



REQUEST FOR PROPOSALS FOR INVESTIGATION/SURVEILLANCE SERVICES

RFP # DIS2019-1

Release Date: **May 31, 2019**

Proposal Due Date: **June 21, 2019, 3:00 P.M. PDT**
Los Angeles Fire and Police Pensions
ATTN: Kristen M. Rosauer, Pensions Division
701 E. 3rd Street, 2nd Floor
Los Angeles, CA 90013

RFP Administrator: **Kristen M. Rosauer**
Manager, Disability Pensions Section
E-mail: Kristen.Rosauer@lafpp.com
Phone: (213) 279-3173

All questions must be e-mailed to the RFP Administrator no later than: **June 7, 2019, 3:00 P.M. PDT**
Questions concerning the RFP and all answers will be posted on the RFP page of the LAFPP website, <https://www.lafpp.com/requests-proposals>.

Official RFP Notices/Addendums: To ensure that no firm is provided advantage over another, all requirements are specified in this RFP. Any changes to the requirements will be posted as an addendum to the RFP on the City of Los Angeles' bid opportunities website, <http://www.labavn.org> and LAFPP's website, <https://www.lafpp.com/requests-proposals>. Proposers are solely responsible for monitoring the website and adhering to RFP notices/addendums.

Prohibited Communications: From the RFP release date until a contract date for these services are fully executed, firms are prohibited from communicating with Board members or staff, other than the RFP Administrator, concerning this RFP or the resulting contract. Any communications could be considered attempts to lobby or market services, and is therefore prohibited by LAFPP's Marketing Cessation Policy. Firms will be disqualified from contract consideration if the prohibition is not honored.

Table of Contents

- 1. Introduction**
 - 1.1 Purpose and Scope**
 - 1.2 LAFPP Background**
 - 1.3 Mandatory Business Requirements**
 - 1.4 Scope of Work**

- 2. General Submittal Requirements**
 - 2.1 Contract Period**
 - 2.2 Proposal Submittal Requirements**
 - 2.3 Content of Proposal**
 - 2.4 Proposer Questions & Restricted Contact with LAFPP Personnel**
 - 2.5 Board Review**
 - 2.6 Tentative Schedule**

- 3. Detailed Submittal Requirements**
 - 3.1 Proposal Format**
 - 3.2 Proposal Section 1.0: Cover Letter**
 - 3.3 Proposal Section 2.0: Table of Contents**
 - 3.4 Proposal Section 3.0: Proposal Questionnaire**
 - 3.5 Proposal Section 4.0: Fee Structure**
 - 3.6 Proposal Section 5.0: Required Documents/Forms**

- 4. Evaluation of Responses**
 - 4.1 Evaluation Process**
 - 4.2 Evaluation Criteria**



- 5. General Terms & Conditions**
 - 5.1 General Conditions**
 - 5.2 Valid Period of RFP**
 - 5.3 Proposal Submission**
 - 5.4 Proposer Assumes RFP Costs**
 - 5.5 Proposer's Right to Withdraw Proposal**
 - 5.6 Prohibited Use of City Seal or LAFPP Logo & Alteration of RFP**
 - 5.7 Amendments to RFP**
 - 5.8 LAFPP's Right to Reject Proposals & Withdraw RFP**
 - 5.9 Confidential Information/Public Records Law**
 - 5.10 Ownership of Documents**
 - 5.11 Award of Contract**
 - 5.12 Independent Contractor**
 - 5.13 Nondiscrimination, Equal Employment Practices & Affirmative Action Policies**
 - 5.14 Bidder Certification City Ethics Commission (CEC) Form 50**
 - 5.15 Business Inclusion Program**
 - 5.16 Conflict of Interest**
 - 5.17 Contractor Disclosure Policy**
 - 5.18 Standard Provisions**
 - 5.19 Disaster Recovery and Business Continuity Plan**
 - 5.20 Bonding, Insurance & Indemnification**
 - 5.21 Tax Registration Certificate (TRC)**

- 6. Appendix**
 - 6.1 Standard Provisions for City Contracts (Rev. 10/17)[v.3]**
 - 6.2 Sample Required Insurance & Minimum Limits**
 - 6.3 Nondiscrimination, Equal Employment Practices & Affirmative Action Policies**
 - 6.4 Bidder CEC Form 50**
 - 6.5 LAFPP Contractor Disclosure Policy**
 - 6.6 LAFPP Solicitation of Contributions Policy**



1 Introduction

1.1 Purpose and Scope

The Los Angeles Fire and Police Pension System (“LAFPP” or “System” or “Plan” or “Fund”) invites the submittal of proposals from qualified firms to provide investigation/surveillance services in the processing of disability pension applications filed by police officers and firefighters.

It is the intent of LAFPP to select one or more qualified Contractors to perform record searches, background investigations, and human surveillance services. These services serve as a claims validation tool to assist Staff and pension physicians in determining whether an applicant’s/claimant’s activities are consistent with his or her purported disability, including any unreported employment/business activity through record database searches, field observations, video footage, photos, and/or other evidence gathered through modern investigative resources/methods. Prospective contractors must have demonstrated recent history of providing such services to clients, preferably to other government entities and public pension systems.

The Contractor shall employ/assign licensed, experienced, and professional personnel to perform confidential tasks outlined in Section 1.4 “Scope of Work”. This task list may be expanded or modified to meet future needs and/or comply with legal requirements or City of Los Angeles/LAFPP policies and procedures.

The evaluation and selection criteria will be based on the proposer’s proven experience in providing services of similar scope and contract size for government entities, as well as competitive pricing/cost and feedback from reference checks.

LAFPP’s need for investigative/surveillance services will be on an as-needed basis. The Contractor must be available to perform services outside of Los Angeles County, including occasional out-of-state and international assignments requiring travel.

Approval and contract award by the Board of Fire and Police Pension Commissioners does not constitute a guarantee of work and payment.

The duration of the contract is three years from the date of execution.

All forms and documents referred to in this RFP are available at www.labavn.org. Proposers who are interested in submitting a proposal for this opportunity must register on this site and complete all required forms to participate in the bidding process and receive notifications and updates regarding this RFP.

Questions regarding this RFP shall be submitted by e-mail only to Kristen M. Rosauer at Kristen.Rosauer@lafpp.com.



1.2 LAFPP Background

LAFPP has been in existence since 1899 and is one of three defined benefit pension systems sponsored by the City of Los Angeles. LAFPP administers the pension benefits (i.e., service retirement, disability retirement, death/survivor benefits, health subsidy) of sworn employees of the Fire and Police departments, and certain Harbor and Airport department sworn employees. As of June 30, 2018, there are approximately 13,000 active members and 13,105 retired members and beneficiaries. The Fund is governed by the Board of Fire and Police Pension Commissioners (Board). This body is made up of nine members – five appointed by the Mayor and four elected by the active and retired Fire and Police sworn members.

1.3 Mandatory Business Requirements

Respondents to this RFP must meet the following mandatory minimum qualifications. If these minimum qualifications are not met, the bidder's proposal will not be considered in the evaluation process.

1.3.1 Minimum Qualifications

The firm must have at least five (5) years of recent experience conducting covert human surveillance operations and background investigations using modern industry equipment/technology/best practices.

1.3.2 Desirable Qualifications

Experience serving public pension systems in the investigation/surveillance of disability pension claimants with a successful record of obtaining surveillance results, including photo and video footage from such investigations.

1.4 Scope of Work

1.4.1 Upon contract award, the selected firm(s) will assign/utilize experienced/licensed professionals to provide the following services on an as-needed basis:

- a. Conduct background investigations and covert surveillance through field observations and/or neighborhood canvassing of disability pension applicants within the Southern California region. LAFPP may require surveillance activity to be conducted at a specific time/date/location. LAFPP will specify the duration of surveillance (1/2 day, full-day, multiple days).
- b. Perform record searches using industry-trusted/accepted databases for home residency confirmation/verification, legal/marriage/dissolution of marriage filings, court documents, criminal histories, property ownership, and business ownership. Provide LAFPP with hard copy or electronic copies of all records/documents found. May be required to perform on-site document retrieval



RFP - #DIS2019-1
INVESTIGATION/SURVEILLANCE SERVICES

services from courthouses upon LAFPP request.

- c. Verify/confirm claimant's current residency based on addresses provided by LAFPP or through property ownership record searches and neighborhood canvassing before initiating surveillance.
- d. At the conclusion of surveillance, prepare a timely and accurate written report, in draft narrative form, specifying the name of the employee(s) who conducted the surveillance, their State of California license numbers, surveillance mode (foot, vehicle, combination), investigator's vehicle description (vehicle plate information, proof of valid vehicle registration/insurance information, make, year, model, color, type), the surveilled person's identity/gender/physical description, including any mobility devices used during observation (cane, wheelchair, walker, etc.), date/time/location of surveillance, and type of surveillance techniques/equipment/technology utilized.

The written narrative report shall include detailed findings of field observations of claimant's activities by date and time, in hourly increments, description of any equipment/accessory used, and video footage/photos, if any. If there is no observation of activity, and/or video footage/photos, then it must be reflected in the written report, with each hour accounted for throughout the duration of the surveillance. Upon request, provide status updates to LAFPP throughout the duration of surveillance using a secure email portal or telephonically to the claims analyst.

The written report must be prepared and submitted to LAFPP within 7-10 business days of surveillance conclusion, accompanied by an invoice and activity log detailing all costs including any out-of-pocket expenses authorized in advance. Before submission to LAFPP, the written report must be edited and proofread by a lead member of the firm. If preparation of the written report is assigned to another employee of the firm other than the investigator(s) who conducted the surveillance or record search, or sub-contracted to an independent contractor or third party, LAFPP must be notified in advance in writing, with the following information provided to LAFPP: name, employment relationship (employee, independent contractor, sub-contractor), State of California (or another state) private investigator license number/expiration date, address, phone number, and professional work resume. The person preparing the written report must adhere and comply with LAFPP's member confidentiality policy as stated in Section 1.4.2 (e). Failure to do so will result in contract cancellation and potential liability for damages.

Upon receipt of draft written report, LAFPP will review the report. Any changes/corrections submitted by LAFPP shall be updated and re-submitted to LAFPP for review within three (3) business days.

Subsequent drafts requiring additional corrections/edits shall be updated and re-submitted to LAFPP within three (3) business days. LAFPP reserves final approval and will confirm final approval in a timely manner. Payment, partial or full, may be withheld if final written report does not meet LAFPP's report requirements as outlined in Section 1.4 (d).



RFP - #DIS2019-1
INVESTIGATION/SURVEILLANCE SERVICES

- e. Any travel required outside of the Southern California region must be pre-approved in writing by LAFPP.

1.4.2 General Duties

All responding bidders are expected to perform/handle the following general duties and responsibilities:

- a. Have available at all times a valid private investigator's license or otherwise qualified investigators who have at least five (5) years of professional experience conducting covert human surveillance operations and background investigations using modern industry equipment/technology/best practices.
- b. Have available at all times the functioning equipment, facilities, and instrumentalities required to perform the services herein. In the event of equipment/vehicle malfunction, bad weather, natural disaster, discovery of counter-surveillance or any other significant event/concern preventing initiation of work or causing unanticipated work stoppage, LAFPP requires notice, via email or telephonically, within the same day of occurrence and document reason(s) on written report/invoice.
- c. All written reports, video footage, photos, court documents, and any confidential/public information discovered/revealed as a result of surveillance/investigation may not be shared with any other party without the consent/approval of LAFPP.
- d. Provide requested services in a timely, accurate and efficient manner, and submit reports/findings (or the absence of) in the form and manner required by the terms of the contract for such services as stated in Section 1.4.
- e. Treat all LAFPP information as confidential as defined in the Release of Member Personal Information Policy. This applies to all data gathered, generated or acquired within the scope of the contract. LAFPP requires immediate notification if there are any breaches to the confidentiality of LAFPP confidential information. Breach of this provision will result in cancellation of the contract and potential liability for damages.
- f. Maintain the confidentiality of all information resulting from this engagement except with written consent from the General Manager of LAFPP or designee, prior to the release of any such information. This includes, but will not be limited to, press releases, research, reports and any publicity for work provided under the awarded contract. This requirement includes maintaining documented policies and procedures for ensuring privacy, confidentiality, and data security and a commitment



RFP - #DIS2019-1
INVESTIGATION/SURVEILLANCE SERVICES

to ongoing training in these areas. LAFPP reserves the right to review all policies and procedures pertaining to this subject matter.

- g.** Notify LAFPP immediately of any anticipated changes in business ownership or personnel assigned under the terms of this engagement.
- h.** Notify LAFPP staff in writing in the event that any conflict of interest or possible conflict of interest is discovered regarding the provision of services.

2 General Submittal Requirements

2.1 Contract Period

The term of this Contract shall be for a period of three (3) years, contingent upon the final signatures and approval by the LAFPP General Manager, City Attorney, Board of Fire and Police Pension Commissioners and the authorized Contractor.

2.2 Proposal Submittal Requirements

All proposals must be received by LAFPP no later than 3:00 PM Pacific Daylight Time (PDT) on Friday, June 21, 2019.

All proposals must be submitted in writing, including copies of CDs of video footage and photos, and should be mailed or hand-delivered to:

Los Angeles Fire and Police Pensions
ATTN: Kristen M. Rosauer
701 E. 3rd Street,
2nd Floor
Los Angeles, CA 90013

The complete proposal package shall be placed in a sealed package with the following label:

“RFP # DIS2019-1: INVESTIGATION/SURVEILLANCE SERVICES”

All requested documents, forms, appendices, sample reports/activity logs/invoices, video footage, photos, and fee schedules, in original form, and required number of copies must arrive by the specified deadline date and to the specific address indicated above to be considered. LAFPP may deem a proposal non-responsive if the Proposer fails to provide all required documentation and copies. No proposal will be accepted by LAFPP after the deadline.

Submission of proposals in a manner other than as described in these instructions will not be accepted.



RFP - #DIS2019-1
INVESTIGATION/SURVEILLANCE SERVICES

2.3 Content of Proposal

Proposals shall be based only on the material contained in this RFP, amendments, addenda and other materials published by LAFPP relating to this RFP. Proposals submitted in response to this RFP must provide the requested information in the format specified in Section 3. Adherence to this format will help to ensure a fair and objective evaluation of submitted proposals. The requested information is organized into individual sections, which should correspond to individual sections in the submitted proposals. Proposals must respond to each topic in the order presented, and responses should be numbered as stated in Section 3. LAFPP reserves the right to declare as non-responsive and reject any proposals in which information is requested and is not furnished or when a direct or complete answer is not provided.

Note that responses to questions **MUST** be specifically answered within the context of the submitted proposal. The LAFPP Evaluation Committee will **NOT** refer to a designated website, brochure or other location for the requested information. Responses that utilize references to external materials as an answer will be considered non-responsive.

Proposals failing to comply with the above requirements may be declared non-responsive and eliminated from further consideration.

2.4 Proposer Questions & Restricted Contact with LAFPP Personnel

Questions regarding the RFP **must be submitted via e-mail to: Kristen.Rosauer@lafpp.com, no later than Friday, June 7, 2019, 3:00 P.M. PDT.** Questions will not be accepted via telephone. Answers to questions from all Proposers will be posted on the City's website, www.labavn.org and LAFPP's website, www.lafpp.com.

2.5 Board Review

An evaluation of responses, cost information and a contract award recommendation will be presented to the Board of Fire and Police Pension Commissioners for approval in August 2019.

2.6 Tentative Schedule

This schedule indicates estimated dates for the RFP process. LAFPP reserves the right to adjust this schedule.



RFP - #DIS2019-1
INVESTIGATION/SURVEILLANCE SERVICES

Date	Event
05/31/2019	Release RFP to Potential Proposers
06/07/2019	3:00 p.m. PDT – Deadline to Submit Questions
06/13/2019	LAFPP Posts Answers to Questions
06/21/2019	<u>RFP Responses Due – must be received by 3:00 p.m. PDT.</u>
06/24/2019	Evaluation Period Begins
07/02/2019	Evaluation completed
07/09/2019	Finalist interviews (in-person or telephone), if necessary
08/01/2019	Staff’s recommendation to LAFPP Board to award contract

3 Detailed Submittal Requirements

Proposal Format

Proposers shall prepare their proposals in accordance with the instructions outlined in this section. Each Proposer is required to submit the proposal in a sealed package, with the following label:

RFP #DIS2019-1 – INVESTIGATION/SURVEILLANCE

Proposals should be prepared as simply as possible and provide a straightforward, concise description of the Proposer’s capabilities to satisfy the requirements of the RFP. Utmost attention should be given to accuracy, completeness and clarity of content. The proposal should be organized into the following major sections:

<u>PROPOSAL SECTION</u>	<u>TITLE</u>
1.0	Cover Letter
2.0	Table of Contents
3.0	Proposal Questionnaire
4.0	Fee Structure
5.0	Required Documents/Forms

Instructions relative to each part of the response to this RFP are defined in the remainder of this section. Response information should be limited to pertinent information only.



RFP - #DIS2019-1
INVESTIGATION/SURVEILLANCE SERVICES

All proposals must be submitted in writing and Proposers shall complete and return all applicable documents, forms, sample investigative reports/activity logs/invoices, video footage on CDs/DVDs, and photos by the specified response due date. LAFPP may deem a Proposer non-responsive for failure to provide all required documentation and copies by the deadline.

Number of Copies – Each Proposer shall submit one (1) original (labeled “Master Copy”) signed in ink, two (2) copies (labeled “Copy 1”, “Copy 2”) of the proposal and one (1) electronic copy on a CD or flash drive in Microsoft Word compatible or PDF format. Proposals must include the RFP title and the Proposer’s (company) name.

Proposers shall not use, copy or replicate, in any form, the City of Los Angeles seal or LAFPP logo.

Proposal Section 1.0: Cover Letter

The cover letter must include the legal business name, address, telephone number and business status (individual, limited liability partnership, corporation, etc.) of the Proposer.

The cover letter must also include the person(s) authorized to represent the Proposer in negotiations with LAFPP with respect to the RFP and any subsequently awarded contract. Provide the representative’s name, title, address, telephone number, e-mail address and any limitation of authority for the person named.

Important Exceptions to Contract Documents – The Proposer shall clearly state in the cover letter any exceptions to, or deviations from, the minimum proposal requirements, and any exceptions to the terms and conditions of this RFP. Such exceptions or deviations will be considered in evaluating the proposals. Proposers are cautioned that exceptions taken to this RFP may cause their proposal to be rejected.

Conflict of Interest – The Proposer shall disclose in the cover letter any existing or potential conflict of interest relative to the performance of services required by any contract resulting from this RFP.

The cover letter shall have the following statement: “This proposal is genuine, and not sham or collusive, nor made in the interest or on behalf of any person not named therein; the Proposer has not directly or indirectly induced or solicited any other proposer to put in a sham bid, or any other person, firm or corporation to refrain from submitting a proposal, and the Proposer has not in any manner sought by collusion to secure for themselves an advantage over any other proposer.”

The cover letter is to be signed by a person(s) authorized to bind the Proposer to all provisions of this RFP, to any subsequent changes and to the contract if an award is made. (If the Proposer is a partnership, the proposal must be signed by a general partner in the name of the partnership. If the Proposer is a corporation, the proposal must be signed on behalf of the corporation by two authorized officers



RFP - #DIS2019-1
INVESTIGATION/SURVEILLANCE SERVICES

(a Chairman of the Board, President or Vice-President, and a Secretary, Treasurer or Chief Financial Officer), or an officer authorized by the Board of Directors to execute such documents on behalf of the corporation.)

Proposal Section 2.0: Table of Contents

Each proposal must include a Table of Contents listing the sections included in the proposal.

Proposal Section 3.0: Proposal Questionnaire

Please provide a thorough answer immediately following each question.

If attachments are provided in response to a question, indicate in the answer the specific tab and/or pages which respond to the question.

About Your Firm:

- Provide a brief introduction of your firm's history, services offered, the firm's primary business activity and clients served. Additionally, identify affiliated companies of the firm, if any.
- Indicate the location of your headquarters and subsidiaries, if any.
- Indicate the number of personnel (full-time, part-time, independent contractor, and seasonal) at each firm location.
- Identify professional required licenses, credentials, designations, advanced certifications, affiliations, qualifications, or awards held by your firm and its key managers. Briefly describe how this applies to the service to be provided to LAFPP.
- Provide an organizational chart identifying and detailing the roles and responsibilities of the firm's staff. Has any staff person been cited by a professional organization or regulatory governing body for disciplinary reasons? Has any staff person been involved in litigation relating to services provided by the company? If so, please provide a brief explanation and indicate the current status.
- Provide a biography/profile/resume for each key manager/officer/principal of the firm.
- What do you consider to be your firm's area of expertise and specialty, strengths, and limitations?
- Convincingly and briefly explain why your firm is the most qualified for this engagement.
- Consistent with the Mayor's Executive Directive No. 14 – Business Inclusion Program, LAFPP strongly encourages all Proposers to make an effort to include businesses that are certified Minority Business Enterprise (MBE), Women Business Enterprise (WBE), Other Business Enterprise (OBE), Small Business Enterprise (SBE), Emerging Business Enterprise (EBE) and Disabled Veteran-Business Enterprise (DVBE). If you are awarded the contract and plan



RFP - #DIS2019-1
INVESTIGATION/SURVEILLANCE SERVICES

to sub-contract any work, please provide a list of all sub-contractors you anticipate utilizing and the service they will provide.

- Is your firm certified by any governmental entity as a minority-owned, woman-owned, or other-business enterprise?
- Please indicate your experience with major disruption(s) of your business and how they impacted your clients. Please provide a copy of your Business Continuity Plan (BCP). If you do not have a formal BCP, indicate what contingencies your firm has made to address potential disruptions to client services in the event of a natural or man-made disaster, or pandemic.

About Your Proposal:

- Describe your firm's experience in conducting covert human surveillance on disability pension claimants, including your company's approach or methodology in performing the scope of services as described in Section 1.4 of this RFP. Please attach a sample copy of a recent investigative report in written narrative format, accompanied by an activity log, invoice and include video footage/photos. Explain why your firm is a match for LAFPP's unique needs and the reasons your firm should be selected over other bidders.
- Will you utilize in-house personnel or contract personnel to perform investigations? If a combination of in-house personnel or contract personnel are utilized, what are your reasons/criteria for using each? If using contract staff, Contractor must notify LAFPP in advance before work initiation and provide name, valid private investigator's license number/expiration date, full resume including address, telephone number, and vehicle information used during surveillance, including license plate/proof of valid registration/insurance information, make, model, year, type, and color.
- What challenges do you anticipate in the process of investigating the types of situations outlined in the scope of work described in Section 1.4 of this RFP? How would your firm overcome the challenges that you have identified? Due to the nature of the investigations, are there any methods your firm employs to increase the likelihood that your investigators will be present when the disability applicant is performing activities that are inconsistent with their claimed disability?
- Are there any services which you will not be providing to LAFPP, which were required by this RFP?
- Please provide three (3) references from your current client list, preferably government entities, where work was performed/invoiced within the last twelve (12) months that you would like LAFPP to consider as part of the proposal and evaluation. Information for each client shall include the following:
 - Client's name, address, e-mail and current telephone number
 - Client's designated contact person and his/her name, e-mail, and current telephone number
 - Description of services provided, including successful surveillance results



RFP - #DIS2019-1
INVESTIGATION/SURVEILLANCE SERVICES

- Contract period and assignment dates

Proposal Section 4.0: Fee Structure

Proposers must list their itemized fees including fixed prices and out-of-pocket expenses required to perform the requirements listed in Section 1.4 of the RFP for each item listed. Cite any differences between hourly rates and flat rates for desired services, describing when different rates would apply. Include per diem, mileage and transportation costs when applicable. If your fees are not flat rate, please include the average and maximum costs for each service.

Proposal Section 5.0: Required Documents/Forms

Please complete/submit the following required document(s)/form(s) contained in the Appendix, Section 6 of this RFP:

- **Appendix 6.4: Bidder CEC Form 50**
Per RFP Section 5.14.

Failure to submit this document will deem your proposal as non-responsive.

4 **Evaluation of Responses**

4.1 **Evaluation Process**

The selected Proposer must successfully pass all the following levels of review:

Level I: Review of Qualifications, Experience & References

The proposal must demonstrate that the Proposer meets the minimum requirements (see Section 1.3); has a proven positive record as a responsible Contractor; and has the resources and expertise to perform the required services.

Level II: Administrative Responsiveness

The proposal must demonstrate its responsiveness to the administrative requirements outlined in the RFP, e.g., adhering to the submittal requirements detailed in Section 3.

Level III: Proposed Services & Fees

Each firm's proposed plan of services and fees for providing the required services (Section 1.4) are evaluated and ranked by the evaluation panel.

Interviews may be conducted for short-listed proposals, in-person or telephonically. A brief thirty (30) minute oral presentation identifying and describing the firm's business history, area of expertise, current/past client list, fee structure, utilization of



RFP - #DIS2019-1
INVESTIGATION/SURVEILLANCE SERVICES

equipment, technologies, methodologies and industry best practices, staffing, and the opportunity to view recent examples of video footage, photos and written investigative reports of work performed for a similar scope and contract size will be required from the bidder at the interview.

Level IV: Final Approval by the Board

The Proposer(s) that demonstrates to be the most qualified to provide the required services at the best overall value to LAFPP, as determined by the evaluation panel, will be recommended for contract award to the Board of Fire and Police Pension Commissioners (Board). The Board at its sole discretion makes the final award determination, if any.

4.2 Evaluation Criteria

LAFPP will select a qualified private investigator firm(s) based on the following criteria:

- Qualifications and Experience – 50% - (includes minimum and desirable qualifications stated in Section 1.3.1 and 1.3.2).
- Costs/Fee Structure of services to be provided – 35%
- References – 15%

LAFPP shall reserve the right to use such other criteria as may be deemed appropriate in evaluating proposals, even if such criteria are not mentioned in the RFP. Each proposal submission will be reviewed, evaluated and assigned a score based on the criteria outlined above. The highest scoring bidders may be invited by LAFPP to participate in an in-person interview at our business location. Interviews may be conducted telephonically, if necessary.

5 General Terms & Conditions

5.1 General Conditions

Submission of a response to this RFP shall constitute acknowledgment and acceptance of the standard terms and conditions set forth herein.

5.2 Valid Period of RFP

All proposals shall be firm and final offers, and may not be withdrawn for a period of one hundred twenty (120) days following the announced deadline for the submission of proposals under this RFP. A response to this RFP is an offer to contract with LAFPP based upon the terms, conditions, service level agreement and specifications contained in the proposal submitted.



RFP - #DIS2019-1
INVESTIGATION/SURVEILLANCE SERVICES

5.3 Proposal Submission

All proposals should be submitted by the deadline specified in the RFP. Late responses will not be considered. Proposals should contain accurate and complete information as required in this RFP. The Proposer is liable for all errors or omissions incurred by the Proposer in preparing the proposal. The Proposer will not be allowed to alter the proposal documents after the due date of submission. Unclear, incomplete, and/or inaccurate documentation may cause a response to be removed from further consideration. Unnecessary or lengthy responses beyond those needed to sufficiently respond to all of the RFP requirements should be omitted.

5.4 Proposer Assumes RFP Costs

LAFPP shall not be liable for any expenses incurred by any Proposer prior to issuing any contract that may result from this RFP. If Proposers are selected for personal interview, additional copies of the proposal may be required. These copies must be exact duplicates of the response initially submitted.

5.5 Proposer's Right to Withdraw Proposal

The Proposer may withdraw its submitted proposal in writing at any time prior to the specified due date and time. Faxed withdrawals will be accepted. A written request, signed by an authorized representative of the company, must be submitted to:

Los Angeles Fire and Police Pensions
ATTN: Kristen M. Rosauer, RFP Administrator
701 E 3rd Street,
2nd Floor
Los Angeles, CA 90013
(213) 628-7782 – fax

After withdrawing a previously submitted proposal, the Proposer may submit another proposal at any time, up to the specified due date and time.

5.6 Prohibited Use of City Seal or LAFPP Logo & Alteration of RFP

The Proposer is prohibited from using, copying or replicating in any form the City seal or LAFPP logo. In addition, the Proposer shall not change any wording in the RFP or associated documents.

5.7 Amendments to RFP

LAFPP retains the right to modify this RFP and will make reasonable attempts to notify prospective Proposers of any changes. However, it is the Proposer's responsibility to monitor the RFP page on the LAFPP website, <https://www.lafpp.com/requests-proposals>, for any amendments pertaining



RFP - #DIS2019-1
INVESTIGATION/SURVEILLANCE SERVICES

to this RFP.

LAFPP will not be liable for the Proposer's failure to receive such notice and any consequential non-responsiveness or non-compliance. LAFPP reserves the right to extend the deadline for submission. Proposers will have the right to revise their response in the event the deadline is extended.

5.8 LAFPP's Right to Reject Proposals & Withdraw RFP

LAFPP reserves the right to withdraw this RFP or reject any or all proposals at any time without prior notice; to waive any minor informality in proposals received; to reject any unapproved alternate proposal(s); and reserves the right to reject the proposal of any Proposer who has previously failed to perform competently in any prior business relationship with LAFPP.

The withdrawal of this RFP or rejection of any or all proposals shall not render LAFPP liable for costs or damages.

5.9 Confidential Information / Public Records Law

All responses to the RFP will be kept confidential until such time as recommendation for award of a contract has been announced. Thereafter, proposals are subject to public inspection and disclosure under the California Public Records Act. Proposers must clearly and conspicuously identify all copyrighted material, trade secrets or other proprietary information that the Proposer claims are exempt from the California Public Records Act (CPRA) – California Government Code Section 6250 et seq.

In the event a Proposer claims that any of its documents are exempt from inspection under the CPRA, the Proposer is required to state in the proposal the following: "The Contractor will indemnify the City and its officers, employees and agents, and hold them harmless from any claim or liability and defend any action brought against them for their refusal to disclose copyrighted material, trade secrets or other proprietary information to any person making a request therefor."

Failure to include such a statement shall constitute a waiver of a Proposer's right to exemption from this disclosure.

5.10 Ownership of Documents

All reports, tables, charts, invoices, video footage/photos/CDs, and other contract documents prepared under this RFP by the Proposer shall be and remain the property of LAFPP upon LAFPP compensation of the Contractor for its services as herein provided. Contractor shall not release to others information furnished by LAFPP or any other City agency, Commission or Board without prior written approval from LAFPP.



RFP - #DIS2019-1
INVESTIGATION/SURVEILLANCE SERVICES

5.11 Award of Contract

Firms awarded a contract pursuant to this RFP will be required to enter into a written contract with the Board of Fire and Police Pension Commissioners of the City of Los Angeles, approved as to form by the City Attorney. This RFP and the proposal, or any part thereof, may be incorporated into and made a part of the final contract. LAFPP reserves the right to negotiate the terms and conditions of any contract resulting from this RFP.

5.12 Independent Contractor

The selected Contractor shall, at all times during the term of any contract resulting from this RFP, retain its status as an independent contractor. The Contractor's employees shall under no circumstances be considered or held to be employees or agents of either LAFPP or the City of Los Angeles.

5.13 Nondiscrimination, Equal Employment Practices & Affirmative Action Policies

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

All contracts (both construction and non-construction) for which the consideration is \$1,000 or more shall comply with the provisions of Los Angeles Administrative Code Sections 10.8.3., Equal Employment Practices Provisions. By affixing its signature on a contract that is subject to the Equal Employment Practices Provisions, the Contractor shall agree to adhere to the provisions in the Equal Employment Practices Provisions for the duration of the contract.

All contracts (both construction and non-construction) for which the consideration is \$25,000 or more shall comply with the provisions of Los Angeles Administrative Code Sections 10.8.4., Affirmative Action Program Provisions. By affixing its signature on a contract that is subject to the Affirmative Action Program Provisions, the Contractor shall agree to adhere to the provisions in the Affirmative Action Program Provisions for the duration of the contract.

Furthermore, contractors shall include similar provisions in all subcontracts awarded for work to be performed under the contract with the City and shall impose the same obligations. The contract with the subcontractor that contends similar language shall be made available to the Office of Contract Compliance upon request.

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



RFP - #DIS2019-1
INVESTIGATION/SURVEILLANCE SERVICES

5.14 Bidder Certification City Ethics Commission (CEC) Form 50

Proposers (bidders) are subject to City of Los Angeles Charter Section 470(c)(12) and related ordinances. As a result, Proposers seeking to contract with the City of Los Angeles for goods or services contracts of a value of more than \$25,000 and a term of at least three months acknowledge and agree to comply with the disclosure requirements and prohibitions established in the Los Angeles Municipal Lobbying Ordinance if they qualify as a lobbying entity under Los Angeles Municipal Code Section 48.02.

Proposers must submit the *Bidder CEC Form 50* (Appendix 6.4) with their proposal. Proposals submitted without a completed form shall be deemed non-responsive.

Contractors 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 <http://ethics.lacity.org/>.

5.15 Business Inclusion Program

It is the policy of the City under the Business Inclusion Program (Mayor's Executive Directive No. 14) to help ensure that all businesses, including certified Minority Business Enterprise (MBE), Women Business Enterprise (WBE), Other Business Enterprise (OBE), Small Business Enterprise (SBE), Emerging Business Enterprise (EBE) and Disabled Veterans- Business Enterprise (DVBE), have an equal opportunity to do business with the City. LAFPP strongly encourages all Proposers to make an effort to include members of these groups in any sub-contracting work to be performed if awarded the contract. The proposal shall include a list of all prospective sub-contractors, their status (MBE, WBE, OBE, etc.) and the service they will provide. More information on the Business Inclusion Program can be found at:

<https://bca.lacity.org/BIS%20Program%20and%20Local%20Business%20Preference>

5.16 Conflict of Interest

LAFPP requires that all contractors disclose any existing or potential conflict of interest relative to the performance of services required by any contract resulting from this RFP. Any relationship that may be perceived or represented as an actual or potential conflict of interest must be disclosed. Failure to disclose shall result in immediate termination of any contract resulting from this RFP.

5.17 Contractor Disclosure Policy

Any Proposer awarded a contract pursuant to this RFP must comply with the *LAFPP Contractor Disclosure Policy*, provided in Appendix 6.5. Failure to comply



RFP - #DIS2019-1
INVESTIGATION/SURVEILLANCE SERVICES

shall result in termination of any contract resulting from this RFP.

It is the policy of the BOARD for Contractors to disclose conflicts of interest, including actual, potential and perceived. The goal of the policy is to prevent impropriety or the appearance of impropriety, to provide transparency and confidence in LAFPP's decision-making process and to help ensure that investment and procurement decisions are made solely on the merits of the goods or services proposed to be provided by Contractors to LAFPP.

5.18 Standard Provisions

Proposers must comply with the *Standard Provisions for City Contracts (Rev. 10/17)*, provided in Appendix 6.1, except for the following:

- PSC-28 Living Wage Ordinance
- PSC-29 Service Contractor Worker Retention Ordinance (*only*)
- PSC-31 Contractor Responsibility Ordinance
- PSC-32 Business Inclusion Program
- PSC-33 Slavery Disclosure Ordinance
- PSC-34 First Source Hiring Ordinance
- PSC-35 Local Business Preference Ordinance
- PSC-36 Iran Contracting Act
- PSC-41 Compliance with California Public Resources Code Section 5164.

5.19 Contractor Disaster Recovery and Business Continuity Plan

During the term of any contract resulting from this RFP, LAFPP requires its contractors to have a working Disaster Recovery and Business Continuity Plan (DR/BCP) that will ensure continuity of operations and timely delivery of the services listed in Section 1.4, Scope of Work. Contractors shall also test and maintain the DR/BCP throughout the life of the contract term(s) and an updated copy and testing results of the DR/BCP shall be kept on file with the Board at all times for reference. The DR/BCP shall show how contractors will continue to deliver essential business functions despite damage, loss, or disruptions due to a natural or man-made emergency or disaster.

Contractors shall present the DR/BCP to the Board when requested to do so upon reasonable notice. Should contractors fail to maintain an updated DR/BCP, are unable to promptly produce the DR/BCP when requested, or fail to meet the agreed recovery time objectives of when contractors will return to normal business, the Board reserves the right to terminate the contract for cause.

5.20 Bonding, Insurance & Indemnification

If awarded a contract, the respondent will furnish the City evidence of insurance



RFP - #DIS2019-1
INVESTIGATION/SURVEILLANCE SERVICES

coverage with minimum limits, as set forth in the Insurance Schedule of the Contract – sample insurance requirements and minimum limits are provided in Appendix 6.2. Proof of insurance must be submitted in accordance with requirements of the Office of the City Administrative Officer, Risk Management upon contract execution. Information on compliance with City Insurance and Bond requirements is appended to this RFP in Exhibit 1 of Appendix 6.1, and is also available on the City Risk Manager’s website:

http://cao.lacity.org/risk/Submitting_proof_of_Insurance.pdf

The Contractor must maintain the required insurance coverage for the duration of any contract resulting from this RFP.

The Contractor must certify that it is aware of and will comply with Labor Code 3700 of the State of California requiring every employer to be insured against liability for Workers’ Compensation or to undertake self-insurance before commencing any services under the terms of any contract resulting from this RFP.

The Contractor will be required to indemnify the City in accordance with the provisions set forth in PSC-20 and PSC-21 of the *Standard Provisions for City Contracts (Rev. 10/17)[v.3]*, provided in Appendix 6.1.

5.21 Tax Registration Certificate (TRC)

The Contractor understands that the activity described herein constitutes doing business in the City of Los Angeles and it therefore understands that it must register for and pay a business tax pursuant to Section 21.03 of the Los Angeles Municipal Code. The Contractor shall obtain and maintain a current Tax Registration Certificate Number (TRC #) and all such certificates required of it and shall not allow any such certificate(s) to be revoked or suspended while any contract is in effect. The Office of Finance administers this program. They are located at City Hall, 200 North Spring Street, Room 101, Los Angeles, CA 90012. Their phone number is (213) 473-5901. Forms and instructions can be accessed via the Internet at <https://finance.lacity.org/>.

5.22 Solicitation of Contributions

Any Proposer awarded a contract pursuant to this RFP must comply with the LAFPP Solicitation of Contributions Policy, provided in Appendix 6.6. Failure to comply shall result in termination of any contract resulting from this RFP.



6 Appendix

- 6.1 Standard Provisions for City Contracts (Rev. 10/17)[v.3]**
- 6.2 Sample Required Insurance & Minimum Limits**
- 6.3 Nondiscrimination, Equal Employment Practices & Affirmative Action Policies**
- 6.4 Bidder CEC Form 50**
- 6.5 LAFPP Contractor Disclosure Policy**
- 6.6 LAFPP Solicitation of Contributions Policy**