



REQUEST FOR PROPOSALS - #COMM2019-3FC FINANCIAL COUNSELING SERVICES

Release Date: July 29, 2019

Proposal Due Date: August 29, 2019, 4:00 P.M. PDT
Los Angeles Fire and Police Pensions
Communications & Education Section
701 E. 3rd Street, Suite 200
Los Angeles, CA 90013

RFP Administrator: Carol Tavares
Communications and Education Section
Email: Carol.Tavares@lafpp.com
Phone: (213) 279-3155

**All questions must be
emailed to the RFP
Administrator no later than:** August 9, 2019, 4:00 P.M. PDT
Questions and answers concerning the RFP will be posted
on the RFP page of the LAFPP website
<https://www.lafpp.com/requests-proposals>, on or about
August 19, 2019.

**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 LAFPP website at,
<https://www.lafpp.com/requests-proposals>. Proposers are
solely responsible for monitoring the website and adhering
to RFP addendums.

Prohibited Communications From the RFP release date until a contract date for these
services are fully executed, firms are prohibited from
communicating with members of the Board of Fire and
Police Pension Commissioners 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 are therefore
prohibited by LAFPP's Marketing Cessation Policy. Firms
will be disqualified from contract consideration if they do
not honor the prohibition.



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1 Introduction

1.1 Purpose

Los Angeles Fire and Police Pensions (LAFPP or the Plan) requests proposals from firms to offer counseling services to assist individual members in developing a personalized comprehensive financial plan.

1.2 Background

About LAFPP

LAFPP, one of three pension systems in the City of Los Angeles, is a defined benefit, single-employer pension plan operating under the provisions of the Los Angeles City Charter and Administrative Code. The Plan is governed by a nine-member Board of Commissioners (Board) made up of five members appointed by the Mayor and four members elected by the active and retired system participants. LAFPP administers the pension funds of all sworn (fire, police and certain port police and airport police) employees of the City. It has been in existence since 1899.

Each active member in the pension system belongs to one of five pension plans, referred to as “Tiers” (Tier 1 consists only of retired members and beneficiaries). A “Summary of Pension Plan Provisions” describing the benefits for each Tier is provided in Appendix 6.6. In addition, copies of Los Angeles Fire and Police Pensions’ 2018 Annual Report and Summary Plan Descriptions are available on our website, www.lafpp.com.

The following table lists the status of Tiers 2 through 6 as of the last Fiscal Year ending June 30, 2018:

Tier	Total Active Members	Average Annual Salary	Average Years of Service	Average Age
2	8	\$144,944	39.9	63.9
3	712	\$124,146	23.9	51.0
4	265	\$125,672	22.1	47.3
5	9,526	\$123,157	18.5	45.5
6	2,851	\$ 85,362	2.4	29.4



Current Financial Planning Education Program

LAFPP currently offers financial planning education seminars to our active members in three formats: 1) Early/Mid-Career (less than 16 years of service); 2) Late Career (more than 16 years of service); and 3) Deferred Retirement Option Plan (DROP) Exit (described below). The seminars include a variation of the following general topics:

- LAFPP Benefits
- Budgeting & Debt Management
- Deferred Compensation & Other Savings Plans
- Basic Investing Concepts
- Tax Issues
- Social Security Benefits Integration
- Child Education Savings Programs
- Life Insurance
- Long Term Care
- Basic Estate Preservation

Deferred Retirement Option Plan (DROP)

DROP is an *optional voluntary* program that allows members eligible for retirement to work as an active employee while accumulating service pension payments in a DROP account. DROP participants are considered “retired” for purposes of pension calculations only; for all other purposes participants are considered active members of their respective employing departments.

- Participation in DROP is limited to a maximum of 60 months (5 years), then members are required to terminate sworn employment with the Fire, Police, Harbor or Airport Department, at which time they must take distribution of their entire DROP account.
- Members are eligible to join DROP if they are an active:
 - ❖ Tier 2 or Tier 4 member with at least 25 years of service
 - ❖ Tier 3, Tier 5 or Tier 6 member with at least 25 years of service and at least 50 years of age
- The decision to participate in DROP is irrevocable. (Members may rescind their DROP election up to the day before their DROP entry date. After the DROP entry date, members cannot exit DROP without terminating employment.)
- Monthly pension payments are held in an account with a guaranteed interest rate of 5% per annum. No interest accrues following a member’s DROP exit date.



- Participants entering DROP on or after February 1, 2019 must serve at least 112 hours on “Active Duty Status” in a given month or they are not eligible for pension accrual for that month. Any months where a participant misses a DROP deposit can be made up at the end of the 5-year DROP period (up to 30 additional months).
- Participants can take distributions of their accumulated DROP account balance as either a lump sum, a direct rollover into another tax qualified account, or a combination of a partial lump sum distribution and rollover. Upon exiting DROP, members begin to receive their monthly pension benefit.

Deferred Compensation Plan of the City of Los Angeles

The City’s Deferred Compensation Plan is a governmental plan defined by Section 457(b) of the Internal Revenue Code, commonly called a “457 deferred compensation plan.” Deferred compensation allows eligible employees to supplement any existing retirement/pension benefits by saving and investing either pre-tax or post-tax dollars through voluntary salary deferral. Contributions and any earnings are tax-deferred until money is withdrawn at retirement, when the retiree is typically in a lower tax bracket than while working. Investment options are offered through separately managed accounts and mutual funds. The Deferred Compensation Plan is administered by the City’s Personnel Department through Voya Financial, not by LAFPP.

1.3 Scope of Services

Upon contract award, the selected firm(s) will assign/utilize experienced/licensed professionals to provide the following services:

- 1.3.1 Contractor shall offer individual financial counseling services to members to complement the education program (described on Page 4). Members who attend one of the education seminars should be provided the opportunity to schedule a follow-up session with the Contractor for a personalized review of their financial situation and assistance to develop a comprehensive financial plan. The counseling session should build upon the general topics and concepts covered in the financial planning education seminar. Members pay the entire cost of the counseling session(s).
- 1.3.2 The Contractor selected must specialize in financial planning and have a wide knowledge base in related topics such as, money management,



investments, insurance, college planning, retirement planning, tax planning, social security, estate planning, long-term care planning, etc. In addition, the firm must have the ability to keep current on any legal issues relative to these areas of financial planning that occur during the contract period, as well as any studies affecting this sworn member group.

- 1.3.3 Contractor must be able to assist members in assessing their financial needs in retirement and develop strategies to meet those needs. Contractor should be able to assess how well their various sources of retirement income, life insurance, investment strategies and tax consequences, etc., will affect and meet those needs.
- 1.3.4 Contractor shall assist members to form a comprehensive retirement plan and may refer members to seek the advice of a tax advisor/attorney, financial advisor, estate attorney, life insurance agent, etc. Contractor shall not make specific referrals to any agents, attorneys, advisors, etc.
- 1.3.5 Contractor is prohibited from attempting to make recommendations regarding specific investments, investing or other areas of financial planning, including the sale or marketing of related products and services. If the Contractor is a division, a subsidiary or similar entity subordinate to a parent company that is in the business of providing investment services, *Contractor shall not recommend or market those services to our members during the term of the contract.*
- 1.3.6 Contractor will meet with LAFPP staff to review and finalize the details of financial counseling plan and any changes to the plan throughout the term of the contract.

1.4 Minimum Qualifications

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

- 1.4.1 Interested firms must demonstrate a minimum of ten (10) years' experience in the business of offering financial planning education and counseling services to employee members of public pension systems. In addition, only key personnel who have the equivalent of ten (10) years of experience or more who hold current professional designation as a Certified Financial Planner by the Certified Financial Planner Board of Standards, Inc. will be considered.



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- 1.4.2 To be considered eligible to submit a proposal in response to this RFP, interested Proposers headquartered outside of Southern California must maintain an office in the greater Los Angeles area with sufficient qualified local staff assigned to it to fulfill the terms and conditions stated within this RFP and within the proposal submittal.



2 General Submittal Requirements

2.1 Contract Period

The term of this Contract shall be for a period of three (3) years from the effective date of 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 4:00 p.m. Pacific Daylight Time (PDT) on Thursday, August 29, 2019.

All proposals must be submitted in writing, including any copies or flash drives, and should be mailed or hand-delivered to:

Los Angeles Fire and Police Pensions
ATTN: Communications & Education Section
701 E. 3rd Street, Suite 200
Los Angeles, CA 90013

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

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The RFP response and all applicable requested documents, forms, appendices, samples, fee schedules and required number of copies must arrive by the specified deadline date and to the address indicated above to be considered. LAFPP may deem a proposal nonresponsive 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.



2.3 Content of Proposal

Proposals shall be based only on the material contained in the 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 of this RFP. LAFPP reserves the right to declare as nonresponsive 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 nonresponsive.

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

2.4 Proposer's Questions & Restricted Contact with LAFPP Personnel

Questions regarding the RFP must be submitted via email to: Carol.Tavares@lafpp.com, **no later than Friday, August 9, 2019, 4:00 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 on or about August 19, 2019.

2.5 Board Review

It is anticipated that 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 November 2019.



2.6 Finalists and Interviews

From the proposals received, the LAFPP evaluation committee may identify a short list of finalists. The finalists may be scheduled for interviews and/or emailed supplemental questions. Proposers are encouraged to take note of the tentative schedule in subsection 2.7 of this RFP for such presentations and supplemental questionnaires and plan accordingly.

2.7 Tentative Schedule

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

Date	Event
7/29/2019	Release RFP to Potential Proposers
8/9/2019	4:00 p.m. – Deadline to Submit Questions
8/19/2019	LAFPP Posts Q&As on the website
8/29/2019	RFP Responses Due – must be received by 4:00 p.m. PDT.
8/30/2019	Evaluation Period Begins
9/30-10/4/2019	Final interviews or supplemental questions (in-person, telephone, email), if necessary
11/2019	Staff recommendation to Board to award contract

3 Detailed Submittal Requirements

Proposal Format

Proposers shall prepare their proposals in accordance with the instructions outlined in this section. 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. 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	Consulting Team and Sub-Contractors
5.0	Proposed Counseling Services
6.0	Fee Structure
7.0	Attachments
8.0	Other Information

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.

All proposals must be submitted in writing and Proposers shall complete and return all applicable documents, forms, appendices, samples, fee schedules and required number of copies. LAFPP may deem a Proposer nonresponsive for failure to provide all required documentation and copies.

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 flash drive in Microsoft Word compatible or PDF format. Proposals must include the RFP title and the Proposer's (company) name.

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, email 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.

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 (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.

- Provide a brief summary of your firm’s history, years in business, services offered, the firm’s primary business activity and clients served. Additionally, identify all business names used and 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.
- Indicate if your firm sells financial products or services.



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- Indicate the number of years providing financial counseling services to individuals.
- Please provide three references from your current client entity 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, email and current telephone number
 - Client's designated contact person and his/her name, email and current telephone number
 - A brief summary of the services provided
 - The time period during which the services were provided
- What does your company do to stay abreast of all the subject areas relevant to retirement planning?
- Convincingly and briefly explain why your firm is the most qualified for this engagement.
- We specifically prohibit sales of any products during individual counseling sessions, along with any solicitations or referrals. Are you willing to agree to these restrictions?
- Is your firm certified by any governmental entity as a minority-owned, woman-owned, or other-business enterprise?
- Please indicate your experience with any 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.

Proposal Section 4.0: Consulting Team and Sub-Contractors

- Provide an organization chart detailing the roles and responsibilities of each individual providing service under this contract.
- Identify professional required licenses, credentials, designations, advanced certifications, affiliations, qualifications, or awards held by



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your firm and its key managers. Briefly describe how this translates to the service to be provided to LAFPP members.

- For each member of the consulting team, provide a resume or career summary and include the number of years each has worked in the area of financial planning and counseling and if any have special training in any of the major areas of our education seminars (e.g., taxes, social security, financial planning, etc.). In addition, please provide a response to each of the following questions for each member:
 - 1) Have you ever been cited by a professional organization or regulatory governing body for disciplinary reasons?
 - 2) Are you currently engaged in any other investment-related business, either as a sole proprietor, partner, officer, employee, trustee, agent or otherwise? If so, explain.
- 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/or Disabled Veterans-Business Enterprise (DVBE). If you plan to sub-contract any work if awarded the contract, please provide a list of all sub-contractors you anticipate to utilize and the service they will provide.

Proposal Section 5.0: Proposed Counseling Services

- Contractor shall offer a personalized review of a member's financial situation and assistance to develop a comprehensive financial plan. Describe your proposal for the counseling services to be offered to members who have attended one of our financial planning education seminars. Specify if the counseling session(s) will be in-person or a telephone consultation, and the duration of the session(s). Indicate any tools that may be included, such as software packages, online calculators, personalized reports, etc. Indicate if services will be the same for all members or if the session will target specific career stages.
- Contractor may not provide, sell or derive any income from the sale of any investment products to members. In addition, advice to the member for certain investment choices should not affect or provide compensation to the advisor.



Proposal Section 6.0: Fee Structure

Counseling Sessions	Fee per session	Year 1	Year 2	Year 3
Optional/Additional Services & Miscellaneous Fees* (list hourly rate by job title/category):	Proposed Hourly Rate	Year 1	Year 2	Year 3

*Optional/Additional Services & Miscellaneous Fees

If there are costs not reflected in the questions above, such as updates to materials or other miscellaneous services, please state those here, citing specific dollar amounts along with the services provided.

Proposal Section 7.0: Attachments

All proposals MUST include a sample contract or service agreement. In addition, please include the following, as requested in earlier sections of this RFP:

- Sample financial counseling plan proposed or used for another client.
- Sample materials to be distributed to members participating in the financial counseling session.

Proposal Section 8.0: Other Information

We will accept, for inspection, submissions of any materials you are currently using with other clients and – on request – will return these items after the selection process is completed. Please label all items you wish to have returned with your company’s name and address.

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 1.4); 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 1.3) are evaluated and ranked by the evaluation panel.

Interviews or follow-up questionnaire may be conducted for short-listed proposals, in-person or through e-mail.

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. The Board at its sole discretion makes the final award determination, if any.

4.2 Evaluation Committee

An evaluation committee will be established to evaluate all proposals. The evaluation committee may request some or all Proposers to demonstrate their proposed counseling program. If a demonstration is requested, Proposers will be notified via email at least three business days in advance to schedule. Demonstrations should be limited to 30 minutes followed by a 30-minute question and answer period. A proposed financial counselor should lead the demonstration. Key staff who would be working on the contract, if awarded, should also be present. Interviews may be conducted telephonically or by email, if necessary.



4.3 Evaluation Criteria

The evaluation team will recommend award of contract based upon a combination of price, experience and quality of service delivery. Submitted proposals will be evaluated based on the following factors:

Evaluation Factors
Quality and Responsiveness of the Proposal:
Adhere to submittal requirements
Contractor Qualifications:
Company Information
Experience and qualifications of key personnel assigned
Company's past performance on contracts of similar size and scope/Experience serving public pension funds/References
Financial Counselor Information
Proposed Counseling Plan
Proposed Fees – Best Overall Value

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.

5 General Terms and 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.

5.3 Proposal Submission

All proposals must 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 a 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: Carol Tavares, Manager
Communications & Education Section
701 East 3rd Street, Suite 200
Los Angeles, CA 90013
(213) 628-7716 – 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 and 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 amend this RFP and will make reasonable attempts to notify prospective Proposers of any changes. However, it is the Proposer's responsibility to monitor the LAFPP RFP web page, <https://www.lafpp.com/requests-proposals> for any amendments pertaining to this RFP.

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

5.8 LAFPP's Right to Reject Proposals and Withdraw RFP

LAFPP reserves the right to reject any or all proposals; to waive any minor informality in proposals received; to reject any unapproved alternate proposal(s); and to reject the proposal of any Contractor who has previously failed to perform competently in any prior business relationship with LAFPP or the City of Los Angeles. 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 Act

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, flash drives, staff resumes, invoices 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.

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

Any Proposer awarded a contract pursuant to this RFP must comply with



the Nondiscrimination, Equal Employment Practices and Affirmative Action Policies set forth in Section 10.8 *et seq.* of the Los Angeles Administrative Code. For additional information, Proposers should contact the Office of Contract Compliance at (213) 847-1922.

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 6.3) 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. More information on the Business Inclusion Program can be found at:

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



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 6.4. Failure to comply shall result in termination of any contract resulting from this RFP.

5.18 Standard Provisions

Proposers must comply with the *Standard Provisions for City Contracts (Rev. 10/17 v.3)*, provided in Appendix 6.1, except for the following:

- PSC-29, Service Contractor Worker Retention Ordinance
- PSC-31, Contractor Responsibility Ordinance
- PSC-32, Business Inclusion Program (is replaced by Section 5.15 of this RFP)
- 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 Bonding, Insurance and Indemnification

If awarded a contract, the respondent will furnish the City evidence of insurance coverage with the minimum limits, as set forth in the Insurance Schedule of Contract – insurance requirements and minimum limits are provided in Appendix 6.2. Proof of insurance must be submitted in accordance with the 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/>.

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.

5.20 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 1.3, 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, be 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.

5.21 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 <http://finance.lacity.org/>.

6 Appendix

- 6.1 Standard Provisions for City Contracts (Rev. 10/17 v.3)
- 6.2 Required Insurance and Minimum Limits (when contract awarded)
- 6.3 Bidder CEC Form 50
- 6.4 LAFPP Contractor Disclosure Policy
- 6.5 Summary of Pension Plan Provisions
- 6.6 Pension Retirement Formula
- 6.7 Years of Service Percentage Chart (by Tier)
- 6.8 Minimum Requirements to retire (by Tier)