

# **APCH PROJECT HIGHLIGHTS**

## **SCOPE OF WORK (Restrooms and Entry):**

1. Construction of a new Welcome Center, including waiting/reception area and membership services area
2. Construction of two new ADA compliant restrooms
3. Repair and construct new dividing wall in entry hallway
4. New egress path of travel at existing dance studio
5. Improvement and conversion of office into security room
6. Plumbing improvements
7. Installation of new door hardware
8. Installation and repair of existing surveillance and security systems
9. Demo existing shed structure
10. Addition to New Lobby Space

## **CONTENTS: DOCUMENTS WILL BE EMAILED PER REQUEST BY ARCHITECT OF RECORD**

- PACKAGE\_1 Entry and Restrooms RFP.pdf
- PACKAGE\_2 APCH BID RFP – 2830 S. Central Avenue. pdf
- CALCS-TITLE 24-ENTRY.pdf
- CALCS-STRUCTURAL-DOOR\_CMU WALL REINFORCEMENT.pdf
- CALCS-STRUCTURAL-ENTRY.pdf
- CALCS-STRUCTURAL-RESTROOMS AND CORRIDOR.pdf
- CONSTRUCTION DOCUMENTS ENTRY.pdf
- CONSTRUCTION DOCUMENTS RESTROOMS.pdf
- SCOPE OF WORK NARRATIVE ENTRY-RESTROOMS.pdf

## **Schedule:**

- Digital Bid Package Part 1 Dispersal 10/10/2016
- Hard Copy (per request)
- Job Walk 10/13/2016 & 10/18/2016
- Final RFI's due 10/28/2016
- Final responses due 11/3/2016
- Final Bid Submittals 11/4/2016
- Project awarded Apprx. 11 /10/2016
- Receive Permits Apprx. RECEIVED
- Major Demo work request 12/18/2016-1/9/2017 Winter Break
- Construction completion Final Completion end of April 2017

## **SUBMITTALS TO INCLUDE:**

- Each contractor is asked to submit separate bids for Restrooms and Entry

## **CONTACT:**

- Plans and Specifications are distributed by Architect of Record: TADIARchitecture  
Dino Tadiar, (213) 924-5579 , [dino@TADIARchitecture.com](mailto:dino@TADIARchitecture.com)

- RFI and RFP are distributed by Architect of Record: TADIARchitecture  
Dino Tadiar, (213) 924-5579 , [dino@TADIARchitecture.com](mailto:dino@TADIARchitecture.com)
- Further information: Jonathan Zeichner, Executive Director, at (323) 238-2403 and email at [jonathan@apch.org](mailto:jonathan@apch.org).
- **Final Submittal of Proposals: A Place Called Home 2830 S Central Avenue Los Angeles, CA 90011, Hard Copy accepted only, on November 4, 2016 @ 5pm PST , LABEL and ATTENTION: WELCOME CENTER PROJECT**
- Owner's Project Manager: Julie Poulos, (323) 232-7653, [Julie@APCH.org](mailto:Julie@APCH.org)



October 7, 2016  
Re: A Place Called Home  
Request for Proposal



A Place Called Home (apch.org) is currently accepting proposals for a capital expansion project located at 2830 S. Central Avenue Los Angeles, CA 90011. This venture will improve and expand our capacity, programs, services and facilities. The purpose of this Request for Proposal (RFP) is to solicit proposals from qualified contractors, conduct a fair and extensive evaluation based on criteria listed herein, and select the candidate who best represents the capacity to provide construction services to execute the project on time, on budget and to a high standard.

A Place Called Home is a safe haven in South Central Los Angeles where underserved youth are empowered to take ownership of the quality and direction of their lives through programs in education, arts, and well being and are inspired to make a meaningful difference in their community and the world.

The organization started in the basement of a church in 1993 and it now occupies a 30,000 square foot campus that includes classrooms, a garden, athletic field, computer labs, a commercial kitchen, dance studio, recording studio, teen center and much more. At A Place Called Home young people are provided with a pathway all the way to college, and we also provide job readiness classes. Every day more than 300 young people ages 8-21 cross our threshold to participate, and we also work with the families of our members and the community at large.

A Place Called Home is an oasis in a tough neighborhood, providing high quality programs and opportunities, and we have a constant waiting list of more than 600 youth who cannot get in because we are out of space. By building a new lobby and membership reception area, we will be able to welcome and serve our families better. And, by adding restrooms we will make our facilities more comfortable and functional for everyone who enters our doors.

A portion of the funds for this venture comes from the Community Development Block Grant (CDBG) Program, as part of the Housing and Community Development Act. CDBG is funded by the U.S. Department of Housing and Urban Development (HUD). The Community Development Commission of the County of Los Angeles (CDC) administers this funding on behalf of the Los Angeles County Board of Supervisors, which oversees the CDC. A Place Called Home has the strong support of the Mayor's office and the City Council District 9, and they are both standing by to provide support if needed.

This Request for Proposal represents the requirements for an open and competitive process using, but not limited to the CDBG procurement requirements, (attached). Each Proposal needs to include a detailed Scope of Work Narrative and an itemized Budget. If the Contractor submitting a proposal must outsource or subcontract any work to meet the requirements contained herein, this must be clearly stated in the proposal. Additionally, all costs included in proposals must be all-inclusive to include any outsourced or subcontracted work, and must include a name and description of the organizations being contracted.

All costs must be itemized to include an explanation of all fees and costs.  
All proposals must include proposed costs to complete the tasks described in the project scope.  
All costs and fees must be clearly described in each proposal.

Proposals will be accepted until 5pm November 4, 2016.  
Any proposals received after this date and time will be returned to the sender.

Evaluation of proposals will be conducted from November 4 until November 9, 2016. If additional information or discussions are needed with any bidders during this five days window, the bidder(s) will be notified.

The selection decision for the winning bidder will be made no later than November 16, 2016.

Upon notification, the contract negotiation with the winning bidder will begin immediately. Contract negotiations will be completed by November 22, 2016 (Subject to HCID-LA, Housing Community Investment Development, Los Angeles confirmation)

Project Timeline: Project needs to be complete and Certificate of Occupancy issued by April 1, 2017.

The following items should be included as part of your proposal:

- State of California Contractor's License
- Proof of Insurance as required by the City of Los Angeles
- Proof that you meet all applicable requirements of federal, state and local government agencies
- Three references – clients for whom you have executed similar scope projects

You are the expert who can bring this project to fruition on time and on budget. We have a beautiful and practical design and now we are looking to you for leadership, value engineering and resourcefulness to help us stay within our means and build something we can all feel proud of. This project will make a meaningful contribution to this community and many eyes are watching to see how well we can deliver.

Contents:

CALCS-TITLE 24 ENTRY  
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CALCS-STRUCTURAL-ENTRY  
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CONSTRUCTION DOCUMENTS ENTRY  
CONSTRUCTION DOCUMENTS RESTROOMS  
CDBG – SUBCONTRACT AND PROCUREMENT PROCEDURES (Exhibit J)

**EXHIBIT J**  
**SUBCONTRACT AND PROCUREMENT PROCEDURES**

**A. SUBCONTRACTS**

- shall:
1. For the purpose of this Agreement, subcontracts shall include, but not be limited to purchase agreement or lease or rental agreements (excluding real property agreements), third-party agreements, consultant services subcontracts and construction subcontracts.
  2. Subcontracts entered into in the performance of this Agreement
    - a. Be subject to the terms and conditions set forth in this Agreement. City may require incorporation of the applicable provisions in a written agreement.
    - b. Specifically prohibit assignment or transfer of interest without prior written approval by the City.
    - c. Contractor must specifically provide proof, when applicable, of the appropriate permits and/or business licenses.
  3. A copy of each executed subcontract, or amendment(s) thereto, shall be submitted to the City for approval prior to execution.
  4. A copy of each executed subcontract, or amendment(s) thereto, shall be maintained by Contractor and provided to City upon written request.
  5. Subcontractor's shall be procured consistent with the Procurement Procedures outlined in this Agreement.

**B. PROCUREMENT PROCEDURES**

1. It is the policy of the City of Los Angeles (City) to encourage fair and open competition in its procurement for goods and services. The requirements for a fair and open competition include the development of written procurement policies that include, but are not limited to all of the following subsections. Several of the provisions herein include City mandated rules and procedures in addition to the other grant requirements. Such policies are applicable to subcontractors to the extent permitted by law.
  - a. Purpose: It is the intent of these rules that these procedures shall apply to all subcontracts including, but not limited to purchase agreements, lease or rental agreements (excluding real property agreements), third-party agreements, and consultant services subcontracts. All contractors are required to prepare written

procurement procedures. All written procedures and policies for procurement activities are to be available for public inspection.

- b. Competition: The City and each of its contractors shall conduct procurement in a manner that provides full and open competition. Some of the situations considered to be restrictive of competition include, but are not limited to:
  - (1) Placing unreasonable requirements on firms or organizations in order for them to qualify to do business;
  - (2) Requiring unnecessary experience and excessive bonding;
  - (3) Noncompetitive pricing practices between firms or organizations, or between affiliated companies or organizations;
  - (4) Noncompetitive awards to consultants that are on retainer contracts;
  - (5) Organizational conflicts of interest;
  - (6) Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance of other relevant requirements of the procurement;
  - (7) Overly restrictive specifications; and
  - (8) Any arbitrary action in the procurement process.
- c. Responsibilities:
  - (1) The following procedures shall apply to all procurements under this Agreement in order to ensure that all solicitations:
    - (a) Incorporate a clear and accurate description of the technical requirements for the material, product or service to be procured. Such description shall not, in competitive procurement, contain features which unduly restrict competition; and
    - (b) Identify all requirements that the offerors must fulfill and all other factors to be used in evaluating bids or proposals.
  - (2) Issue a Public Notification: The notification must be made through an announcement in a local public medium (e.g., newspaper) or other media that covers the entire service area.

- (3) All steps for each procurement must be documented, including a description of the documentation process and where the documentation will be located.
- (4) Contractor shall provide a copy of the bid package to anyone who requests it. Contractor shall compile a list of everyone requesting a copy of the bid package.
- (5) The Contractor shall ensure that all pre-qualified lists of persons, firms or other organizations that are used to acquire goods and services are current and include sufficient numbers of qualified sources to ensure maximum open and free competition. The agencies listed on the bidder's list may be individually notified.
- (6) The Contractor shall maintain records that are sufficient to detail the significant history of a procurement procedure. These records shall include, but are not limited to the following: rationale for the method of procurement; the selection of contract type; contractor selection or rejection; rational and reasonable rating criteria and the basis for the contract type.
- (7) The Contractor shall keep records sufficient to insure that funds have not been spent unlawfully.
- (8) The Contractor shall retain all records pertinent to any procurement agreement/contract within the County of Los Angeles for a period of five (5) years following termination of the Agreement and after final disposition of all pending matters. "Pending Matters" include, but are not limited to an audit, litigation, or other activities involving records. Prior to destruction of records retained under this Agreement, the Contractor shall notify the City and request instructions on disposition of said records.
- (9) The Contractor shall not contract with any party that is debarred, suspended or otherwise excluded from participation in Federal assistance programs. All contracts shall include a self-certification from the contractor that it is not a debarred party.

The Federal government prohibits awards to any party that is debarred. The Federal government compiles a list of debarred parties. The Federal list is published by the General Services Administration. A copy may be obtained by telephoning the Superintendent of Documents (202-512-1600). The list will be issued as an Information Bulletin in May of each year. It is the Contractor's



responsibility to ensure that funds are not awarded to entities on the debarment list.

- (10) Procurement activities must be concluded in a confidential manner. Staff involved in procurements must not divulge advance purchasing information, specific proposal/offer evaluation criteria, and negotiations with bidders or in-house discussions regarding procurement until such time as this information is released to all parties.
- (11) Contractor shall receive and log in proposals and establish a method for recording the date and time of arrival of proposals using either a log-in sheet, or a date/time stamp. Contractor shall establish a single location for receipt of proposals. Contractor shall ensure that the only proposals received by the deadline specified in the bid package qualify for the evaluation process unless there is a valid legal reason for otherwise considering a late proposal.
- (12) Contractor shall establish proposal evaluation procedures that shall include, but not be limited to the following:
  - (a) Clear staff responsibilities: A procurement specialist shall be designated for each bid/proposal process. It shall be the responsibility of the specialist to insure compliance with these procurement rules;
  - (b) Develop a standard worksheet or check-list for determining responsiveness of each proposal;
  - (c) Establish and use evaluation criteria and a standard evaluation worksheet to be used in recording the evaluations of each proposal;
  - (d) Prepare an analysis of costs to verify allowability and to determine reasonableness;
  - (e) Identify staff responsibilities for completing proposal evaluation and for summarizing evaluation results;
  - (f) Develop a description of methods for ensuring independence of ratings by those involved in the evaluation process (i.e., prohibit discussion among staff, sequestered evaluations);
  - (g) Identify policy and process by which selection of awardee(s) will be made; and
  - (h) Provide an opportunity for bidders to appeal staff recommendations.

Items a-c should be sufficiently completed before issuance of the bid package so relevant parts can be included.

- (14) Contractor shall identify complete and timely proposals. Contractor shall review the technical merits of these proposals based on the rating criteria contained in the bid package. Contractor shall review the cost proposals based on applicable cost principles and the technical proposal.
- (15) Contractor shall determine which proposals are in competitive range for technical response and based on the cost and price analysis conducted prior to the release of the bid package.
- (16) Contractor shall negotiate with organization(s) in the competitive range. Contractor shall establish policies and procedures governing face-to-face negotiations. Include in these policies opportunities to seek clarification of the proposal content, the offeror to submit a best and final proposal prior to final evaluation and award. Contractor shall include in the criteria that all responsive offerors in the competitive range are given fair and equal consideration based on the merits of their proposals. Contractor shall document these negotiations in writing.
- (15) Private for-profit entities must obtain prior written approval from the City for purchases of personal property (other than supplies) using Agreement funds.
- (16) Contractor shall conduct and document oversight to ensure compliance with these procurement procedures.
- (17) If the State of California, or the City of Los Angeles has established a debt against a service provider that has not been repaid or a repayment agreement plan has not been implemented, then the service provider shall be barred from receiving any future City funds.
- (18) Participation of Minorities, Women, Disadvantaged and Small Businesses  
  
To the fullest extent possible in the administration of this Agreement, Contractor agrees to provide opportunities for minorities, women, disadvantaged and small businesses to participate in procurements under this Agreement.
- (19) Procurement shall be conducted at least once every three (3) years.

(20) The Contractor shall not use funds provided under this Agreement to duplicate facilities or services available in the area (with or without reimbursement) from Federal, State, or local sources, unless it is demonstrated that the Agreement-funded alternative services or facilities would be more effective or more likely to achieve performance goals.

d. Cost or Price Analysis:

(1) Contractor shall establish standards for the performance of cost or price analysis.

(2) Contractor shall perform a cost or price analysis in connection with every procurement action, including contract modifications to determine that the expenditure is reasonable. The method and degree of analysis depends on the facts surrounding the particular procurement and pricing situation, but at a minimum, the Contractor shall make independent estimates before receiving bids or proposals.

(a) A cost analysis is necessary when the offeror is required to submit the elements of the estimated cost, when adequate price competition is lacking, and for sole source procurement, including contract modifications or change orders, unless price reasonableness can be established on the basis of a catalog or market price of a commercial product sold in substantial quantities to the general public or based on prices set by law or regulation. As part of its bid, the offeror shall certify that to the best of its knowledge and belief, the cost data are accurate, complete and current at the time of agreement on price.

(b) Contracts or modifications negotiated in reliance on such data should provide the awarding agency a right to a price adjustment to exclude any significant sum by which the price was increased because the contractor had submitted data that were not accurate, complete or current as certified.

(c) Any indirect costs in a proposal must be carefully reviewed to ensure that the costs are not duplicated by direct costs. Indirect costs must be allocated in accordance with an approved cost allocation plan.

(d) If a bidder proposes to use a subcontractor as part of its proposal, all costs in the proposed

subcontract must also be evaluated in the same manner as for the primary proposal.

- (e) Cost analysis must carefully evaluate salaries of owners of sole proprietorships or partnerships who submit offers to ensure that they are in line with the services to be performed.
- (3) A price analysis should be used in all other instances to determine the reasonableness of the proposed contract price. The following price analysis techniques shall be used: i) comparison of proposed prices received; ii) comparison of prior prices received and current contract proposed prices for the same or similar requirement; iii) application of rough yardsticks (e.g., dollars per square foot, dollars per placement); iv) comparison with competitive published price lists and published market prices; and v) comparison with agency's independent developed cost estimates.

The following cost analysis shall be used to:

- (a) Verify cost or pricing data and evaluate cost elements;
  - (b) Evaluate the effect of the offeror's current practices on future costs;
  - (c) Compare proposed costs for individual cost elements;
  - (d) Verify that offeror's cost submissions are in accordance with cost principles (allowable/allocable); and
  - (e) Review to determine that all necessary cost or pricing data have been submitted.
- (4) Agreement procurement shall not permit excess program income (for nonprofit and governmental entities) or excess profit (for private for-profit entities). If profit or program is included in the price, the City or the Contractor shall negotiate profit or program income as a separate element of the price for each contract/subcontract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit or program income, consideration shall be given to:
- (a) The complexity of the work to be performed;
  - (b) The risk borne by the contractor;

- (c) The contractor's investment;
- (d) The amount of subcontracting;
- (e) The quality of the contractor's record of past performance;
- (f) Industry profit rates in the surrounding geographical area for similar work; and
- (g) Market conditions in the surrounding geographical area.

(5) The cost plus a percentage of cost method of contracting shall not be used.

e. Awarding of Agreement/Contract

- (1) Prior to an award of a contract, the City/Contractor shall make a determination that the Contractor/Subcontractor has demonstrated effectiveness in providing the requested services. Agreements/Contracts shall be made only with responsible Contractors/Subcontractors who possess the potential ability to perform successfully under the terms and conditions of a proposed procurement. The selected proposer must be a responsive entity that has submitted a proposal or bid which meets all requirements of the solicitation adequately, which includes responding to the Request for Proposal (RFP)/Request of Qualification (RFQ) within the required time frames, and completing all forms and documents. A responsible entity is one that has been determined to: 1) have a satisfactory record of integrity and business ethics; 2) have a satisfactory performance record; 3) have adequate financial resources to perform the contract or the ability to obtain such resources; 4) be able to comply with the required or proposed delivery of performance schedule, taking into consideration all existing commercial and business commitments; 5) have the needed organization, experience, accounting, operational control and technical skills or ability to obtain them; 6) have adequate production, construction or technical equipment and needed facilities or the ability to obtain them; 7) be able to meet the program design specifications; 8) be able to meet performance goals which includes a showing of demonstrated effectiveness in providing employment and training services; 9) be able to provide services that can lead to the achievement of competency standards for participants; and 10) be both qualified and eligible to receive the award under the applicable law and regulation.

Contractor/Subcontractor shall make the award(s) and finalize the contract(s). Contractor/Subcontractor shall follow established procedures for formal notification of offerors of the results of the evaluations and selected process.

- (2) The City/Contractor and its contractors/subcontractors shall make positive efforts to utilize small business and minority-owned business as sources of supplies and services. Such efforts should allow these sources the maximum feasible opportunity to compete for contracts to be performed utilizing Federal grant funds. If applicable, Contractor/Subcontractor certifies that it has complied with Mayoral Directive 2001-26 regarding the Outreach Program for Personal Services Contracts Greater than \$100,000.
- (3) Where such advertised bids are obtained, the awards shall be made to the responsible bidder whose bid is responsive to the invitation and is most advantageous to the grantee, price and other factors considered. Factors such as discounts, transportation costs, and taxes may be considered in determining the lowest bid. No points shall be given for status as subcontractors or a contractor with an approved childcare policy within existing delivery systems. However, if a bid results in a tie score, preference may be given to the contractor or a subcontractors with an approved child care policy.
- (4) Any or all bids may be rejected when it is in the City/Contractor's interest to do so, and such rejections are in accordance with applicable State and local law, rules, and regulations.

f. Funding Restrictions for High-Risk Contracts

- (1) A contractor may be considered "high-risk" if an awarding agency determines that the contractor is otherwise responsible but:
  - (a) Has a history of unsatisfactory performance;
  - (b) Is not financially stable;
  - (c) Has a management system that does not meet the management standards set forth in this part; or
  - (d) Has not conformed to terms and conditions of a previously awarded grant or sub-grant.

- (2) If the City/Contractor agency determines that a grant or sub-grant will be made to a “high-risk” contractor or subcontractors, then special funding restrictions that address the “high-risk” status may be included in the contract or subcontract. Funding restrictions may include, but are not limited to:
  - (a) Use of reimbursements rather than advances or payment upon completion of the project;
  - (b) Requiring additional and/or more detailed financial or performance reports;
  - (c) Additional monitoring;
  - (d) Requiring the contractor or subcontractors to obtain specific technical or management assistance, and/or
  - (e) Establishing additional prior approvals (e.g., requiring awarding agency approval prior to hiring/firing, award of small purchase contracts).
  
- (3) If the City/Contractor decides to impose such funding restrictions, the awarding official will notify the contractor or subcontractors as early as possible, in writing, of:
  - (a) The nature of the funding restriction(s);
  - (b) The reason(s) for imposing them;
  - (c) The corrective actions which must be taken before they will be removed and the time allowed for completing the corrective actions;
  - (d) The method of requesting reconsideration of the restrictions imposed;  
and
  - (e) Additional prior approvals.

g. City Code of Conduct

All contractors shall adopt a Code of Conduct in accordance with the requirements as set forth in §503 of this Agreement.

h. Methods of Procurement

- (1) Contractor shall use one (1) of the following methods of procurement either by bid or proposal, as appropriate for each procurement action, for entering into contracts with

subcontractors. Contractors shall conduct procurement in a manner that provides full and open competition. Contractor shall perform a cost or price analysis in connection with every procurement action, including contract modifications to determine that the expenditure is reasonable. When any purchase is made, it can only be for an allowable cost. Invitations for bids shall clearly set forth all requirements that the bidder must fulfill in order for his bid to be evaluated by the grantee. Grievance process procedures shall be included in each of the following methods of advertised procurement. Specific requirements and procedures are set forth in 24 CFR §84.44, 24 CFR §85.36, Los Angeles City Charter §370-§372, and 2 CFR Chapter I, Chapter II, Part 200, et al., incorporated herein by reference.

(2) Prior to entering into any subcontract that has a value of One Thousand Dollars (\$1,000) or more, the Contractor shall submit to the City evidence that it has received a minimum bid(s) for such subcontractors and documentation that justifies the selection of the successful bidder. The Contractor shall maintain records showing the parties solicited and the bids submitted.

(a) Small Purchase Procedures: Small purchases are made from vendors for goods or services under \$100,000. Following the procedures for small purchases will constitute justification of the procurement method chosen. The bid must indicate the quantity, time frame and all other requirements of the product or service sought. Bids must be solicited from vendors that can reasonably be expected to provide the goods or services needed.

The requirements are:

Dollar Range of Purchase	Contract and Method
\$1 to \$10,000	1 bid*

\*Bid may be a verbal quote, but must be documented for the project file.

\$10,001 to \$100,000 3 written bids received\*\*

\*\*Three (3) bids must be received by Contractor. The bid process and bids received must be documented in writing in the file. The Request for Bid must either be provided in writing to the vendors, or transmitted as uniformly as possible



over the telephone. To be considered, the bid response must be signed and dated by the vendor.

(b) Purchase/Services Over \$100,000

- (i) **Sealed Bids—Formal Advertising:**  
Contractor shall prepare an Invitation for Bid (IFB) or similar solicitation document which includes full and clear definitions and descriptions of the items to be procured and key performance criteria, dimensions or specifications. Sealed bids shall be solicited publicly for procurement for a firm-fixed-price contract (lump sum or unit price), or other fixed-price arrangement.
- (ii) **Competitive Proposals:** Proposals shall normally be conducted with more than one (1) source submitting an offer, and either a fixed-price or cost-reimbursement type contract is awarded. Contractors shall ensure that they use a documented methodology for technical evaluations and shall award the contract to the responsible offeror whose proposals are most advantageous to the program with price, technical, and other factors considered.
- (iii) **Noncompetitive Proposals—Sole Source:**  
To conduct a noncompetitive procurement the criteria here must be met. Sole source contracts are defined as solicitation of a proposal from only one (1) source, the funding of an unsolicited proposal, or after solicitation of a number of sources, when competition is determined inadequate.

Procurement by noncompetitive proposals may be used only when the award of a contract is infeasible under small purchase procedures, sealed bids, or competitive proposals and one (1) of the following circumstances applies:

- (a) The item or service is available only from a single source; or
- (b) The public exigency or emergency need for the item or service does not permit a delay resulting from competitive solicitation and the

procurement is for a limited time only; or

- (c) The awarding agency authorizes noncompetitive proposals; or
- (d) After solicitation of a number of sources, competition is determined inadequate.

(c) Contract Provisions

- (i) All contracts must contain at a minimum the following provisions:
  - (a) Specific deliverables and the basis for payment;
  - (b) Provisions requiring compliance with Community Development Block Grantors (CDBG) including, but not limited to other funding source regulations;
  - (c) Provisions that describe remedies for breach;
  - (d) Provisions that describe Grantors CDBG and other funding sources patent and copyright rules;
  - (e) Provisions for termination for cause and convenience;
  - (f) Access to records for audit purposes;
  - (g) Audit requirements;
  - (h) Provisions for payment and delivery;
  - (i) Provisions describing contract amendment procedures;
  - (j) Provisions against assignment;
  - (k) Provisions for equal opportunity and non-discrimination;
  - (l) Provisions prohibiting conflicts of interest.

- I. Appeal and Dispute Procedures: The City and its contractors shall have protest procedures to handle and resolve disputes relating to their procurement. A protester shall exhaust all administrative remedies with the contractor before pursuing a protest at a higher level. Notice of appeal rights and procedures must be given to all bidders.
  
- K. Regardless of the amount of the award, if the Contractor receives State Community Services Block Grant (CSBG) funds as a funding source under this Agreement, all sub-recipients of such funding shall certify to a Drug-Free Workplace. All awards to sub-recipients in excess of \$100,000 shall certify that no funds shall be used for lobbying. All contracts and awards to vendors and sub-recipients in excess of \$25,000 shall include debarment certifications.

These guidelines are included to provide additional information regarding conflict of interest regulations in California, the California Multiple Awards System (CMAS), and sample procurement steps for sealed bids and request for proposals. The sub-recipients may use the CMAS for procurement following the small purchase guidelines for procurement under \$25,000; for procurement over \$25,000, three written quotes are required. If there are insufficient vendors to provide the quotes, a sole source justification should be written.