, quoted in the Summary Sheet for Schedule of Prices, Form PW-2.5, will receive the full weight of this evaluated item. Other Proposals will receive a prorated score calculated as follows: divide the lowest **average** Total Adjusted Proposed Annual Price for years 1 through 4 by each other Proposer's **average** ~~Adjusted~~ **Adjusted** Proposed Annual Price for years 1 through 4 and multiply the result by the maximum possible points for this evaluation criterion. The Proposal with the lowest **average** Total Adjusted Proposed Annual Price for years 1 through 4 may not necessarily be awarded a Contract.

3. Part II, Exhibit A, Scope of Work, Section K, Contractor-Furnished Items, Item 4.I has been revised as follows:
- I. The County will not furnish patrol vehicles. The Contractor shall furnish at its sole expense, **two** motorized units (golf carts or vehicles) **that must be kept on-site and available for use 24 hours a day, 7 days a week** for the purpose of patrolling the facilities parking lot area **as-needed at the direction of the CM.**

The Contractor's hourly rates shall include all administrative costs, labor, supervision, materials, transportation, taxes, equipment, including the cost of furnishing the required motorized units.

4. Part II, Exhibit A, Scope of Work, Section G.1, Description of the Services to be Performed, Item b. has been revised as follows:

~~b. Contractor shall provide vehicle for performance of the work when requested and authorized by Public Works. Such vehicle travel shall be reimbursed at the County's then current employee permittee mileage rate.~~

B. QUESTIONS AND ANSWERS:

The following answers are in response to the request for information and clarification and other questions submitted by Proposers for the Request for Proposals (RFP) for Armed and Unarmed Security Services for Public Works Headquarters Complex (BRC0000344), issued on October 13, 2022. The questions presented in this informational update represent the questions asked by the Proposers in the form and context as submitted:

1. **Question:** I have two questions regarding the minimum mandatory requirements for this RFP. Bid Guaranty Bond & faithful performance bond. It is my understanding that these are customary with construction projects etc. Because this is a staffing for security services RFP, can these either be waived or the amount of the bond lowered?

Answer: No. The Bid Guaranty Bond and Faithful Performance bond will not be waived or reduced.

2. **Question:** I noticed that there is a preference to small businesses who are registered with the county. My company is a certified WMBE (WBE and MBE) with Supplier Clearing House. Enclosed the actual certificates for your review. The supplier clearing house is a highly credible agency. Do I need still need to register with the county of Los Angeles as a small business for the purpose of receiving the extra credit in the RFP?

Answer: Yes. The County of Los Angeles has three preference programs. The Local Small Business Enterprise (LSBE), Disabled Veteran Business Enterprise (DVBE), and Social Enterprise (SE). As stated in Part I, Section 1.M., County's Preference Programs, the Preference Programs (LSBE, DVBE, and SE) requires that a business must complete certification prior to requesting a preference in a

solicitation. Please also refer to the Notice of Request for Proposals, page 2; and Part I, Section 4.E, Evaluation Criteria.

3. **Question:** Can you identify why this contract is being procured when there is an option year left on the current contract? Can you also provide the intended start date for the new contract resulting from this procurement?

Answer: Soliciting for Armed and Unarmed Security Services is a Public Works business decision based on our operational needs and estimated time to successfully complete the solicitation; hence, the anticipated start date of the contract can be as early as 2024, however, this date is only an estimate.

4. **Question:** Can you send me a copy of the zoom recording from the webinar

Answer: No. There is no Zoom recording as there has not been a webinar or proposer's conference for this solicitation.

5. **Question:** Page 1.13, Y Community Business Enterprise Participation: Says there is a 25% goal for participation of M/W/D/DVBE/LGBTQQ. Earlier in the RFP it states that subcontracting is not allowed. Please clarify what is expected of prime contractors here. Is subcontracting to one of these business designations required? Is this not applicable to this solicitation? Please confirm there is no CBE participation or "Good Faith Effort" needed for this participation.

Answer: Since this contract does not allow subcontracting, the proposers don't need to show their effort to meet this goal by use of subcontracting as it is not applicable. For further information, please see section Part I, Section 1, Y, Community Business Enterprise Participation and form PW-10 (Community Business Enterprise Information) for further information, such as instances that the Contractor is a CBE.

6. **Question:** Page 1.21 #14 Bid Guarantee: If proposal is submitted electronically, the bid guarantee would be submitted as a copy in the electronic proposal. Can the County please clarify how the original bid guarantee is to be delivered if the proposal is submitted online? Can the County provide a window for the original to be mailed or delivered? In other words, the original shall be delivered or received via FedEx or Mail within 10 days of proposal submission deadline? Please advise. The deadline for c) same paragraph states that corporate surety must be approved by County. How does the County expect to "approve" the surety company? In addition to an actual bid guarantee, what needs to be provided by the proposers to County for the "approval" of surety company?

Answer: Please refer to Section A, Addendum No. 1, Item No. 1.

7. **Question:** Page 1.22 B. 1) If submitted through Bidexpress, does the County want two copies as well? An original and a redacted? Or just an original?

Answer: Yes. Please submit one original and one redacted copy of the proposal through BidExpress. Please refer to the Notice of Request for Proposals page 3, and Part I, Section 2.B, Proposal Submission.

8. **Question:** Page 1.35 #8: Is the County saying here that any exception taken to RFP or contract language would subject the proposer to a "fail" under this section, and thus be deemed "non-responsive"? Or can proposers propose exception language and not be deemed non-responsive? If exceptions can be provided, please clarify #8 and advise how said exceptions should be proposed?

Answer: The first interpretation is correct. As stated in Part I, Section 4.D, Pass/Fail Review, Item No. 8: The County will not allow any Proposer's exceptions, additions, conditions, limitations, modifications or provisions to the RFP and Contract.

9. **Question:** Sample Agreement pdf page 119 of 230 (Agreement page 1 of 4) states that only County has the right to exercise option periods. Would the County allow contractor to have the mutual right to agree to exercise option periods?

Answer: No. As stated on page 1 of the FOURTH paragraph of the Sample Agreement: each such option will be exercised at the sole discretion of the County.

10. **Question:** A.3 G 1 (b): States that contractor shall provide vehicle, and later in the SOW it notes a vehicle (or electric cart) to patrol parking areas. Is this 24/7 use of the vehicle or just during certain shifts/hours? Can the County please describe the expected vehicle mobile patrol by expectations, hours, etc.?

Answer: Please review Section A, Addendum No. 1, Items 3 and 4. The County will not furnish patrol vehicles. The Contractor shall furnish at its sole expense, **two** motorized units (golf carts or vehicles) **that must be kept on-site and available for use 24 hours a day, 7 days a week** for the purpose of patrolling the facilities parking lot area **as-needed at the direction of the CM**. The Contractor's hourly rates shall include all administrative costs, labor, supervision,

materials, transportation, taxes, equipment, including the cost of furnishing the required motorized units.

11.Question: Proposers Reference List: We have literally thousands of contracts so it would be impossible and impractical to list all contracts. Would the County consider a list of the five or six most relevant local contracts to be acceptable for references?

Answer: As stated in Form PW-6, Proposer's Reference List: Provide a comprehensive reference list of all contracts for goods and/or services provided by the Proposer during the previous 3 years. Please verify all contact names, telephone and fax numbers, and e-mail addresses before listing. Incorrect names, telephone and/or fax numbers, or e-mail addresses will be disregarded. Use additional pages if required. We highly recommend to complete this form as comprehensively as possible, particularly for all contracts with the County during the previous 3 years, as indicated in Form PW-6.

Further for your reference, please also review Part I, Section 4.E., Evaluation Criteria, Item No. 2, Performance History/References, Item a. Potential Points, which states: Public Works will attempt to obtain the required number of Proposer's references for overall satisfaction with Proposer's services, with priority given to services provided in the following order: County of Los Angeles departments, other counties, cities, governmental entities, nonprofit entities, private companies, etc. Proposer may receive up to a maximum of 2.5 points for each responding reference up to a total of 4 responding references. On Form PW-6, Proposer's Reference List, Proposers must identify all Contracts with the County of Los Angeles during the previous 3 years and must identify County's Contacts for each Contract. Public Works reserves the right to utilize any reference of Proposer, County or other, listed or not listed. Proposer will receive zero points for each of the minimum required references not received.

12.Question: Form PW-10: Is this applicable or necessary for all proposers to provide? Or only CBEs?

Answer: All proposers must submit Form PW-10 (Community Business Enterprise Information) with their proposal.

13.Question: Form PW-14: Is this form for proposal submission or only if awarded a contract? It seems like this info would only be applicable upon contract award.

Answer: All proposers must submit Form PW-14 (COVID-19 Vaccination Certification of Compliance with their proposal.

14.Question: Form PW-15: Is this form for proposal submission or only if awarded a contract? It seems like this info would only be applicable upon contract award.

Answer: All proposers must submit Form PW-15 (Statement of Equipment) with their proposal, particularly for the equipment that they plan to use in this contract, if awarded.

15.Question: Form LW-6: Can the County please explain how this will be calculated taking into account the overall size of a company? In other words, 3 or 4 violations for a company with more than 20,000 employees in the greater LA region compared to 3 or 4 violations to a company that has 500 employees in the same area? In past procurements we have seen the County not take into account this ratio of number of cases per total number of employees in the workforce, which is unfair to companies that have a much larger workforce. A small company with 4 violations should be penalized at a higher percentage compared to a large company with the same number of violations. Please confirm the County process, how size of a company will be considered, and whether this type of approach will be taken.

Answer: Please refer to Form LW-6, Guidelines for Assessment of Proposer Labor Law/Payroll Violations which states: The County may deduct points from a proposer's final evaluation score only for Labor Law/Payroll Violations with disposition by a public entity within the past 3 years of the proposal due date.

The assessment and determination of whether a violation is major, minor, or non-existent ("none) and the assignment of a percentage deduction shall include, but not be limited to, consideration of the following criteria and variables:

- Health and/or safety impact
- Number of occurrences
- Identified patterns in occurrences
- Dollar amount of lost/delayed wages
- Assessment of any fines and/or penalties by public entities
- Proportion to the volume and extent of services provided, (e.g., number of contracts, number of employees, number of locations, etc.)

Please also refer to Part I, Section 4.E.6, Demonstrated Controls over Labor/Payroll Record Keeping.

16. Question: Would the County allow prices to be adjusted in the future should force outside contractors control be enacted, such as the State or County adjusting the minimum or living wage beyond what is currently stated in law. As an example, if the County modifies the LWO to require employees to be paid \$25/hour, this would far exceed the current requirement. Would contractors be allowed to adjust rates accordingly? If this is allowed, should contractor propose language in the proposal as an exception, and can such exception not subject proposer to be deemed “non-responsive”?

Answer: Please refer to Part I, Section 3.R, Wages, Materials, and other Costs, which states: It is the responsibility of the Proposer to calculate the proposal price and to take into consideration a possible escalation of wages, materials, and other costs during the Contract period. Further, please note that this solicitation allows proposer to submit separate prices for each year.

Further, please refer to Form LW-1, Los Angeles County Code Chapter 2.201 – Living Wage Program, Section 2.201.040, Payment of Living Wage, A.5 that states:

5. Beginning January 1, 2020, and thereafter, the living wage rate shall increase annually based on the average Consumer Price Index for Urban Wage Earners and Clerical Works (CPI-W) for the Los Angeles metropolitan area (Los Angeles-Riverside-Orange County, CA), which is published by the Bureau of Labor Statistics of the United States Department of Labor.

In regard to exceptions, please refer to Section A, Addendum No. 1, Question No. 8.

17. Question: A-13: Are firearms to be provided by contractor to officers for safety and compliance? Or is the County allowing officers to use personal firearms?

Answer: As stated in the Exhibit A, Scope of Work, Section K, Weapons are Contractor-Furnished items. The proposer must ensure firearms meet the requirements in accordance with the RFP. Please refer to Part II, Contractor-Furnished Items states: All materials required to perform this Contract, and not otherwise mentioned as being provided by the County, shall be provided by the Contractor at no additional expense to Public Works. However, whether the

weapons are owned by the security guards, or the contractor is a business arrangement for your firm.

18. Question: A-20 6 b): Will officers be subject to Sheriff background checks as well? If so, what is the turnaround timeframe to get an officer processed through the Sheriff? Has this been used on the current contract? Is there a cost associated with this process and if so, what is the cost? If officers are backgrounded by contractor, would they be allowed to work on the Headquarter contract on a probationary basis while the Sheriff conducts its background investigation?

Answer: Officers will be subject to a background investigation/live scan as-needed. The contractor will be responsible for background investigations/live scans of their staff performing services under this contract. Yes, this has been used in the current contract. The fees associated with the background investigations shall be at the expense of the Contractor and included in their proposal. Yes, officers that undergo a background investigation by the contractor may work on the contract on a probationary basis while the Sheriff's Department conducts a background investigation. Please refer to Part II, Exhibit A, Scope of Work, Section H.1.e, Contractor's Employee Criteria; Part II, Exhibit A, Scope of Work, Section N.6, Special Criteria for Security Personnel; Part II, Exhibit A, Scope of Work, Section O, Background Investigations; and Part II, Exhibit B, Section 2.HH.

19. Question: A-22 6) Paid Security Experience: Can this experience be waived in lieu of equal experience in law enforcement or military service? Is this a current requirement under the current contract with American Guard? Are the incumbent staff compliant with this requirement? If the current staff are not compliant with this requirement would the County waive the requirement should a new contractor (or incumbent for that matter) be awarded the contract and want to hire the incumbent personnel?

Answer: No, paid Security Experience will not be waived. Yes, this is a requirement under the current contract and the incumbent is in compliance. Please refer to Part II, Exhibit A, Scope of Work, Section N.6, Special Criteria for Security Personnel, Item d.6) (Paid Security Experience).

20. Question: B-25, Section 3, B Termination: Would the County allow addition of language that allows contractor to terminate for convenience with a 120 day notice?

Answer: No, County will not allow this addition. Please also refer to Section A, Addendum No. 1, Question No. 8.

21. Question: B-30, I. Overtime: States 8 hours of labor constitutes a legal days work. For the 10 hours shifts is it expected that contractor will bill for 8 hours at straight time and 2 hours at overtime?

Answer: Contractor billing is based on its submitted prices on Forms PW-2.1–2.5, which does not allow additional billing for overtime. We highly recommend you to review Forms LW-8.1-8.4, Staffing Plan and Cost Methodology, as they clearly indicate the required hours for each post. As for paying overtime to contractor's employee, please refer to Part II, Exhibit A, Scope of Work, H.2.e, which states: The Contractor shall be responsible for obtaining necessary labor approvals which will allow its employees to work a 4/40 work week under this Contract. Public Works will not pay overtime to Contractor's employees who are required to work a 4/40 work week. Please also refer to Part II, Exhibit B, Section S, Fair Labor Standards, and Part II, Exhibit B, Section 4.I, Overtime.

22. Question: B-56 and 57: Covid Vaccinations: The County has recently amended its requirement for weekly testing for employees who have been granted religious or medical exceptions by dropping this weekly testing requirement on other County contracts. Is this contract also dropping that weekly testing requirement?

Answer: County Contractors Covid-19 Vaccination Ordinance is still in effect. However, until further notice, the County will no longer require weekly testing of unvaccinated exempt Contractor Personnel as required by the Los Angeles County's Ordinance, Chapter 2.212 (COVID-19 Vaccinations of County Contractor Personnel).

To that end, the County continues to require Contractor Personnel to be vaccinated as required by the ordinance, unless they have been granted a valid medical or religious exemption by their employer.

23. Question: Exhibit J: Has the County imposed any of these fines to the current incumbent provider?

Answer: No fines have been imposed on the current contractor.

24. Question: I have the RFP almost completed but it appears that we will not be able to participate due to the financial requirements. It appears that we have to

provide the city a cashier check in the amount of 10% of the contract. In our case the 1-year contract is approx. 1.8 Mill and the 4-year amount to 7.2 Mill. 10% of that would not be feasible for our small business. We are perfectly capable to provide the city with exceptional armed and unarmed security officers according to Exhibit A, but unfortunately, we will not be able to send a check for \$180,000 to \$720,000 as a permanent deposit to hold. We are a certified small business. Are the city RFPs reserves for the large corporations only? I am wondering if there are any other small businesses that can possibly apply considering these requirements. If I misunderstood the requirements or should you wish to review our RFP regardless so our vendor details can remain in your system - I am happy to submit it as requested. It does stipulate in the 230 pages that any missing section will result in the dismissal of the proposal.

Answer: As stated in Part I, Section 2.A, Bid Guaranty, Item No. 14.a: The Bid guaranty can either be in the form of cash, certified check, cashier's check, or an original bid bond, executed by the Proposer and issued by a California-admitted Surety (including power of attorney). No other form of bid guaranty will be accepted. The Bid guaranty may be prepared on the Surety's standard form. Proposers must pay all bid guaranty premiums, costs, and incidentals.

Please also refer to Part I, Section 3.X, Contractor Development and Bonding Program, Part I, Attachment No. 4, Los Angeles Regional Contractor Development and Bonding Program, and Attachment No. 5, Los Angeles County Contractor Development and Bonding Program Frequently Asked Questions.

25.Question: 1. The insurance requirements are ten times higher than the limits were in 2019. According to our Insurance Broker this minimum would make it almost impossible for any small business to compete in this RFP. We know from past experience, L.A. County encourages small businesses to participate in their solicitations and even gives special consideration to SBE registered companies. Unless this has changed, we think the County still holds to the interest in helping small businesses compete in County contracts. For your review, attached is a comparison of L.A. County Department contracts from 2018 - current. We urge you to consider revising the insurance requirements.

2. Because we are still waiting for the answers to everyone's questions, we believe the deadline date of Nov. 9th at 5:30pm should be extended by at least 10 days. A good deadline date could be Monday, Nov 21st. (Thereby giving bidders the weekend before Thanksgiving)

Answer: The insurance requirements and its limits are subject or review by Chief Executive Office, Risk Management. These requirements are periodically

reviewed and revised to accommodate changes in the commercial insurance industry, and to meet County risk management needs.

Thank you for your suggestion regarding the deadline, however, such extension of deadline are subject to meet Public Works operational needs. Please note the deadline to submit your proposal is Tuesday, November 15, 2022. Please refer to Section A, Addendum No. 1, page 1.

26. Question: Can you please let me know whether the 1st and 2nd items of the box on form PW-4 are referring to all California contracts or only the contracts pertaining to the safety record cases listed for items 3-6?

Answer: Item No. 1 and Item No. 2 of PW-4 (Contractor's Industrial Safety Record) refer to all contracts. Please refer to Form PW-4 which states: This information must include all work undertaken in the State of California by the proposer and any partnership, joint venture, or corporation that any principal of the proposer participated in as a principal or owner for the last five calendar years and the current calendar year prior to the date of proposal submittal.

If you have any questions concerning the above information, please contact Ms. Victoria Frausto at (626) 300-2652 or vfrausto@pw.lacounty.gov, or Mr. Jairo Flores at (626) 458-4069 or jflores@pw.lacounty.gov, Monday through Thursday, 7 a.m. to 5 p.m.

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Very truly yours,

MARK PESTRELLA, PE
Director of Public Works

A handwritten signature in black ink, appearing to read "E. Manóvil", with a stylized flourish at the end.

for
JOSE QUEVEDO, PE
Assistant Deputy Director
Business Relations and Contracts Division

VF

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