



**JOSEPH KELLY**  
TREASURER AND TAX COLLECTOR

## COUNTY OF LOS ANGELES TREASURER AND TAX COLLECTOR

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October 5, 2015

Dear Interested Party:

### REQUEST FOR STATEMENT OF QUALIFICATIONS LOS ANGELES COUNTY UNDERWRITER POOL

The County of Los Angeles Treasurer and Tax Collector (the "Treasurer") is soliciting qualifications from eligible firms to establish a pool of underwriters for the County's debt issuance programs. Based on an evaluation of the proposals submitted in response to this Request for Statement of Qualifications (RFSQ), the Treasurer will select qualified firms to be members of the Los Angeles County Underwriter Pool (the "Underwriter Pool"). The initial term of the Underwriter Pool will be for one year, with up to four annual extensions. The process for selecting qualified firms, and the policies and guidelines governing participation in the Underwriter Pool, are described in the attached RFSQ.

Please deliver three (3) copies of your response by **11:00 a.m. on Friday, November 20, 2015** to:

Douglas S. Baron  
County of Los Angeles  
Treasurer and Tax Collector  
500 West Temple Street, Room 432  
Los Angeles, CA 90012

In addition, please deliver an electronic copy to Doug Baron at [dbaron@ttc.lacounty.gov](mailto:dbaron@ttc.lacounty.gov), with a copy to John Patterson at [jpatterson@ttc.lacounty.gov](mailto:jpatterson@ttc.lacounty.gov). Any questions regarding the RFSQ may be addressed to Doug Baron by e-mail or by telephone at (213) 974-8359.

Very truly yours,

JOSEPH KELLY  
Treasurer and Tax Collector

Douglas S. Baron  
Director, Finance & Investments

JK:DB:JP:ad  
docInterested Parties Underwriter Pool\_100515

Attachment

**COUNTY OF LOS ANGELES  
TREASURER AND TAX COLLECTOR**

**REQUEST FOR STATEMENT OF QUALIFICATIONS**

**FOR**

**UNDERWRITER SERVICES**



**REQUEST FOR STATEMENT OF QUALIFICATIONS  
LOS ANGELES COUNTY UNDERWRITER POOL**

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The County of Los Angeles (the “County”) Department of the Treasurer and Tax Collector (the “Treasurer”) is issuing a Request for Statement of Qualifications (RFSQ) to solicit qualified firms to provide underwriter services for the County’s debt issuance programs. Based on an evaluation of the qualifications of the firms responding to this RFSQ, the Treasurer will select qualified firms to be members of the Los Angeles County Underwriter Pool (the “Underwriter Pool”). Firms that qualify for the Underwriter Pool will be designated as either senior managers, co-managers or emerging firms for each of the following financing categories:

- 1) Short-Term Note Transactions
- 2) Medium/Long Term Bond Transactions
- 3) Land Secured Transactions (CIDs and CFDs, etc.)
- 4) Redevelopment Bond Refunding Transactions

With respect to Medium/Long-Term Bond Transactions under \$250 million, the Treasurer may elect to designate certain firms in the co-manager category as being eligible to serve as the lead senior (“book-running”) manager. Such eligibility will be made at the sole discretion of the Treasurer and in a manner consistent with the attached 2016 Underwriter Pool Policies and Guidelines.

## **PART A: GENERAL INFORMATION**

### **1. COUNTY OF LOS ANGELES**

The County was established by an act of the State Legislature on February 18, 1850, as one of California’s original 27 counties. Located in the southern coastal region of the State, the County covers 4,084 square miles. With an estimated population of over 10.1 million in 2015, the County is more populous than 43 states.

The County provides services on a countywide basis including detention facilities, health care, law enforcement, recreation, and welfare. Additionally, there are over one million residents in the unincorporated areas of the County for which the County provides municipal and regulatory services. Programs and services are financed primarily by the County's share of local property taxes and revenues from the State and the Federal Government.

The County's FY 2015-16 Adopted Budget is \$27.1 billion. The General County portion of the budget, which is comprised of the General Fund and the Hospital Enterprise Fund, accounts for \$21.3 billion of the total budget. More detailed information for the County of Los Angeles, including budgetary, economic and financial information is available on the Treasurer’s Investor Webpage at: <http://ttc.lacounty.gov/Proptax/Investor.htm>. The most recent County disclosure statement for a public debt offering is incorporated as Appendix A, and can be found on the Investor Webpage under Recent Official Statements/2015/Public Works Financing Authority 2015 Lease Revenue Refunding Bonds.

## 2. COUNTY DEBT PROGRAM

The Treasurer issues debt on behalf of the County and special districts for cash flow borrowing, capital construction, and equipment and systems acquisition. The County is a frequent issuer of municipal debt securities with a national market presence, and has never defaulted on the payment of its debt obligations.

The County has issued a variety of debt instruments including tax and revenue anticipation notes, commercial paper, pension obligation bonds, revenue bonds, lease revenue bonds and certificates of participation. As of July 1, 2015, the County had approximately \$2.923 billion in outstanding debt obligations. The most recent debt offerings include the \$153,215,000 Los Angeles County Public Works Financing Authority Lease Revenue Bonds, 2015 Series A, issued on February 4, 2015; the \$900,000,000 County of Los Angeles 2015-16 Tax and Revenue Anticipation Notes, issued on July 1, 2015; and the \$218,340,000 Los Angeles County Public Works Financing Authority 2015 Lease Revenue Refunding Bonds, issued on September 2, 2015.

Potential financings which could be issued during the term of this engagement include:

### Annual Programs:

- The County issues tax and revenue anticipation notes on an annual basis in varying amounts to finance General Fund cash flow shortages occurring periodically during the fiscal year.
- The County routinely issues medium term bonds approximately every two to three years in the historical range of \$20 to \$60 million to finance capital equipment purchases. The bond proceeds will be used to retire outstanding bond anticipation notes purchased by the County Treasury Pool, which provides an interim source of financing for the equipment purchases.
- Capital Construction Projects – There are a number of capital construction projects for County facilities that are in various stages of development that will eventually be financed through the issuance of long-term bonds. The County primarily issues lease-revenue bonds to finance its capital facilities.
- Land Secured Transactions – On occasion, the County issues long-term bonds to finance or refinance capital improvements for County improvement districts or community facilities districts located in unincorporated areas of the County.
- Redevelopment Bond Refunding Program – In 2013, the County commenced a program to provide services to former redevelopment agencies in the

County to facilitate the refinancing of outstanding tax allocation bonds. The Redevelopment Bond Refunding Program provides a full-service platform for the successor agencies to former redevelopment agencies to refinance higher-cost debt with refunding bonds issued through a County Joint Powers Authority (JPA).

## **PART B: UNDERWRITER POOL PROGRAM**

### **1. BACKGROUND**

In 1995, the Treasurer established its first Underwriter Pool, with the objective of establishing a pool of qualified firms to participate in County financings in various capacities. Syndicate members for County debt financings have been selected from the Underwriter Pool since that time. The County is currently in its fourth Underwriter Pool, with a five-year term expiring on December 31, 2015. The rules and policies governing firms in the Underwriter Pool, and the process and procedures for selecting firms from the Underwriter Pool for various County financings are described in Appendix A of this RFSQ, 2016 Underwriter Pool Policies and Guidelines.

Based on an evaluation of the qualifications of the firms responding to this RFSQ, the Treasurer will designate qualifying firms as Senior Managers, Co-managers or Emerging Firms for each of the following financing categories:

- 1) Short-Term Note Transactions
- 2) Medium/Long-Term Bond Transactions
- 3) Land Secured Transactions (CIDs and CFDs)
- 4) Redevelopment Bond Refunding Transactions

Firms with net capital of \$5 million or less will be designated as an Emerging Firm in the Underwriter Pool. Firms with net capital greater than \$5 million will be designated as either Senior Managers or Co-managers based on the evaluation criteria described in Section 10 of this RFSQ.

Underwriters are selected from the appropriate category of the Underwriter Pool for specific County financings based on the Treasurer's determination of which combination of senior managers, co-managers and emerging firms will enable the County to achieve the best possible financing result, consistent with its policy objectives. However, there is no guarantee that any firm will be included in a County financing during the term of the Underwriter Pool. Furthermore, the Treasurer reserves the right to issue debt securities through a competitive offering or private placement without providing notice to the firms in the Underwriter Pools. In certain limited circumstances, the Treasurer may also elect to use a selling group comprised of firms that are not participants in the Underwriter Pool.

## 2. CHANGES IN POOL ORGANIZATION / RANKINGS

Once a firm is designated as a Senior Manager, Co-manager or Emerging Firm, a change in designation will only be considered if there is a significant, identifiable change in the business capability or structure of the firm. The Treasurer will consider changes to firm designations on a case-by-case basis after determination of the relevant facts.

The Treasurer may on a case-by-case basis, remove or suspend any firm from the Underwriter Pool for reasons which include, but are not limited to the following:

- Unacceptable performance or conduct in any financing
- Failure to maintain Federal, State and FINRA registrations, licenses, or memberships necessary for offering and selling securities in California
- Being subject to disciplinary action by the SEC, FINRA, or the California Department of Corporations
- Filing for protection under Federal or State bankruptcy laws
- Failure to continue to meet the minimum qualifications listed in Section II of Appendix A, 2016 Underwriter Pool Policies and Guidelines.

## 3. ROLES AND RESPONSIBILITIES

Underwriter responsibilities may include, but are not limited to, the following:

### A. Senior Managers

- Assist with creation of the selling syndicate and syndicate rules
- Manage the syndicate in accordance with the County's syndicate rules
- Assist Treasurer with preparation for Rating Agency reviews
- Prepare pre-pricing analysis and post pricing analysis of bond sale and syndicate participation and performance

### B. All Underwriters

- Develop and recommend financing structures and strategies
- Conduct cost/benefit and risk analysis for proposed financing structures
- Conduct research and analysis for changing markets or special considerations in proposed structures
- Conduct research and analysis for timing of pricing
- Assist with preparation of financial and legal documents
- Assist with developing appropriate disclosure materials
- Assess market condition prior to pricing and at the time of pricing

## 4. TERM OF PROGRAM

The initial term of the Underwriter Pool is one (1) year, and at the discretion of the Treasurer, it may be extended for up to four (4) additional years. The Treasurer will evaluate underwriter performance and service capabilities on an annual basis through an

extension/renewal process. Firms in the Underwriter Pool will be required to submit updated information on an annual basis in order to qualify for continued participation in the Underwriter Pool.

## 5. COMPENSATION

Compensation for underwriting services is contingent upon the completion of a financing and will be negotiated on a deal by deal basis, taking into account the type of financing and the amount and level of work performed, market conditions relating to the sale of notes or bonds, and other factors that may be deemed necessary and appropriate by the Treasurer. Placement in the Underwriter Pool does not guarantee engagement on a financing during the term of the Underwriter Pool.

## PART C: RFSQ PROCESS

### 1. GENERAL

The specific firm requirements, instructions to proposers, and the evaluation methodology are described in detail in this RFSQ. Proposers should read this RFSQ carefully and follow all instructions to ensure compliance with County requirements and requests for information. Based on a review and evaluation of the information submitted in the proposals, staff will recommend the ranking of firms, with the Treasurer making the final selections.

### 2. RFSQ SUBMISSION

Three (3) copies of the written proposals must be delivered no later than **11:00 a.m. Friday, November 20, 2015** to:

Doug Baron, Director of Public Finance  
County of Los Angeles  
Treasurer and Tax Collector  
500 West Temple Street, Room 432  
Los Angeles, CA 90012

In addition, please deliver an electronic copy of the proposal in PDF format to [dbaron@ttc.lacounty.gov](mailto:dbaron@ttc.lacounty.gov), and John Patterson at [jpatterson@ttc.lacounty.gov](mailto:jpatterson@ttc.lacounty.gov). No fax responses will be accepted.

### 3. CONTACTS

All communications regarding the County's solicitation process must be directed to Doug Baron, Director of Public Finance, at (213) 974-8359 or [dbaron@ttc.lacounty.gov](mailto:dbaron@ttc.lacounty.gov). Specific questions related to the content of this RFSQ should be delivered in accordance with the instructions provided in Part D, Section 27.b (Underwriter Questions) of this RFSQ.

#### 4. COUNTY OPTION TO REJECT QUALIFICATIONS

The Treasurer reserves the right to waive any informalities or discrepancies, or reject any or all qualifications submitted in response to this RFSQ. Neither the Treasurer nor the County shall be liable for any costs incurred in connection with the preparation and submission of any qualifications.

#### 5. NOTICE TO PROPSERS REGARDING THE CALIFORNIA PUBLIC RECORDS ACT

Responses to this RFSQ become the exclusive property of the County. At such time as firms are selected and their names made public, all proposals submitted shall be regarded as public records. Exceptions will be those elements in each proposal which are defined by the proposer as business or trade secrets and marked "TRADE SECRET," "CONFIDENTIAL," or "PROPRIETARY." Each element which a proposer desires not to be considered a public record must be clearly marked as set forth above

The County shall not, in any way, be liable or responsible for the disclosure of any such record or any parts thereof, if disclosure is required or permitted under the CPRA Act or otherwise by law. Proposals which contain documents justifiably marked as "Trade Secrets," "Confidential," or "Proprietary" information are exempt from disclosure under Government Code Sections 6250 et seq. **A blanket statement of confidentiality or the marking of each page of the proposal as confidential shall not be deemed sufficient notice of exception. Proposers must specifically label only those provisions of their respective proposals which are "Trade Secrets," "Confidential," or "Proprietary" in nature. Failure to do so shall waive any further claims related to disclosure of "Trade Secrets," "Confidential" information or information "Proprietary" in nature.**

#### 6. CONFLICT OF INTEREST

At no time shall a firm in the Underwriter Pool be engaged as a financial advisor to the County during the term of the Underwriter Pool.

No County employee whose position in the County enables him/her to influence the selection of an underwriter for this RFSQ, nor any spouse or economic dependent of such employee, shall be employed in any capacity by a proposer or have any direct or indirect financial interest in the selected underwriter firms.

Vendor shall certify that he/she is aware of and has read Section 2.180.010 of the Los Angeles County Code as stated in Appendix D, Required Forms, Exhibit 2, Certification of No Conflict of Interest.

## 7. CONFIDENTIALITY

Firms must ensure that the information obtained during the provision of providing underwriter services, except for those items that are, or later become part of the public record, shall at all times remain confidential.

## 8. USE OF COUNTY SEAL AND TREASURER'S LOGO

Firms shall not use or display the official seal of the County or the Treasurer's logo on any of its letterheads or other communications with any businesses or for any other reason without the prior written consent of the County.

## 9. EVALUATION PROCESS

The Treasurer reserves the sole right to judge the contents of all proposals submitted in response to this RFSQ. Firms which submit proposals that, in the Treasurer's sole discretion, are incomplete and/or do not follow content and format guidelines may be disqualified without further consideration. Firms meeting the minimum mandatory requirements stated in Part D will be evaluated based on the criteria set forth in Section 10 below.

## 10. EVALUATION CRITERIA

Firms meeting the minimum requirements will be evaluated based on the following criteria:

- Net capital and underwriting capacity of the firm.
- Recent demonstrated financing experience verified through Securities Data Company (SDC) Share and the capability of the firm to manage or contribute to a variety of large and complex financing structures for municipalities within the State of California.
- Recent demonstrated experience of the firm, and ability of the firm to assign qualified staff and allocate sufficient resources to work on County financings.
- Recent demonstrated experience of the firm and its staff in marketing a variety of large and complex financing structures under changing market conditions.
- The level and quality of a firm's logistical and quantitative support available during the development of proposed financing structures.
- Accuracy and thoroughness of the firm's understanding of the scope and complexity of the Treasurer's financing requirements as demonstrated in their proposals.
- Analysis of the firm's demonstrated ability to provide the requested services to meet or exceed the requirements in this RFSQ.
- Magnitude of any exceptions taken to the RFSQ and the suitability and appropriateness of any alternatives.

- Evaluation of the firm's underwriting experience and performance verified through SDC Share.
- Evaluation of staff's underwriting experience and performance.
- Evaluation of the firm's references.
- The firm's financial stability and ability to continue as a going concern throughout the term of the Underwriter Pool.
- Magnitude of any pending litigation/sanctions of a material nature.
- Demonstrated adherence to the highest standards of professional ethics and integrity.

The County and the Treasurer reserve the right to:

- Request an interview with or to require additional information from any firm prior to its selection for participation in the Underwriter Pool.
- Consider information about any firm from other sources in addition to the information submitted by the firm.

## **PART D: QUALIFICATIONS**

### **1. SUBMISSION**

Three (3) copies of the written proposals must be delivered no later than **11:00 a.m. Friday, November 20, 2015** to:

Doug Baron, Director of Public Finance  
County of Los Angeles  
Treasurer and Tax Collector  
500 West Temple Street, Room 432  
Los Angeles, CA 90012

In addition, please deliver an electronic copy of the proposal in PDF format to [dbaron@ttc.lacounty.gov](mailto:dbaron@ttc.lacounty.gov), and to John Patterson at [jpatterson@ttc.lacounty.gov](mailto:jpatterson@ttc.lacounty.gov). Written proposals must be typed or printed on eight and one-half by eleven inch (8 1/2" x 11") paper. The proposals shall be enclosed in a sealed envelope or box with the name and address of the proposer plainly marked in the upper left-hand corner and in the lower left-hand corner.

It is the sole responsibility of the submitting firm to see that its proposal is received before the deadline above. Submitting firms shall bear all risks associated with delays in the U.S. Mail or by private courier services. Any proposals received after the scheduled deadline will be returned to the sender unopened. No corrected or resubmitted proposals will be accepted after the submission deadline. No fax responses will be accepted.

## 2. PROPOSAL CONTENT AND SEQUENCE

- A. *Cover Letter* - Include a brief letter (no more than two pages) transmitting the proposal and indicating the name, address, and telephone number of the person(s) authorized to sign for and make representations on behalf of the firm.
- B. *Table of Contents* - Include a Table of Contents of the material presented in your proposals showing the applicable page numbers.
- C. *Proposal Content* - The proposals will be evaluated based on your firm's responses to the RFSQ. Proposers should ensure answers are complete and concise. The County assumes no responsibility for any understandings or representations concerning information provided or conditions given by any employees prior to the selection of the Underwriter Pool, unless the same are explicitly expressed or included in the RFSQ or any subsequent addendum to the RFSQ.
- D. *Format* - Proposals must be submitted in the format described in each section of this Part D, both as to sequence and content. Each point of each question must be answered.
- E. *Page Limit* – Proposals are limited to 30 pages, including graphs and diagrams, if any. The cover letter, table of contents, and appendices specifically required in the questions below do not count towards this page limit.

Failure to comply with these provisions may, in the Treasurer's sole discretion, result in disqualification of the proposal.

## 3. RFSQ QUESTIONS AND REQUESTS FOR INFORMATION

You should carefully read and fully address each point in each question. For each question, please restate the question followed by your answer or answers.

### A. Minimum Mandatory Requirements

The answer must be "Yes" to each question in this section for the firm to be eligible for the Underwriter Pool. Answer each question and provide additional information as requested.

- 1. Does the firm have a permanent place of business located in the State of California? List the primary address.
- 2. Has the firm participated as a senior manager or co-manager in ten (10) completed financings since January 1, 2014? (Answer Yes or No.)

3. Does the firm maintain a minimum net capital of \$100,000 at all times? State the amount and dated date from the firm's most recent FOCUS report.
4. Does the lead person proposed for the County's engagement have a minimum of three (3) recent years of public finance experience with large complex financing structures, and is he or she authorized to sign a Contract of Purchase on behalf of the firm?
5. Does the firm hold and at all times maintain current all Federal and State licenses and registrations required for offering underwriting or investment banking services in the State of California (answer "Yes" or "No")? This may include but is not limited to the following:
  - U.S. Securities and Exchange Commission (SEC)
  - Financial Industry Regulatory Authority (FINRA)
  - California Department of Corporations (CDOC)
6. Does the firm at all times have at least one full-time professional supervisory employee with a MSRB Series 53 license (Municipal Securities Principal)?
7. Firms in the Los Angeles County Underwriter Pool are prohibited from making cash contributions or providing in-kind services to promote or facilitate California school or community college district campaigns for general obligation bond ballot measures. Is the firm willing to comply with this requirement as a condition for participation in the Underwriter Pool?

**B. Placement In Pools**

Each firm has a unique mix of experience and capabilities to offer, and some firms may not want to participate in all types of financings. Please indicate by a "Yes" or "No" whether your firm believes that it can add value to the following financing categories, and whether or not you wish to be considered for inclusion in the Underwriter Pool for that category. Answering "No" will not affect your evaluation or placement in other categories.

- 1) Short-Term Note Transactions
- 2) Medium/Long-Term Bond Transactions.
- 3) Land Secured Transactions (CIDs and CFDs)
- 4) Redevelopment Bond Refunding Transactions

**C. Firm Information**

1. Briefly describe the structure of your firm, the total number of employees and the number of employees based in California. If your firm is a private

entity, state whether it is a corporation, partnership or sole proprietorship. Provide a listing of firm principals and/or owners. Indicate the length of time the firm has been in business under the current name as well as any previous names. In addition to your response, please complete and attach the Vendor's Organization Questionnaire/Affidavit found in Exhibit 1 of Appendix D, Required Forms.

2. How long has your firm been in business as an underwriter and meeting the requirements of MSRB Rule G-2 as a Municipal Broker-Dealer? How long in California?
3. Has your firm, at all times within the last three years, been in compliance with all applicable MSRB rules related to the issuance of municipal debt securities? If not, please explain. Was your firm sanctioned or fined as a result of non-compliance with MSRB rules?
4. What was the firm's legal underwriting capacity on January 1, 2014 and January 1, 2015?
5. Since January 1, 2015, what was the firm's maximum legal underwriting liability?
6. Please answer the following questions:
  - a. Has your firm and/or any of its principals ever been the subject of any investigation relating to the municipal industry by the SEC, FINRA, NYSE, CDOC or any other State or Federal organization that oversees, regulates, licenses or is otherwise responsible for the municipal bonds industry?
  - b. Has your firm and/or any of its principals ever been involved in any litigation, arbitration, disciplinary or other actions arising from the firm's underwriting, management or handling of municipal securities?
  - c. Has your firm and/or any of its principals ever been convicted of any crime (other than minor infractions or traffic violations) within the past 5 years?
  - d. Does there exist any relationship between your firm and any other non-affiliated firm(s) involving any compensation arrangement that may be associated with your possible engagement in the County's debt issuance program?

If any of the foregoing questions is answered in the affirmative, provide details including the current status (if pending) or disposition of the matter.

7. The underwriter, and each County Lobbyist or County Lobbying firm as defined in County Code Section 2.160.010 retained by the underwriter, shall fully comply with the County's Lobbyist Ordinance, County Code Chapter 2.160. Failure on the part of the underwriter or any County Lobbyist or County Lobbying firm retained by the underwriter to fully comply with the County's Lobbyist Ordinance shall constitute a material breach, upon which the County may in its sole discretion, immediately terminate or suspend the firm from the Underwriter Pool.

Please sign and attach the Familiarity with the County Lobbyist Ordinance Certification form found in Exhibit 5 of Appendix D, Required Forms, which will certify that you have reviewed and understand the Los Angeles County Lobbyist Ordinance, Los Angeles Code Chapter 2.160.

**D. Firm And Staff Experience**

1. Provide the information specified below in tabular format and labeled as Appendix B-1 Completed Financings (National) – Short-Term, Appendix B-2 Completed Financings (National) – Medium/Long-Term, and/or Appendix B-3 Completed Financings (National) – Land Secured, for the financings in which your firm acted as a manager for transactions completed on or after January 1, 2014. The information provided should be broken down into three categories: Short Term, Medium/Long Term and/or Land Secured and segregated by your firm's role as either a senior manager or co-manager. For each financing, include the following information:

- Name of the issuer
- Type of financing
- Role of your firm in the financing
- Issuance date and final maturity of issue
- Total par amount of debt securities issued
- SDC Share
- Indicate if debt securities were issued through a negotiated or competitive offering

Provide a second set of tables based on the requirements and requested information specified above that breaks out the financings completed for California municipal entities only. The tables should be labeled as Appendix B-4 Completed Financings (California) – Short-Term, Appendix B-5 Completed Financings (California) – Medium/Long-Term, Appendix B-6 Completed Financings (California) – Land Secured, and/or B-7 Completed Financings (California) – Redevelopment Refunding Bonds. The information provided should be broken down into four categories: Short Term, Medium/Long Term, Land Secured and/or Redevelopment

Refunding Bonds, and segregated by your firm's role as either a senior manager or co-manager.

Your response must include subtotals by calendar year as well as grand totals for both the number of issues and the total par amount issued for each category.

2. List the names, locations and role of staff that will work on County financings. For each person, complete the form found in Appendix C, Staff Information Form, to detail their public finance experience, education, licenses/certifications, training, and any other information that will assist in the evaluation of your firm's professional expertise.
3. Provide the total number of municipal finance professionals currently employed in the United States, State of California, and County of Los Angeles, respectively.
4. Briefly describe your firm's unique strengths and how this will add value to the County's debt issuance programs. If your firm seeks to qualify as a lead Senior Manager on County financings, provide a summary of the reasons why the County should consider your firm for this role.
5. List the names, locations and role of staff on the underwriting desk that will work on County financings. For each person, complete the form found in Appendix C, Staff Information Form, to detail their municipal underwriting experience, education, licenses/certificates, training and any other information that will assist in the evaluation of your firm's professional expertise.
6. Briefly describe your firm's unique underwriting desk strengths and how this will add value to the County's debt issuance programs, especially under challenging market conditions.
7. Describe your firm's willingness and capability to underwrite debt securities to support a County transaction, especially under challenging market conditions. Provide specific examples of transactions where your firm committed its own capital to underwrite municipal bond or note obligations.
8. Briefly describe the marketing and distribution capabilities of your firm. Please detail the number of institutional salespeople and retail salespeople involved in both the national and California tax-exempt market.

9. What other technical and support services does your firm have available in-house and explain how will this add value to County financings?

E. Other Considerations And Requirements

1. Please provide a copy of your firm's most recent FOCUS Report verifying the net capital available to your firm for underwriting purposes.
2. Provide a minimum of three (3) verifiable client references by completing the Customer Reference Form, Exhibit 6 of Appendix D, Required Forms, for each reference. Only include clients with which the firm had an underwriting engagement within the past three (3) years.
3. Provide the firm's most current and prior two (2) years financial statements showing the firm's assets, liabilities, net worth and net excess capital. At a minimum, include the Balance Sheet (Statement of Financial Position), Income Statement (Statement of Operations) and the Retained Earnings Statement. If available, audited financial statements issued within the last 12 months should also be submitted.
4. Affirmatively state that your firm will immediately report any attempt by any County employee or agent to solicit bribes or improper consideration in connection with a RFSQ to provide financial or advisory services.
5. Compliance with Civil Rights Laws

The underwriter hereby assures that it will comply with Subchapter VI of the Civil Rights Act of 1964, 42 USC Sections 2000 (e) (1) through 2000 (e) (17), to the end that no person shall, on the grounds of race, creed, color, sex, religion, ancestry, age, condition of physical handicap, marital status, political affiliation, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under this Underwriter Pool or under any project, program, or activity supported by this program. The underwriter shall comply with Exhibit 3, Vendor's EEO Certification of Appendix D, Required Forms.

6. Underwriter's Adherence to County's Child Support Compliance Program

Underwriters shall 1) fully comply with all applicable State and Federal reporting requirements relating to employment reporting for its employees; and 2) comply with all lawfully served Wage and Earnings Assignment Orders and Notice of Assignment and continue to maintain compliance during the term of any contract that may be awarded pursuant to this solicitation. Failure to comply may be cause for termination or initiation of debarment proceedings against the non-compliant underwriter (County Code Chapter 2.202).

## 7. Consideration of GAIN/GROW Participants for Employment

As a threshold requirement for consideration for contract award, underwriters shall demonstrate a proven record of hiring participants in the County's Department of Public Social Services Greater Avenues for Independence (GAIN) or General Relief Opportunity for Work (GROW) Programs or shall attest to a willingness to consider GAIN/GROW participants for any future employment openings if they meet the minimum qualifications for that opening. The underwriters shall attest to a willingness to provide employed GAIN/GROW participants access to the underwriters' employee mentoring program, if available, to assist these individuals in obtaining permanent employment and/or promotional opportunities. Underwriters who are unable to meet this requirement shall not be considered for contract award. Underwriter shall complete and return the form, Attestation of Willingness to Consider GAIN/GROW Participants, as set forth in Exhibit 7 of Appendix D, Required Forms.

## 8. County's Quality Assurance

After formation of the Underwriter Pool, the Treasurer will evaluate the underwriter's performance on a periodic basis. Such evaluation will include assessing underwriter's compliance with all terms and performance standards identified in the RFSQ. Any underwriter deficiencies which the Treasurer determines are severe or continuing and that may jeopardize performance will be dealt with by the Treasurer. The Treasurer will recommend improvement/corrective action measures. If improvement does not occur consistent with the corrective action measures, the Treasurer may suspend or terminate the underwriter from the pool.

## 9. Recycled Bond Paper

Consistent with the Board of Supervisors' policy to reduce the amount of solid waste deposited at the County landfills, the underwriter agrees to use recycled-content paper to the maximum extent possible for this Underwriter Pool.

## 10. Safely Surrendered Baby Law

The underwriter shall notify and provide to its employees a fact sheet regarding the Safely Surrendered Baby Law, its implementation in Los Angeles County, and where and how to safely surrender a baby. The fact sheet is set forth in Appendix J, Safely Surrendered Baby Law, of this RFSQ and is also available on the Internet at [www.babysafela.org](http://www.babysafela.org) for printing purposes.

## 11. County Policy on Doing Business with Small Business

The County has multiple programs that address small businesses. The Board of Supervisors encourages small business participation in the County's contracting process by constantly streamlining and simplifying our selection process and expanding opportunities for small businesses to compete for our business.

The Local Small Business Enterprise Preference Program requires the Company to complete a certification process.

The Jury Service Program provides exceptions to the Program if a company qualifies as a Small Business. It is important to note that each Program has a different definition for Small Business. You may qualify as a Small Business in one Program but not the other. Further explanation of the Jury Service Program is provided in Section 14.

The County also has a Policy on Doing Business with Small Business that is stated in Appendix F, County of Los Angeles Policy on Doing Business with Small Business.

## 12. Notification to County of Pending Acquisitions/Mergers by Proposing Company

The vendor shall notify the County of any pending acquisitions/mergers of their company. This information shall be provided by the vendor on Exhibit 1, Vendor's Organization Questionnaire/Affidavit of Appendix D, Required Forms. Failure of the vendor to provide this information may eliminate its SOQ from any further consideration.

## 13. Jury Service Program

Firms in the Underwriter Pool are subject to the requirements of the County's Contractor Employee Jury Service Ordinance ("Jury Service Program") (Los Angeles County Code, Chapter 2.203). Prospective should carefully read the Jury Service Program, Appendix G. Underwriters that fail to comply with the requirements of the Jury Service Program will be considered non-responsive and excluded from further consideration.

The Jury Service Program requires underwriters to have and adhere to a written policy that provides that its employees shall receive from the underwriter, on an annual basis, no less than five days of regular pay for actual jury service. The policy may provide that employees deposit any fees received for such jury service with the underwriter or that the underwriter deduct from the employee's regular pay the fees received for

jury service. For purposes of the Jury Service Program, “employee” means any California resident who is a full-time employee of an underwriter and “full-time” means 40 hours or more worked per week, or a lesser number of hours if: 1) the lesser number is a recognized industry standard as determined by the County, or 2) the underwriter has a long-standing practice that defines the lesser number of hours as full-time. Therefore, the Jury Service Program applies to all of the underwriter’s full-time California employees, even those not working specifically on the County project. Full-time employees providing short-term, temporary services of 90 days or less within a 12-month period are not considered full-time for purposes of the Jury Service Program.

There are two ways in which an underwriter might not be subject to the Jury Service Program. The first is if the underwriter does not fall within the Jury Service Program’s definition of “Contractor”. The Jury Service Program defines “Contractor” to mean a person, partnership, corporation of other entity which has a contract with the County or a Subcontract with a County Contractor and has received or will receive an aggregate sum of \$50,000 or more in any 12-month period under one or more County contracts or subcontracts. The second is if the Contractor meets one of the two exceptions to the Jury Service Program. The first exception concerns small businesses and applies to Contractors that have 1) ten or fewer employees; and, 2) annual gross revenues in the preceding twelve months which, if added to the annual amount of this Contract is less than \$500,000, and, 3) is not an “affiliate or subsidiary of a business dominant in its field of operation”. The second exception applies to Contractors that possess a collective bargaining agreement that expressly supersedes the provisions of the Jury Service Program. The Contractor is subject to any provision of the Jury Service Program not expressly superseded by the collective bargaining agreement.

If an underwriter does not fall within the Jury Service Program’s definition of “Contractor” or if it meets any of the exceptions to the Jury Service Program, then the underwriter must so indicate in the Certification Form and Application for Exception, Exhibit 8 of Appendix D, Required Forms and include with its submission all necessary documentation to support the claim such as tax returns or a collective bargaining agreement, if applicable. Upon reviewing the underwriter’s application, the Treasurer will determine, in its sole discretion, whether the underwriter falls within the definition of Contractor or meets any of the exceptions to the Jury Service Program. The Treasurer’s decision will be final.

#### 14. Defaulted Property Tax Reduction Program

Firms in the Underwriter Pool are subject to the requirements of the County’s Defaulted Property Tax Reduction Program (“Defaulted Tax

Program”) (Los Angeles County Code, Chapter 2.206). Prospective firms should carefully read the Defaulted Tax Program Ordinance, Appendix K, which is incorporated by reference into and made a part of this solicitation. The Defaulted Tax Program applies to both the proposer and any subcontractors.

Firms shall be required to certify that they are in full compliance with the provisions of the Defaulted Tax Program and shall maintain compliance during the term of the Underwriter Pool, or certify that they are exempt from the Defaulted Tax Program by completing Certification of Compliance with the County’s Defaulted Property Tax Reduction Program, Exhibit 9 of Appendix D, Required Forms. Failure to maintain compliance, or to timely cure defects, will prevent firms in the Underwriter Pool from being selected to serve as an underwriter on a County financing.

Proposals that fail to comply with the certification requirements of the Defaulted Tax Program will be considered non-responsive and excluded from further consideration.

#### 15. Time Off for Voting

The underwriter shall notify its employees, and shall require any subcontractors to notify and provide to its employees, information regarding the time off for voting law (Elections Code Section 14000). Not less than 10 days before every statewide election, every underwriter and its subcontractors shall keep posted conspicuously at the place of work, if practicable, or elsewhere where it can be seen as employees come or go to their place of work, a notice setting forth the provisions of Section 14000.

#### 16. Data Destruction

Underwriter(s) that have maintained, processed, or stored County data and/or information, implied or expressed, have the sole responsibility to certify that the data and information have been appropriately destroyed consistent with the National Institute of Standards and Technology (NIST) Special Publication SP 800-88 titled *Guidelines for Media Sanitization*. (Available at: <http://csrc.nist.gov/publications/PubsDrafts.html#SP-800-88-Rev.%201>)

The data and/or information may be stored on purchased, leased, or rented electronic storage equipment (e.g., printers, hard drives) and electronic devices (e.g., servers, workstations) that are geographically located within the County, or external to the County’s boundaries. The County must receive within ten (10) business days, a signed document from firms in the Underwriter Pool that certifies and validates the data and

information were placed in one or more of the following stored states: unusable, unreadable, and indecipherable.

Firms in the Underwriter Pool shall certify that any County data stored on purchased, leased, or rented electronic storage equipment and electronic devices, including, but not limited to printers, hard drives, servers, and/or workstations are destroyed consistent with the current National Institute of Standard and Technology (NIST) Special Publication SP-800-88, *Guidelines for Media Sanitization*. Underwriter shall provide County with written certification, within ten (10) business days of removal of any electronic storage equipment and devices that validates that any and all County data was destroyed and is unusable, unreadable, and/or undecipherable.

#### 17. Facsimile Representation

The County and the underwriter hereby agree to regard facsimile and/or PDF signatures as representations of original signatures of authorized officers of each party, when appearing in appropriate places on the Amendments and Notices prepared pursuant to Section 6.01. and to Section 6.04. respectively, and received via communications facilities (including e-mails), as legally sufficient evidence that such original signatures have been affixed to Amendments and Notices to this Contract, such that the parties need not follow up facsimile transmissions of such documents or PDF documents with subsequent transmission of "original" versions of such documents.

#### 18. Federal Earned Income

The underwriter shall notify its employees that they may be eligible for the Federal Earned Income Credit under the federal income tax laws. Such notice shall be provided in accordance with the requirements set forth in Internal Revenue Service Notice No. 1015. Reference Appendix I, IRS Notice 1015, of this RFSQ.

#### 19. Gratuities

##### Attempt to Secure Favorable Treatment

It is improper for any County officer, employee or agent to solicit consideration, in any form, from an underwriter with the implication, suggestion or statement that the underwriter's provision of the consideration may secure more favorable treatment for the underwriter in determining the firm's placement in the Underwriter Pool or appointment to serve as an underwriter for a County financing, or that the underwriter's failure to provide such consideration may negatively affect the County's

consideration of the underwriter's proposal. An underwriter shall not offer or give either directly or through an intermediary, consideration, in any form, to a County officer, employee or agent for the purpose of securing favorable treatment with respect to the firm's placement in the Underwriter Pool or appointment to serve as an underwriter for a County financing.

#### Underwriter Notification to County

An underwriter shall immediately report any attempt by a County officer, employee or agent to solicit such improper consideration. The report shall be made either to the County manager charged with the supervision of the employee or to the County Auditor-Controller's Employee Fraud Hotline at (800) 544-6861. Failure to report such a solicitation may result in the underwriter's proposal being eliminated from consideration.

#### Form of Improper Consideration

Among other items, such improper consideration may take the form of cash, discounts, services, the provision of travel or entertainment, or tangible gifts.

### 20. Mandatory Requirement to Register on County's WebVen

After the pool formation, all underwriters must register in the County's WebVen. The WebVen contains the Vendor's business profile and identifies the goods/services the business provides. Registration can be accomplished online via the Internet by accessing the County's home page at <http://camisvr.co.la.ca.us/webven/>

### 21. Determination of Underwriter Responsibility

#### Responsible Underwriter

A responsible underwriter is an underwriter who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity and experience to satisfactorily perform underwriting services for the County. It is the County's policy to conduct business only with responsible underwriters.

#### Chapter 2.202 of the County Code

Underwriters are hereby notified that, in accordance with Chapter 2.202 of the County Code, the County may determine whether the underwriter is responsible based on a review of the underwriters performance on a County financing. Particular attention will be given to violations of labor laws related to employee compensation and benefits, and evidence of

false claims made by the underwriter against public entities. Labor law violations which are the fault of the subcontractors and of which the underwriter had no knowledge shall not be the basis of a determination that the underwriter is not responsible.

#### Non-responsible Underwriter

The Treasurer may declare an underwriter to be non-responsible for purposes of this Underwriter Pool if the Treasurer, in its discretion, finds that the underwriter has done any of the following: (1) violated a term of a contract with the County or a nonprofit corporation created by the County; (2) committed an act or omission which negatively reflects on the underwriter's quality, fitness or capacity to perform a contract with the County, any other public entity, or a nonprofit corporation created by the County, or engaged in a pattern or practice which negatively reflects on same; (3) committed an act or omission which indicates a lack of business integrity or business honesty; or (4) made or submitted a false claim against the County or any other public entity.

If there is evidence that an underwriter may not be responsible, the Treasurer shall notify the underwriter in writing of the evidence relating to the underwriter's responsibility. The Treasurer shall provide the underwriter and/or the underwriter's representative with an opportunity to present evidence as to why the underwriter should be found to be responsible and to rebut evidence which is the basis for the Treasurer's recommendation.

#### 22. Underwriter Debarment

The underwriter is hereby notified that, in accordance with Chapter 2.202 of the County Code, the County may debar the underwriter from participating in the Underwriter Pool or serving as an underwriter for a County financing for a specified period of time, which generally will not exceed five (5) years but may exceed five (5) years or be permanent if warranted by the circumstances, and the County may terminate any or all of the underwriter's existing contracts with County, if the Board of Supervisors finds, in its discretion, that the underwriter has done any of the following: (1) violated a term of a contract with the County or a nonprofit corporation created by the County, (2) committed an act or omission which negatively reflects on the underwriter's quality, fitness or capacity to perform a contract with the County or any other public entity, or a nonprofit corporation created by the County, or engaged in a pattern or practice which negatively reflects on same, (3) committed an act or offense which indicates a lack of business integrity or business honesty, or (4) made or submitted a false claim against the County or any other public entity.

## Notice to Underwriter

If there is evidence that an underwriter may be subject to debarment, the Treasurer shall notify the underwriter in writing of the evidence which is the basis for the proposed debarment, and shall advise the underwriter of the scheduled date for a debarment hearing before the Contractor Hearing Board.

## Contractor Hearing Board

The Contractor Hearing Board shall conduct a hearing where evidence on the proposed debarment is presented. The underwriter and/or underwriter's representative shall be given an opportunity to submit evidence at that hearing. After the hearing, the Contractor Hearing Board shall prepare a tentative proposed decision, which shall contain a recommendation regarding whether the underwriter should be debarred, and, if so, the appropriate length of time of the debarment. The underwriter and the Department shall be provided an opportunity to object to the tentative proposed decision prior to its presentation to the Board of Supervisors.

## Presentation to Board of Supervisors

After consideration of any objections, or if no objections are received, a record of the hearing, the proposed decision and any other recommendation of the Contractor Hearing Board shall be presented to the Board of Supervisors. The Board of Supervisors shall have the right to modify, deny or adopt the proposed decision and recommendation of the Contractor Hearing Board.

If an underwriter has been debarred for a period longer than five (5) years, that underwriter may, after the debarment has been in effect for at least five (5) years, submit a written request for review of the debarment determination to reduce the period of debarment or terminate the debarment. The County may, in its discretion, reduce the period of debarment or terminate the debarment if it finds that the underwriter has adequately demonstrated one or more of the following: (1) elimination of the grounds for which the debarment was imposed; (2) a bona fide change in ownership or management; (3) material evidence discovered after debarment was imposed; or (4) any other reason that is in the best interests of the County.

The Contractor Hearing Board will consider requests for review of a debarment determination only where (1) the underwriter has been debarred for a period longer than five (5) years; (2) the debarment has been in effect for at least five (5) years; and (3) the request is in writing,

states one or more of the grounds for reduction of the debarment period or termination of the debarment, and includes supporting documentation. Upon receiving an appropriate request, the Contractor Hearing Board will provide notice of the hearing on the request. At the hearing, the Contractor Hearing Board shall conduct a hearing where evidence on the proposed reduction of debarment period or termination of debarment is presented. This hearing shall be conducted and the request for review decided by the Contractor Hearing Board pursuant to the same procedures as for a debarment hearing.

The Contractor Hearing Board's proposed decision shall contain a recommendation on the request to reduce the period of debarment or terminate the debarment. The Contractor Hearing Board shall present its proposed decision and recommendation to the Board of Supervisors. The Board of Supervisors shall have the right to modify, deny, or adopt the proposed decision and recommendation of the Contractor Hearing Board.

These terms shall also apply to proposed subcontractors of vendors on County contracts.

Appendix H provides a link to the County's website where there is a listing of Contractors that are currently on the Debarment List for Los Angeles County.

## 23. Indemnification and Insurance Requirements

Underwriter shall be required to comply with the insurance provisions contained in the RFSQ. The underwriter shall procure, maintain, and provide to the County proof of insurance coverage for all the programs of insurance along with associated amounts specified in this RFSQ.

Without limiting underwriter's indemnification of the County as a member of the Underwriter Pool and its performance on a County financing, the underwriter shall provide and maintain at its own expense insurance coverage satisfying the requirements specified in this Section. These minimum insurance coverage terms, types and limits (the "Required Insurance") also are in addition to and separate from any other contractual obligation imposed upon underwriter pursuant to this Contract. The County in no way warrants that the Required Insurance is sufficient to protect the underwriter for liabilities which may arise from or relate to this Contract.

**Indemnification:**

The underwriter shall indemnify, defend and hold harmless the County, its Special Districts, elected and appointed officers, employees, agents and volunteers ("County Indemnitees") from and against any and all liability, including but not limited to demands, claims, actions, fees, costs and expenses (including attorney and expert witness fees), arising from and/or relating to the Underwriter Pool, except for such loss or damage arising from the sole negligence or willful misconduct of the County Indemnitees.

**Evidence of Insurance:**

Certificate(s) or other evidence of coverage satisfactory to the County shall be delivered to the Treasurer. Prior to formation of the underwriter Pool, such certificates or other evidence shall:

- Specifically identify this RFSQ;
- Clearly evidence all coverages required in this Contract; and
- Contain the express condition that the County is to be given written notice by mail at least thirty (30) days in advance of cancellation for all policies evidenced on the certificate of insurance.

**Insurer Financial Ratings:**

Insurance is to be provided by an insurance company acceptable to the County with an A.M. Best rating of not less than A:VII unless otherwise approved by the County.

**Failure to Maintain Coverage:**

Failure by the underwriter to maintain the required insurance, or to provide evidence of insurance coverage acceptable to the Treasurer, shall constitute a material breach upon which the Treasurer may immediately terminate or suspend the underwriter. The Treasurer at its sole option, may obtain damages from the underwriter resulting from said breach.

**Notification of Incidents, Claims or Suits: Contractor shall report to the County:**

- Any accident or incident relating to services performed under this RFSQ which involves injury or property damage which may result in the filing of a claim or lawsuit against the underwriter and/or the County. Such report shall be made in writing within 24 hours of occurrence.

- Any third party claim or lawsuit filed against the underwriter arising from or related to services performed by the underwriter under this RFSQ.
  - Any injury to an underwriter employee that occurs on County property. This report shall be submitted on a County “Non-employee Injury Report” to the County.
- Any loss, disappearance, destruction, misuse, or theft of any kind whatsoever of County property, monies or securities entrusted to the underwriter under the terms of this RFSQ.

### **Compensation for County Costs:**

In the event that the underwriter fails to comply with any of the insurance requirements of this RFSQ and such failure to comply results in any costs to the County, the underwriter shall pay full compensation for all costs incurred by the County.

### **INSURANCE COVERAGE REQUIREMENTS**

**General Liability** insurance written on ISO policy form CG 00 01 or its equivalent with limits of not less than the following:

General Aggregate:	\$2 million
Products/Completed Operations Aggregate:	\$1 million
Personal and Advertising Injury:	\$1 million
Each Occurrence:	\$1 million

**Automobile Liability** written on ISO policy form CA 00 01 or its equivalent with a limit of liability of not less than \$1 million for each accident. Such insurance shall include coverage for all “owned”, “hired” and “non-owned” vehicles, or coverage for “any auto”.

**Workers’ Compensation and Employers’ Liability** insurance providing workers’ compensation benefits, as required by the Labor Code of the State of California or by any other state, and for which the underwriter is responsible. The above insurance also shall include Employers’ Liability coverage with limits of not less than the following:

Each Accident:	\$1 million
Disease - policy limit:	\$1 million
Disease - each employee:	\$1 million

#### **24. SPARTA Program**

A County program, known as ‘SPARTA’ (Service Providers, Artisan and Tradesman Activities) may be able to assist potential Contractors in

obtaining affordable liability insurance. The SPARTA Program is administered by the County's insurance broker, Merriwether & Williams. For additional information, vendors may call Merriwether & Williams toll free at (800) 420-0555 or can access their website directly at [www.2sparta.com](http://www.2sparta.com)

## 25. Lobbyist Ordinance

The Board of Supervisors of the County of Los Angeles has enacted an ordinance regulating the activities of persons who lobby County officials. This ordinance, referred to as the "Lobbyist Ordinance", defines a County Lobbyist and imposes certain registration requirements upon individuals meeting the definition. The complete text of the ordinance can be found in County Code Chapter 2.160. In effect, each person, corporation or other entity that seeks a County permit, license, franchise or contract must certify compliance with the ordinance. As part of this solicitation process, it will be the responsibility of each underwriter to review the ordinance independently as the text of said ordinance is not contained within this RFSQ. Thereafter, each person, corporation or other entity submitting a response to this solicitation, must certify that each County Lobbyist, as defined by Los Angeles County Code Section 2.160.010, retained by the underwriter is in full compliance with Chapter 2.160 of the Los Angeles County Code by completing and submitting the Familiarity of the County Lobbyist Ordinance Certification, as set forth in Exhibit 5 of Appendix D, Required Forms.

## 26. Protest Policy Review Process

Any actual or prospective underwriter may file a protest in connection with the solicitation or award to the Underwriter Pool. It is generally accepted that the underwriter challenging the decision of a County department bears the burden of proof in its claim that the department committed a sufficiently material error in the solicitation process to justify invalidation of a proposed award.

Throughout the review process, the Treasurer has no obligation to delay or otherwise postpone an award to the Underwriter Pool based on an underwriter protest. In all cases, the County reserves the right to make an award when it is determined to be in the best interest of the County of Los Angeles to do so.

## 27. Grounds for Review

Unless State or Federal statutes or regulations otherwise provide, the grounds for review of any departmental determination or action should be limited to the following:

a. Review of Solicitation Requirements

A person or entity may seek a Solicitation Requirements Review by submitting Appendix E, Transmittal Form to Request a Solicitation Requirements Review along with supporting documentation. A Solicitation Requirements Review shall only be granted under the following circumstances:

- (i) The request for a Solicitation Requirements Review is received by the Treasurer and Tax Collector, Contracts Section by Friday December 3, 2010;
- (ii) The request for a Solicitation Requirements Review includes documentation, which demonstrates the underlying ability of the person or entity to submit a proposal;
- (iii) The request for a Solicitation Requirements Review itemizes in appropriate detail, each matter contested and factual reasons for the requested review; and
- (iv) The request for a Solicitation Requirements Review asserts either that:
  - 1. Application of the minimum requirements, evaluation criteria and/or business requirements unfairly disadvantage the underwriter; or
  - 2. Due to unclear instructions, the process may result in the County not receiving the best possible responses from the underwriter.

The Solicitation Requirements Review shall be completed and the Treasurer's determination shall be provided to the underwriter, in writing, within a reasonable time prior to the proposal due date. All Requests for Review should be submitted to:

Treasurer and Tax Collector  
Contracts Section  
500 West Temple Street – Room 464  
Los Angeles, California 90012  
Attention: Elena Villacrés Torres, Administrative Services Manager III

b. Underwriter Questions

Underwriters may submit written questions regarding this RFSQ by e-mail to the person identified below. All questions must be received by **11:00 a.m. (Pacific Time) on Friday, October 23, 2015**. All questions, without identifying the submitting company, will be compiled with the appropriate answers and issued as an addendum to the RFSQ. The addendum will be e-mailed to all underwriters that received the RFSQ, in addition to being posted on the County of Los Angeles' web site.

**When submitting questions, please specify the RFSQ section number, and page number and quote the passage that prompted the question.**

Questions should be addressed via e-mail to:

John Patterson, Senior Finance Analyst  
Los Angeles County Treasurer and Tax Collector  
500 West Temple Street – Room 432  
Los Angeles, California 90012  
E-mail address: [jpatterson@ttc.lacounty.gov](mailto:jpatterson@ttc.lacounty.gov)

c. Disqualification Review

An underwriter may be disqualified from consideration because the Treasurer determined it was a non-responsive SOQ at any time during the evaluation process. If the Treasurer determines that a SOQ is disqualified due to non-responsiveness, the Treasurer shall notify the underwriter in writing.

Upon receipt of the written determination of non-responsiveness, the underwriter may submit a written request for a Disqualification Review by the date specified. Requests for a Disqualification Review not timely submitted will be denied.

A Disqualification Review shall only be granted under the following circumstances:

The firm/person requesting a Disqualification Review is an underwriter;

The request for a Disqualification Review is submitted timely; and,

The request for a Disqualification Review asserts that the department's determination of disqualification due to underwriter non-responsiveness was erroneous (e.g. factual errors, etc.) and provides factual support on

each ground asserted as well as copies of all documents and other material that support the assertions.

The Disqualification Review shall be completed and the Treasurer determination shall be provided to the underwriter, in writing, prior to the conclusion of the evaluation process.

d. Department's Proposed Underwriter Selection Review

**Departmental Debriefing Process**

Upon completion of the evaluation, and prior to the formation of the Underwriter Pool formation, the department shall notify the remaining underwriters in writing that the department is forming the Underwriter Pool with other underwriters. Upon receipt of the letter, the underwriter may request a Debriefing within the time specified in the letter. A Debriefing will not be provided unless the request is made within the timeframe specified.

The purpose of the Debriefing is to compare the underwriter's response to the solicitation document with the evaluation document. The underwriter shall be debriefed only on its response. Because the contract process has not been completed, responses from other underwriter shall not be discussed.

If the underwriter is not satisfied with the results of the debriefing, it may, within five (5) business days of the debriefing, request a review on the grounds and in the manner set forth below for review of the Treasurer recommendation for the Underwriter Pool.

**Proposed Underwriter Selection Review**

The underwriter may submit a written request for a Proposed Underwriter Selection Review if they assert that their proposal should have been determined to be the highest-scored proposal because of one of the following reasons:

- a. The department materially failed to follow procedures specified in its solicitation document. This includes:
  - (i) Failure to correctly apply the standards for reviewing the proposal format requirements.
  - (ii) Failure to correctly apply the standards, and/or follow the prescribed methods, for evaluating the proposals as specified in the solicitation document.

- (iii) Use of evaluation criteria that were different from the evaluation criteria disclosed in the solicitation document.
- (iv) The department made identifiable mathematical or other errors in evaluating proposals, resulting in the underwriter receiving an incorrect score and not being selected as the recommended contractor.
- (v) A member of the Evaluation Committee demonstrated bias in the conduct of the evaluation.
- (vi) Another basis for review as provided by state or federal law.

Upon completing the Proposed Underwriter Selection Review, the Treasurer shall issue a written decision to the underwriter within a reasonable time following receipt of the request for a Proposed Underwriter Selection Review, and always before the date the Underwriter Pool formation award recommendation is to be heard by the Treasurer. If the underwriter is not satisfied with the results of the Proposed Underwriter Selection Review, it may request a review on the grounds and in the manner set forth below for a County Review Panel.

**COUNTY OF LOS ANGELES  
TREASURER AND TAX COLLECTOR**

**2016 UNDERWRITER POOL  
POLICIES AND GUIDELINES**

**COUNTY OF LOS ANGELES  
TREASURER AND TAX COLLECTOR  
2015 UNDERWRITER POOL POLICIES AND GUIDELINES**

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	- Takedown and Designation Policies	
	- Marketing Plan	
	- Pricing	
	- Allocation of Bonds	
	- Post-Sale Support	
	- Post-Sale Evaluation	
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## **I. PROGRAM GOALS AND POOL STRUCTURE**

The following policies and guidelines are intended to provide general guidance to participating underwriting firms regarding the administration of the Los Angeles County Underwriter Pool (the "Underwriter Pool"). The Department of the Los Angeles County Treasurer and Tax Collector (the "Treasurer") may modify these policies for specific transactions or circumstances, which in his sole discretion, determines are in the best interest of the County to facilitate effective marketing of the transaction, and to achieve the lowest overall borrowing cost.

### **County of Los Angeles Underwriter Pool Program Goals:**

- Achieve the lowest overall borrowing and program costs for the County
- Hold underwriters accountable to the County's underwriter pool policies and guidelines
- Acknowledge and reward good performance with continued participation
- Comply with applicable Federal, State and County laws
- Develop and implement cost effective financing solutions for the County's debt programs

### **Los Angeles County Underwriter Pool Structure:**

Only firms in the Underwriter Pool will be considered for participation in a County financing as a Lead Senior Manager, Co-Senior Manager, Co-Manager or Emerging Firm Co-Manager. The placement of firms in the general categories of Senior Manager, Co-Manager or Emerging Firm is based on the evaluation and analysis of proposals submitted in response to a Request for Qualifications.

The Treasurer's Office actively manages the various phases of each financing, with all decisions related to each transaction subject to the Treasurer's approval. The Treasurer, in his sole discretion, reserves the right to remove any participant from any County transaction or the Underwriting Pool at any time for substandard performance, unprofessional conduct or failure to abide by the Treasurer's policies.

## **II. MINIMUM REQUIREMENTS**

### **A. Professional Conduct**

1. Underwriters shall maintain the highest standards of professional conduct at all times.
2. Underwriters shall follow MSRB Rules at all times in the underwriting of bonds.
3. Underwriters shall cooperate fully with County staff and related parties.
4. Underwriters shall comply with applicable County ordinances, including, but not limited to, Conflict of Interest and Lobbyist regulations.
5. Underwriters shall immediately report any attempt by any County employee or agent to solicit bribes or improper consideration in connection with a Request For Proposal (RFP) to provide financial or advisory services.
6. Firms in the Underwriter Pool are prohibited from making cash contributions or providing in-kind services to promote or facilitate California school or community college district campaigns for general obligation bond ballot measures.

### **B. Minimum Qualifications**

All firms that serve as underwriters on County financings must meet the following qualifications at all times:

1. The firm must maintain a permanent California office.
2. The firm must maintain minimum net capital of \$100,000.
3. The firm must hold and maintain all licenses and registrations required by applicable federal and state laws for businesses offering underwriting or investment banking services. All licenses and registrations must be current and in good standing with each of the following:
  - A. the U.S. Securities and Exchange Commission (SEC);
  - B. the Financial Industry Regulatory Authority (FINRA); and
  - C. the California Department of Corporations (CDOC).
4. In addition, the firm must have at least one full-time professional supervisory employee with a FINRA Series 53 license (Municipal Securities Principal).

### **III. NEGOTIATED SALES - FINANCE TEAMS**

#### **A. Introduction**

In all negotiated County financings, lead Senior Managers will be assisted by Co-Senior Managers in finalizing the structure of the financing with the County, in accordance with the general financing structure determined by the County during the lead Senior Manager selection process. All underwriters selected for the financing team are expected to participate in scheduled finance team meetings and to fully cooperate with the lead Senior Manager in all aspects of the financing.

#### **B. Underwriter Selection**

A lead Senior Manager will be selected by the County through an abbreviated Request for Proposals (a "mini-RFP") process within the Senior Manager group. For certain Medium/Long-term financings of \$250,000,000 or less, the list of eligible Senior Managers may be expanded by the inclusion of one or more eligible Co-Managers that meet the following criteria:

1. Commitment to the municipal finance practice and demonstrated capability of the firm to allocate sufficient staff and resources to effectively perform the role of a senior-manager on a County financing.
2. Demonstrated experience and successful performance in providing banking and underwriting services on transactions for municipal entities with financing structures similar to the primary types of transactions and structures used by the County.
3. Sufficient net capital to meet the financing needs of the proposed transaction, and demonstrated willingness to underwrite debt securities and support a transaction in a challenging market environment.
4. Demonstrated ability to contribute to the overall success of the County's debt issuance programs, as determined in the sole discretion of the Treasurer.

The mini-RFP will be evaluated on a combination of proposed underwriting fees, recommended financing structures, recent performance on County financings, and data previously provided to the County.

Additional Senior Managers, Co-Managers and Emerging firms will be added to the finance team on a modified rotational basis among the firms designated within each group of Senior Managers, Co-Managers or Emerging firms. The County, on a case by case basis, will optimize the number of additional firms in order to form the best possible finance team to effectively market the transaction and to achieve the lowest overall borrowing cost.

The Treasurer may select an underwriting team by alternative means to the process described above, based on a determination by the Treasurer that firms in the Underwriter Pool do not possess sufficient experience or capabilities to provide effective underwriter services for a particular financing project, or if the existence of extraordinary market conditions or other relevant conditions do not allow sufficient time to comply with the underwriter selection policies.

### **C. Selling Groups**

The lead Senior Manager will discuss with the Treasurer the advantages and/or disadvantages of using a selling group for the financing. If the use of a selling group is advised and agreed upon by the Treasurer, the lead Senior Manager will provide a list of recommended selling group members, subject to Treasurer approval, prior to the day of pricing.

### **D. Fees and Expenses**

The Treasurer will review and approve all fees and expenses.

1. The expense component of the underwriting spread must be finalized by the lead Senior Manager and approved by the Treasurer prior to the day of pricing.
2. A management fee, if any, may be distributed to the other firms on the financing team based on prior consent and approval of the Treasurer. In general, only the lead Senior Manager will receive a management fee.
3. Proposed takedowns for all maturities will be negotiated on a deal by deal basis, and will be guided by current market practices and any fee proposals submitted as part of the mini-RFP for selecting the lead Senior Manager.
4. The Treasurer expects the lead Senior Manager to act as its agent in the collection and determination of all the costs of issuance. An estimate of all costs of issuance must be provided to the Treasurer for review and approval prior to the day of pricing.
5. The Treasurer expects the lead Senior Manager to keep the underwriters' expense items and costs of issuance to an absolute minimum.

### **E. Liability**

Prior to the day of pricing, the lead Senior Manager must provide the Treasurer, for review and approval, a recommended liability assignment for each finance team member. As a general rule, liability assignments must be commensurate with the underwriting capabilities of the finance team members to whom they are assigned.

## **F. Takedown and Designation Policies**

1. Prior to the day of pricing, the lead Senior Manager must provide the Treasurer with proposed order allocation and designation policy and proposed designation of takedown on net designated orders. In developing the allocation policy, the maximum percentage of takedown to be designated to any one firm should be in a target range of 50% to 60%, and the minimum number of firms to be designated will typically be three or more on any single order. It is anticipated that a selling group, if any, will be allowed to place net designated orders on all financings.
2. No soft dollar designations are permitted.
3. Any takedown not designated on net designated orders within one week of the day of pricing will be distributed among the finance team members according to their respective liability assignments.
4. Changes to the takedown designation policy must be approved by the Treasurer and communicated to all finance team members prior to the day of pricing.

## **G. Marketing Plan**

The lead Senior Manager must initiate one or more conference calls with the Treasurer prior to the day of pricing to review the marketing plan, current market conditions and to discuss any recommended changes to the financing structure.

## **H. Pricing**

1. Prior to the pre-pricing conference call, the lead Senior Manager must provide the Treasurer with the proposed pricing terms of the debt offering, including principal amounts, coupons, yields, prices, optional redemption features, and takedowns by maturity.
2. A pre-pricing conference call must be initiated by the lead Senior Manager with the Treasurer and all finance team to discuss the proposed pricing terms, marketing strategies and current market conditions. A draft of the preliminary pricing wire must be provided to the Treasurer upon the completion of the pre-pricing call.
3. Any change in the initial pricing terms on any maturity during the order period must be approved by the Treasurer.

4. The lead Senior Manager must track the receipt of orders broken down by maturity, amount, type and firm. Status reports on the pricing, including total orders received, broken down by maturity, amount, type and firm, may be requested by the Treasurer at any time during the order period.
5. At the close of the order period, the lead Senior Manager must provide in writing and in a format acceptable to the Treasurer, a listing of total orders received broken down by maturity, amount, type and firm, through the end of the order period. The lead Senior Manager will initiate a pricing conference call with the Treasurer and finance team to review the book of orders and to negotiate any change in pricing terms (e.g., coupons, yields, prices, optional redemption features, and takedown by maturity) or other necessary pricing information prior to the verbal award of the debt securities by the Treasurer.
6. Complete final pricing information must be provided to the Treasurer before execution and delivery of the bond purchase agreement. The final pricing information must include, but is not limited to, sources and uses of funds, a summary of assumptions and results (including significant dates, underwriting spread breakdown, ratings, true interest cost, etc.) and any additional tables that include coupons, yields, prices, takedowns, principal amounts and related debt service by maturity.
7. The lead Senior Manager and underwriters' counsel are responsible for coordinating the execution of the bond purchase agreement with the Treasurer.

#### **I. Allocation of Bonds**

The lead Senior Manager will be responsible for ensuring that the overall allocation of bonds meets the Treasurer's goals of obtaining the lowest overall cost of financing and providing firms with allocations that are commensurate with the actual work performed (i.e., the type and amount of orders submitted). The Treasurer reserves the right to monitor the order-taking process and to review bond allocations prior to their release.

#### **J. Post-Sale Support**

1. After the day of pricing the lead Senior Manager must initiate a conference call with the Treasurer to discuss the pricing of the issue.
2. The finance team agrees to comply with any syndicate rules prohibiting the selling of bonds below the public offering price (less the full takedown) prior to the release of syndicate rules. In addition, each finance team member agrees to inform the Treasurer of any firm in noncompliance with such syndicate rules.
3. For seven business days following the release of syndicate rules, the syndicate

and selling group agree to inform the Treasurer of any firm significantly lowering the price of the bonds in the secondary market below market levels.

4. The lead Senior Manager must be prepared to provide the Treasurer with, on an ongoing basis for at least seven business days following the release of syndicate rules for secondary market price levels, the unsold balances and level of trading activity of the bonds.
5. The Treasurer expects the finance team to provide liquidity in the secondary market for the issue on an ongoing basis.

#### **K. Post-Sale Evaluation**

The Treasurer will conduct post-sale review of the finance team to evaluate performance, and to ensure compliance with the Underwriter Pool Policies and Guidelines.

1. The lead Senior Manager must prepare a final pricing book which includes, but is not limited to the following information: financing schedule; distribution list; discussion of market conditions before and during pricing; final pricing wire; comparable issues in the market; media coverage; rating agency credit reports; final pricing numbers; costs of issuance; and various tables identifying orders and allocations, management fees and liability, takedown and designation dollars by firm, designations on net designated orders, and secondary market trading activity. The final pricing book must be delivered to the Treasurer no later than 30 days after closing.
2. As part of the post-sale evaluation process, the Treasurer reserves the right to solicit comments from the finance team regarding the fairness of the order-taking and bond allocation processes.

#### **IV. COMPETITIVE SALES**

Bidders on County competitive sales are required to comply with the provisions in the respective Notices of Sale in submitting bids and on the closing of the bond issues.

The successful bidder will generally be required to take custody of the bonds from the Treasurer and take responsibility, at such bidder's cost and risk, for delivery of the bonds to the Depository Trust Company (DTC) in a timely manner so that DTC is prepared to settle the issuance of the bonds at the commencement of business on the day of closing. The delivery of bond proceeds by the successful bidder must be made by wire transfer on the day of closing in immediately available funds.

The County generally requires the delivery of a Good Faith Deposit from the successful bidder for all competitive sales no later than the next business day after the day of pricing. The actual amount of the Good Faith Deposit required for each competitive sale will be determined by the Treasurer on a transaction by transaction basis.

The County Treasurer may reject any bid on any competitive sale not conforming to the Notice of Sale or may reject all bids. The County Treasurer also reserves the right to waive any irregularity or informality in any bid.

**COUNTY OF LOS ANGELES  
2016 UNDERWRITER POOL RFSQ**

**COMPLETED FINANCINGS (NATIONAL) – SHORT TERM**

	<b>Name of Issuer</b>	<b>Type of Financing</b>	<b>Role of Firm (Lead, Co-Sr Mgr., or Co-Mgr.)</b>	<b>Issuance Date</b>	<b>Maturity Date</b>	<b>Total Par Issued</b>	<b>SDC* Share</b>
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\*Securities Data Company

**COUNTY OF LOS ANGELES  
2016 UNDERWRITER POOL RFSQ**

**COMPLETED FINANCINGS (NATIONAL) – MEDIUM/LONG TERM**

	<b>Name of Issuer</b>	<b>Type of Financing</b>	<b>Role of Firm (Lead, Co-Sr Mgr., or Co-Mgr.)</b>	<b>Issuance Date</b>	<b>Maturity Date</b>	<b>Total Par Issued</b>	<b>SDC* Share</b>
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\*Securities Data Company

**COUNTY OF LOS ANGELES  
2016 UNDERWRITER POOL RFSQ**

**COMPLETED FINANCINGS (NATIONAL) – LAND SECURED**

	<b>Name of Issuer</b>	<b>Type of Financing</b>	<b>Role of Firm (Lead, Co-Sr Mgr., or Co-Mgr.)</b>	<b>Issuance Date</b>	<b>Maturity Date</b>	<b>Total Par Issued</b>	<b>SDC* Share</b>
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\*Securities Data Company

**COUNTY OF LOS ANGELES  
2016 UNDERWRITER POOL RFSQ**

**COMPLETED FINANCINGS (CALIFORNIA) – SHORT TERM**

	<b>Name of Issuer</b>	<b>Type of Financing</b>	<b>Role of Firm (Lead, Co-Sr Mgr., or Co-Mgr.)</b>	<b>Issuance Date</b>	<b>Maturity Date</b>	<b>Total Par Issued</b>	<b>SDC* Share</b>
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\*Securities Data Company

**COUNTY OF LOS ANGELES  
2016 UNDERWRITER POOL RFSQ**

**COMPLETED FINANCINGS (CALIFORNIA) – MEDIUM/LONG TERM**

	<b>Name of Issuer</b>	<b>Type of Financing</b>	<b>Role of Firm (Lead, Co-Sr Mgr., or Co-Mgr.)</b>	<b>Issuance Date</b>	<b>Maturity Date</b>	<b>Total Par Issued</b>	<b>SDC* Share</b>
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\*Securities Data Company

**COUNTY OF LOS ANGELES  
2016 UNDERWRITER POOL RFSQ**

**COMPLETED FINANCINGS (CALIFORNIA) – LAND SECURED**

	<b>Name of Issuer</b>	<b>Type of Financing</b>	<b>Role of Firm (Lead, Co-Sr Mgr., or Co-Mgr.)</b>	<b>Issuance Date</b>	<b>Maturity Date</b>	<b>Total Par Issued</b>	<b>SDC* Share</b>
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\*Securities Data Company

**COUNTY OF LOS ANGELES  
2016 UNDERWRITER POOL RFSQ**

**COMPLETED FINANCINGS (CALIFORNIA) – REDEVELOPMENT REFUNDING BONDS**

	<b>Name of Issuer</b>	<b>Type of Financing</b>	<b>Role of Firm (Lead, Co-Sr Mgr., or Co-Mgr.)</b>	<b>Issuance Date</b>	<b>Maturity Date</b>	<b>Total Par Issued</b>	<b>SDC* Share</b>
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\*Securities Data Company

STAFF INFORMATION FORM

1. NAME:

2. RANKING/TITLE:

3. ROLE ON THE ENGAGEMENT:

4. TELEPHONE AND FAX NUMBER(S):

EMAIL ADDRESS:

5. EDUCATION AND TRAINING: Give full details, using the following space insofar as it is appropriate.

Name and Place	Years Attended		Degrees, Certificates, Diplomas Obtained
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6. Licenses/Expiration Dates

7. Qualifying Exams:

	<u>Date Passed</u>
<b>MSRB 52</b>	_____
<b>MSRB 53</b>	_____
<b>NASD 7</b>	_____
<b>OTHER</b>	_____

8. PLEASE INDICATE RECENT CALIFORNIA FINANCING EXPERIENCE INCLUDING THE CLIENT NAME, DATES OF ENGAGEMENT, ROLE, ETC., AND WHETHER THIS EXPERIENCE WAS GAINED WITH THIS OR ANOTHER FIRM:

9. PLEASE INDICATE ANY MELLO ROOS FINANCING EXPERIENCE INCLUDING THE CLIENT NAME, DATES OF ENGAGEMENT, ROLE, ETC., AND WHETHER THIS EXPERIENCE WAS GAINED WITH THIS OR ANOTHER FIRM:

10. PLEASE INDICATE ANY COUNTY IMPROVEMENT BOND FINANCING EXPERIENCE INCLUDING THE CLIENT NAME, DATES OF ENGAGEMENT, ROLE, ETC., AND WHETHER THIS EXPERIENCE WAS GAINED WITH THIS OR ANOTHER FIRM:

11. PLEASE INDICATE ANY SPECIAL DISTRICT FINANCING EXPERIENCE INCLUDING THE CLIENT NAME, DATES OF ENGAGEMENT, ROLE, ETC., AND WHETHER THIS EXPERIENCE WAS GAINED WITH THIS OR ANOTHER FIRM:

12. PLEASE INDICATE ANY GENERAL FUND FINANCING EXPERIENCE INCLUDING THE CLIENT NAME, DATES OF ENGAGEMENT, ROLE, ETC., AND WHETHER THIS EXPERIENCE WAS GAINED WITH THIS OR ANOTHER FIRM:

13. PLEASE INDICATE ANY OTHER FINANCING EXPERIENCE INCLUDING THE CLIENT NAME, DATES OF ENGAGEMENT, ROLE, ETC., AND WHETHER THIS EXPERIENCE WAS GAINED WITH THIS OR ANOTHER FIRM:

14. NUMBER OF YEARS WITH CURRENT FIRM:

\_\_\_\_\_

## ***APPENDIX D***

### ***UNDERWRITER RFSQ - REQUIRED FORMS***

**APPENDIX D  
REQUIRED FORMS  
TABLE OF CONTENTS**

**EXHIBITS**

- 1 VENDOR'S ORGANIZATION QUESTIONNAIRE/AFFIDAVIT
- 2 CERTIFICATION OF NO CONFLICT OF INTEREST
- 3 VENDOR'S EEO CERTIFICATION
- 4 REQUEST FOR LOCAL SBE PREFERENCE PROGRAM CONSIDERATION  
AND CBE FIRM/ORGANIZATION INFORMATION FORM
- 5 FAMILIARITY WITH THE COUNTY LOBBYIST ORDINANCE  
CERTIFICATION
- 6 CUSTOMER REFERENCE FORM
- 7 ATTESTATION OF WILLINGNESS TO CONSIDER GAIN/GROW  
PARTICIPANTS
- 8 LOS ANGELES COUNTY CONTRACTOR EMPLOYEE JURY  
SERVICE PROGRAM – CERTIFICATION FORM & APPLICATION  
FOR EXCEPTION
- 9 CERTIFICATION OF COMPLIANCE WITH THE COUNTY'S  
DEFAULTED PROPERTY TAX REDUCTION PROGRAM

**VENDOR'S ORGANIZATION QUESTIONNAIRE/AFFIDAVIT**

Page 1 of 3

Please complete, date and sign this form and include it in the SOQ. The person signing the form must be authorized to sign on behalf of the Vendor and to bind the applicant in a Master Agreement.

1. If your firm is a corporation or limited liability company (LLC), state its legal name (as found in your Articles of Incorporation) and State of incorporation:

_____	_____	_____
Name	State	Year Inc.

2. If your firm is a limited partnership or a sole proprietorship, state the name of the proprietor or managing partner:

\_\_\_\_\_

3. If your firm is doing business under one or more DBA's, please list all DBA's and the County(s) of registration:

Name	County of Registration	Year became DBA
_____	_____	_____
_____	_____	_____

4. Is your firm wholly or majority owned by, or a subsidiary of, another firm? \_\_\_\_ If yes,

Name of parent firm: \_\_\_\_\_

State of incorporation or registration of parent firm: \_\_\_\_\_

5. Please list any other names your firm has done business as within the last five (5) years.

Name	Year of Name Change
_____	_____
_____	_____

6. Indicate if your firm is involved in any pending acquisition/merger, including the associated company name. If not applicable, so indicate below.

\_\_\_\_\_

\_\_\_\_\_

Vendor acknowledges and certifies that it meets and will comply with all of the Minimum Qualifications listed in Part D, Qualifications, Section 3, Firm Minimum Mandatory Qualifications, of this Request for Statement of Qualifications (RFSQ), as listed below.

Check the appropriate boxes:

- ☐ **Yes** ☐ **No** Firm has a permanent place of business located in the State of California
- ☐ **Yes** ☐ **No** Firm has participated as a senior manager or co-manager in ten (10) completed financings since January 1, 2014.
- ☐ **Yes** ☐ **No** Firm maintains a minimum net capital of \$100,000 at all times.
- ☐ **Yes** ☐ **No** Lead person proposed for the County's engagement has a minimum of three (3) recent years of public finance experience with large complex financing structures and is authorized to sign a Contract of Purchase on behalf of the firm.
- ☐ **Yes** ☐ **No** Firm holds and at all times maintains current Federal and State licenses and registrations required for offering underwriting or investment banking services in the State of California, which includes but is not limited to: U.S. Securities and Exchange Commission (SEC), Financial Industry Regulatory Industry (FINRA), and California Department of Corporations (CDOC).
- ☐ **Yes** ☐ **No** Firm at all times has at least one (1) full-time professional supervisory employee with a MSRB Series 53 license (Municipal Securities Principal).
- ☐ **Yes** ☐ **No** Firms agrees to comply with the requirement prohibiting cash contributions or providing in-kind services to promote or facilitate California school or community college district campaigns for general obligation bond ballot measures.
- ☐ **Yes** ☐ **No** Firm will comply with and provide evidence for all insurance requirements set forth in Section 23, Indemnification & Insurance Requirements, of this RFSQ.
- ☐ **Yes** ☐ **No** Firm will comply with the RFSQ format and other requirements set forth in Part D, Qualifications, of this RFSQ when submitting its proposal.
- ☐ **Yes** ☐ **No** Firm will respond positively to a willingness to hire GAIN/GROW participants (reference Part D, Section 3, RFSQ Questions and Requests for Information, Section E7 in this RFSQ).
- ☐ **Yes** ☐ **No** Firm will certify its intent to comply with the County's Child Support Compliance Program (reference Part D, Section 3, RFSQ Questions and Requests for Information, Section E6 in this RFSQ).
- ☐ **Yes** ☐ **No** Firm will certify its intent to comply with the County's Jury Service Program (reference Part D, Section 3, RFSQ Questions and Requests for Information, Section E17 in this RFSQ).
- ☐ **Yes** ☐ **No** Firm is found responsive and responsible in responding to this RFSQ.

Applicant further acknowledges that if any false, misleading, incomplete, or deceptively unresponsive statements in connection with this SOQ are made, the SOQ may be rejected. The evaluation and determination in this area shall be at the Director's sole judgment and his/her judgment shall be final.

Corporation's Name:

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Address:

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E-mail address:\_\_\_\_\_ Telephone number:\_\_\_\_\_

Fax number: \_\_\_\_\_

On behalf of \_\_\_\_\_ (Vendor's name), I \_\_\_\_\_  
(Name of Vendor's authorized representative), certify that the information contained in this Vendor's Organization Questionnaire/Affidavit is true and correct to the best of my information and belief.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Internal Revenue Service  
Employer Identification Number

\_\_\_\_\_  
Title

\_\_\_\_\_  
California Business License Number

\_\_\_\_\_  
Date

\_\_\_\_\_  
County WebVen Number

***CERTIFICATION OF NO CONFLICT OF INTEREST***

The Los Angeles County Code, Section 2.180.010, provides as follows:

**CONTRACTS PROHIBITED**

Notwithstanding any other section of this Code, the County shall not contract with, and shall reject any proposals submitted by, the persons or entities specified below, unless the Board of Supervisors finds that special circumstances exist which justify the approval of such contract:

1. Employees of the County or of public agencies for which the Board of Supervisors is the governing body;
2. Profit-making firms or businesses in which employees described in number 1 serve as officers, principals, partners, or major shareholders;
3. Persons who, within the immediately preceding 12 months, came within the provisions of number 1, and who:
  - a. Were employed in positions of substantial responsibility in the area of service to be performed by the contract; or
  - b. Participated in any way in developing the contract or its service specifications; and
4. Profit-making firms or businesses in which the former employees, described in number 3, serve as officers, principals, partners, or major shareholders.

Contracts submitted to the Board of Supervisors for approval or ratification shall be accompanied by an assurance by the submitting department, district or agency that the provisions of this section have not been violated.

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Vendor Name

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Vendor Official Title

---

Official's Signature

## VENDOR'S EEO CERTIFICATION

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Company Name

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Address

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Internal Revenue Service Employer Identification Number

### GENERAL

In accordance with provisions of the County Code of the County of Los Angeles, the Vendor certifies and agrees that all persons employed by such firm, its affiliates, subsidiaries, or holding companies are and will be treated equally by the firm without regard to or because of race, religion, ancestry, national origin, or sex and in compliance with all anti-discrimination laws of the United States of America and the State of California.

CERTIFICATION	YES	NO
1. Vendor has written policy statement prohibiting discrimination in all phases of employment.	(   )	(   )
2. Vendor periodically conducts a self-analysis or utilization analysis of its work force.	(   )	(   )
3. Vendor has a system for determining if its employment practices are discriminatory against protected groups.	(   )	(   )
4. When areas are identified in employment practices, Vendor has a system for taking reasonable corrective action to include establishment of goal and/or timetables.	(   )	(   )

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Signature

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Date

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Name and Title of Signer (please print)

## County of Los Angeles – Community Business Enterprise Program (CBE)

### Request for Local SBE Preference Program Consideration and CBE Firm/Organization Information Form

**INSTRUCTIONS:** All proposers/bidders responding to this solicitation must complete and return this form for proper consideration of the proposal/bid.

**I. LOCAL SMALL BUSINESS ENTERPRISE PREFERENCE PROGRAM:**

**FIRM NAME:** \_\_\_\_\_  
**COUNTY VENDOR NUMBER:** \_\_\_\_\_

- ☐ As a Local SBE, certified by the County of Los Angeles, Department of Consumer and Business Affairs, I request this proposal/bid be considered for the Local SBE Preference.
- ☐ Attached is my Local SBE Certification letter issued by the County

**II. FIRM/ORGANIZATION INFORMATION:** The information requested below is for statistical purposes only. On final analysis and consideration of award, contractor/vendor will be selected without regard to race/ethnicity, color, religion, sex, national origin, age, sexual orientation or disability.

<b>Business Structure:</b> <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> Non-Profit <input type="checkbox"/> Franchise <input type="checkbox"/> Other (Please Specify) _____						
<b>Total Number of Employees</b> (including owners): _____						
<b>Race/Ethnic Composition of Firm.</b> Please distribute the above total number of individuals into the following categories:						
Race/Ethnic Composition	Owners/Partners/ Associate Partners		Managers		Staff	
	Male	Female	Male	Female	Male	Female
Black/African American						
Hispanic/Latino						
Asian or Pacific Islander						
American Indian						
Filipino						
White						

**III. PERCENTAGE OF OWNERSHIP IN FIRM:** Please indicate by percentage (%) how ownership of the firm is distributed.

	Black/African American	Hispanic/ Latino	Asian or Pacific Islander	American Indian	Filipino	White
Men	%	%	%	%	%	%
Women	%	%	%	%	%	%

**IV. CERTIFICATION AS MINORITY, WOMEN, DISADVANTAGED, AND DISABLED VETERAN BUSINESS ENTERPRISES:**

*If your firm is currently certified as a minority, women, disadvantaged or disabled veteran owned business enterprise by a public agency, complete the following and attach a copy of your proof of certification. (Use back of form, if necessary.)*

Agency Name	Minority	Women	Dis- advantaged	Disabled Veteran	Expiration Date

**V. DECLARATION: I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE ABOVE INFORMATION IS TRUE AND ACCURATE.**

Print Authorized Name	Authorized Signature	Title	Date

***FAMILIARITY WITH THE COUNTY  
LOBBYIST ORDINANCE CERTIFICATION***

The Vendor certifies that:

- 1) it is familiar with the terms of the County of Los Angeles Lobbyist Ordinance, Los Angeles Code Chapter 2.160;
- 2) that all persons acting on behalf of the Vendor organization have and will comply with it during the proposal process; and
- 3) it is not on the County's Executive Office's List of Terminated Registered Lobbyists.

Signature:\_\_\_\_\_ Date:\_\_\_\_\_

**TREASURER AND TAX COLLECTOR  
UNDERWRITER SERVICES  
CUSTOMER REFERENCE FORM**

PROPOSER'S NAME:

1.Reference name: \_\_\_\_\_

2.Type of business entity: \_\_\_\_\_

3.Location (full address): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4.Contact person and title: \_\_\_\_\_

5.Contact telephone number: \_\_\_\_\_

6.Brief description of services provided: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

7.Period services were provided: \_\_\_\_\_

8.Firm's Assigned Personnel to this Engagement: \_\_\_\_\_

9.Fee Arrangement: \_\_\_\_\_

\_\_\_\_\_

10.Additional information or comments: \_\_\_\_\_

\_\_\_\_\_

## ATTESTATION OF WILLINGNESS TO CONSIDER GAIN/GROW PARTICIPANTS

As a threshold requirement for consideration for contract award, Vendor shall demonstrate a proven record for hiring GAIN/GROW participants or shall attest to a willingness to consider GAIN/GROW participants for any future employment opening if they meet the minimum qualifications for that opening. Additionally, Vendor shall attest to a willingness to provide employed GAIN/GROW participants access to the Vendor's employee mentoring program, if available, to assist these individuals in obtaining permanent employment and/or promotional opportunities.

To report all job openings with job requirements to obtain qualified GAIN/GROW participants as potential employment candidates, Contractor shall email:  
[GAINGROW@DPSS.LACOUNTY.GOV](mailto:GAINGROW@DPSS.LACOUNTY.GOV)

**Vendors unable to meet this requirement shall not be considered for contract award.**

Vendor shall complete all of the following information, sign where indicated below, and return this form with any resumes and/or fixed price bid being submitted:

A. Vendor has a proven record of hiring GAIN/GROW participants.

\_\_\_\_\_YES (subject to verification by County) \_\_\_\_\_NO

B. Vendor is willing to provide DPSS with all job openings and job requirements to consider GAIN/GROW participants for any future employment openings if the GAIN/GROW participant meets the minimum qualifications for the opening. "Consider" means that Vendor is willing to interview qualified GAIN/GROW participants.

\_\_\_\_\_YES \_\_\_\_\_NO

C. Vendor is willing to provide employed GAIN/GROW participants access to its employee-mentoring program, if available.

\_\_\_\_\_YES \_\_\_\_\_NO \_\_\_\_\_N/A (Program not available)

Vendor Organization: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

## COUNTY OF LOS ANGELES CONTRACTOR EMPLOYEE JURY SERVICE PROGRAM CERTIFICATION FORM AND APPLICATION FOR EXCEPTION

The County's solicitation for this Request for Statement of Qualifications is subject to the County of Los Angeles Contractor Employee Jury Service Program (Program), Los Angeles County Code, Chapter 2.203. All Vendors, whether a contractor or subcontractor, must complete this form to either certify compliance or request an exception from the Program requirements. Upon review of the submitted form, the County department will determine, in its sole discretion, whether the Vendor is excepted from the Program.

Company Name:		
Company Address:		
City:	State:	Zip Code:
Telephone Number:		
Solicitation For _____ Services:		

***If you believe the Jury Service Program does not apply to your business, check the appropriate box in Part I (attach documentation to support your claim); or, complete Part II to certify compliance with the Program. Whether you complete Part I or Part II, please sign and date this form below.***

### **Part I: Jury Service Program is Not Applicable to My Business**

- ☐ My business does not meet the definition of "contractor," as defined in the Program, as it has not received an aggregate sum of \$50,000 or more in any 12-month period under one or more County contracts or subcontracts (this exception is not available if the contract itself will exceed \$50,000). I understand that the exception will be lost and I must comply with the Program if my revenues from the County exceed an aggregate sum of \$50,000 in any 12-month period.
- ☐ My business is a small business as defined in the Program. It 1) has ten or fewer employees; and, 2) has annual gross revenues in the preceding twelve months which, if added to the annual amount of this contract, are \$500,000 or less; and, 3) is not an affiliate or subsidiary of a business dominant in its field of operation, as defined below. I understand that the exception will be lost and I must comply with the Program if the number of employees in my business and my gross annual revenues exceed the above limits.

**"Dominant in its field of operation"** means having more than ten employees and annual gross revenues in the preceding twelve months, which, if added to the annual amount of the contract awarded, exceed \$500,000.

**"Affiliate or subsidiary of a business dominant in its field of operation"** means a business which is at least 20 percent owned by a business dominant in its field of operation, or by partners, officers, directors, majority stockholders, or their equivalent, of a business dominant in that field of operation.

- ☐ My business is subject to a Collective Bargaining Agreement (attach agreement) that expressly provides that it supersedes all provisions of the Program.

**OR**

### **Part II: Certification of Compliance**

- ☐ My business has and adheres to a written policy that provides, on an annual basis, no less than five days of regular pay for actual jury service for full-time employees of the business who are also California residents, **or** my company will have and adhere to such a policy prior to award of the contract.

*I declare under penalty of perjury under the laws of the State of California that the information stated above is true and correct.*

Print Name:	Title:
Signature:	Date:

### CERTIFICATION OF COMPLIANCE WITH THE COUNTY'S DEFAULTED PROPERTY TAX REDUCTION PROGRAM

Company Name:		
Company Address:		
City:	State:	Zip Code:
Telephone Number:	Email address:	
Solicitation/Contract For _____ Services:		

The Proposer/Bidder/Contractor certifies that:

- ☐ It is familiar with the terms of the County of Los Angeles Defaulted Property Tax Reduction Program, Los Angeles County Code Chapter 2.206; **AND**

To the best of its knowledge, after a reasonable inquiry, the Proposer/Bidder/Contractor is not in default, as that term is defined in Los Angeles County Code Section 2.206.020.E, on any Los Angeles County property tax obligation; **AND**

The Proposer/Bidder/Contractor agrees to comply with the County's Defaulted Property Tax Reduction Program during the term of any awarded contract.

**- OR -**

- ☐ I am exempt from the County of Los Angeles Defaulted Property Tax Reduction Program, pursuant to Los Angeles County Code Section 2.206.060, for the following reason:

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*I declare under penalty of perjury under the laws of the State of California that the information stated above is true and correct.*

Print Name:	Title:
Signature:	Date:

Date: \_\_\_\_\_

## RFSQ TRANSMITTAL TO REQUEST A SOLICITATION REQUIREMENTS REVIEW

***A Solicitation Requirements Review must be received by the County  
within 10 business days of issuance of the solicitation document***

Vendor Name:	Date of Request:
Project Title:	Project No.

A **Solicitation Requirements Review** is being requested because the Vendor asserts that they are being unfairly disadvantaged for the following reason(s): *(check all that apply)*

- ☐ Application of **Minimum Requirements**
- ☐ Application of **Business Requirements**
- ☐ Due to **unclear instructions**, the process may result in the County not receiving the best possible responses

I understand that this request must be received by the County within **10 business days** of issuance of the solicitation document.

For each area contested, Vendor must explain in detail the factual reasons for the requested review.  
*(Attach additional pages and supporting documentation as necessary.)*

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Request submitted by:

\_\_\_\_\_  
*(Name)*

\_\_\_\_\_  
*(Title)*

### For County use only

Date Transmittal Received by County:\_\_\_\_\_ Date Solicitation Released:\_\_\_\_\_

Reviewed by:\_\_\_\_\_

Results of Review - Comments:

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Date Response sent to Vendor:\_\_\_\_\_

## **COUNTY OF LOS ANGELES**

### **POLICY ON DOING BUSINESS WITH SMALL BUSINESS**

Forty-two percent of businesses in Los Angeles County have five or fewer employees. Only about four percent of businesses in the area exceed 100 employees. According to the Los Angeles Times and local economists, it is not large corporations, but these small companies that are generating new jobs and helping move Los Angeles County out of its worst recession in decades.

#### ***WE RECOGNIZE. . . .***

##### ***The importance of small business to the County. . .***

- in fueling local economic growth
- providing new jobs
- creating new local tax revenues
- offering new entrepreneurial opportunity to those historically under-represented in business

##### ***The County can play a positive role in helping small business grow. . .***

- as a multi-billion dollar purchaser of goods and services
- as a broker of intergovernmental cooperation among numerous local jurisdictions
- by greater outreach in providing information and training
- by simplifying the bid/proposal process
- by maintaining selection criteria which are fair to all
- by streamlining the payment process

#### ***WE THEREFORE SHALL:***

1. Constantly seek to streamline and simplify our processes for selecting our vendors and for conducting business with them.
2. Maintain a strong outreach program, fully-coordinated among our departments and districts, as well as other participating governments to: a) inform and assist the local business community in competing to provide goods and services; b) provide for ongoing dialogue with and involvement by the business community in implementing this policy.
3. Continually review and revise how we package and advertise solicitations, evaluate and select prospective vendors, address subcontracting and conduct business with our vendors, in order to: a) expand opportunity for small business to compete for our business; and b) to further opportunities for all businesses to compete regardless of size.
4. Insure that staff who manage and carry out the business of purchasing goods and services are well trained, capable and highly motivated to carry out the letter and spirit of this policy.

Title 2 ADMINISTRATION  
Chapter 2.203.010 through 2.203.090  
CONTRACTOR EMPLOYEE JURY SERVICE

**2.203.010 Findings.**

The board of supervisors makes the following findings. The county of Los Angeles allows its permanent, full-time employees unlimited jury service at their regular pay. Unfortunately, many businesses do not offer or are reducing or even eliminating compensation to employees who serve on juries. This creates a potential financial hardship for employees who do not receive their pay when called to jury service, and those employees often seek to be excused from having to serve. Although changes in the court rules make it more difficult to excuse a potential juror on grounds of financial hardship, potential jurors continue to be excused on this basis, especially from longer trials. This reduces the number of potential jurors and increases the burden on those employers, such as the county of Los Angeles, who pay their permanent, full-time employees while on juror duty. For these reasons, the county of Los Angeles has determined that it is appropriate to require that the businesses with which the county contracts possess reasonable jury service policies. (Ord. 2002-0015 § 1 (part), 2002)

**2.203.020 Definitions.**

The following definitions shall be applicable to this chapter:

- A. "Contractor" means a person, partnership, corporation or other entity which has a contract with the county or a subcontract with a county contractor and has received or will receive an aggregate sum of \$50,000 or more in any 12-month period under one or more such contracts or subcontracts.
- B. "Employee" means any California resident who is a full-time employee of a contractor under the laws of California.
- C. "Contract" means any agreement to provide goods to, or perform services for or on behalf of, the county but does not include:
  - 1. A contract where the board finds that special circumstances exist that justify a waiver of the requirements of this chapter; or
  - 2. A contract where federal or state law or a condition of a federal or state program mandates the use of a particular contractor; or
  - 3. A purchase made through a state or federal contract; or
  - 4. A monopoly purchase that is exclusive and proprietary to a specific manufacturer, distributor, or reseller, and must match and inter-member with existing supplies, equipment or systems maintained by the county pursuant to the Los Angeles County Purchasing Policy and Procedures Manual, Section P-3700 or a successor provision; or
  - 5. A revolving fund (petty cash) purchase pursuant to the Los Angeles County Fiscal Manual, Section 4.4.0 or a successor provision; or
  - 6. A purchase card purchase pursuant to the Los Angeles County Purchasing Policy and Procedures Manual, Section P-2810 or a successor provision; or
  - 7. A non-agreement purchase with a value of less than \$5,000 pursuant to the Los Angeles County Purchasing Policy and Procedures Manual, Section A-0300 or a successor provision; or
  - 8. A bona fide emergency purchase pursuant to the Los Angeles County Purchasing Policy and Procedures Manual, Section PP-1100 or a successor provision.

Title 2 ADMINISTRATION  
Chapter 2.203.010 through 2.203.090  
CONTRACTOR EMPLOYEE JURY SERVICE

Page 2 of 3

- D. "Full time" means 40 hours or more worked per week, or a lesser number of hours if:
1. The lesser number is a recognized industry standard as determined by the chief administrative officer, or
  2. The contractor has a long-standing practice that defines the lesser number of hours as full time.
- E. "County" means the county of Los Angeles or any public entities for which the board of supervisors is the governing body. (Ord. 2002-0040 § 1, 2002: Ord. 2002-0015 § 1 (part), 2002)

**2.203.030 Applicability.**

This chapter shall apply to contractors who enter into contracts that commence after July 11, 2002. This chapter shall also apply to contractors with existing contracts which are extended into option years that commence after July 11, 2002. Contracts that commence after May 28, 2002, but before July 11, 2002, shall be subject to the provisions of this chapter only if the solicitations for such contracts stated that the chapter would be applicable. (Ord. 2002-0040 § 2, 2002: Ord. 2002-0015 § 1 (part), 2002)

**2.203.040 Contractor Jury Service Policy.**

A contractor shall have and adhere to a written policy that provides that its employees shall receive from the contractor, on an annual basis, no less than five days of regular pay for actual jury service. The policy may provide that employees deposit any fees received for such jury service with the contractor or that the contractor deduct from the employees' regular pay the fees received for jury service. (Ord. 2002-0015 § 1 (part), 2002)

**2.203.050 Other Provisions.**

- A. Administration. The chief administrative officer shall be responsible for the administration of this chapter. The chief administrative officer may, with the advice of county counsel, issue interpretations of the provisions of this chapter and shall issue written instructions on the implementation and ongoing administration of this chapter. Such instructions may provide for the delegation of functions to other county departments.
- B. Compliance Certification. At the time of seeking a contract, a contractor shall certify to the county that it has and adheres to a policy consistent with this chapter or will have and adhere to such a policy prior to award of the contract. (Ord. 2002-0015 § 1 (part), 2002)

**2.203.060 Enforcement and Remedies.**

For a contractor's violation of any provision of this chapter, the county department head responsible for administering the contract may do one or more of the following:

1. Recommend to the board of supervisors the termination of the contract; and/or,
2. Pursuant to chapter 2.202, seek the debarment of the contractor. (Ord. 2002-0015 § 1 (part), 2002)

Title 2 ADMINISTRATION  
Chapter 2.203.010 through 2.203.090  
CONTRACTOR EMPLOYEE JURY SERVICE

**2.203.070. Exceptions.**

- A. Other Laws. This chapter shall not be interpreted or applied to any contractor or to any employee in a manner inconsistent with the laws of the United States or California.
- B. Collective Bargaining Agreements. This chapter shall be superseded by a collective bargaining agreement that expressly so provides.
- C. Small Business. This chapter shall not be applied to any contractor that meets all of the following:
  - 1. Has ten or fewer employees during the contract period; and,
  - 2. Has annual gross revenues in the preceding twelve months which, if added to the annual amount of the contract awarded, are less than \$500,000; and,
  - 3. Is not an affiliate or subsidiary of a business dominant in its field of operation.

“Dominant in its field of operation” means having more than ten employees and annual gross revenues in the preceding twelve months which, if added to the annual amount of the contract awarded, exceed \$500,000.

“Affiliate or subsidiary of a business dominant in its field of operation” means a business which is at least 20 percent owned by a business dominant in its field of operation, or by partners, officers, directors, majority stockholders, or their equivalent, of a business dominant in that field of operation. (Ord. 2002-0015 § 1 (part), 2002)

**2.203.090. Severability.**

If any provision of this chapter is found invalid by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect. (Ord. 2002-0015 § 1 (part), 2002)

## LISTING OF CONTRACTORS DEBARRED IN LOS ANGELES COUNTY

List of Debarred Contractors in Los Angeles County may be obtained by going to the following website:

<http://doingbusiness.lacounty.gov/DebarmentList.htm>

# IRS NOTICE 1015

<http://www.irs.gov/pub/irs-pdf/n1015.pdf>



Department of the Treasury  
Internal Revenue Service

## Notice 1015

(Rev. December 2014)

### Have You Told Your Employees About the Earned Income Credit (EIC)?

#### What is the EIC?

The EIC is a refundable tax credit for certain workers.

#### Which Employees Must I Notify About the EIC?

You must notify each employee who worked for you at any time during the year and from whom you did not withhold income tax. However, you do not have to notify any employee who claimed exemption from withholding on Form W-4, Employee's Withholding Allowance Certificate.

**Note.** You are encouraged to notify each employee whose wages for 2014 are less than \$52,427 that he or she may be eligible for the EIC.

#### How and When Must I Notify My Employees?

You must give the employee one of the following:

- The IRS Form W-2, Wage and Tax Statement, which has the required information about the EIC on the back of Copy B.
- A substitute Form W-2 with the same EIC information on the back of the employee's copy that is on Copy B of the IRS Form W-2.
- Notice 797, Possible Federal Tax Refund Due to the Earned Income Credit (EIC).
- Your written statement with the same wording as Notice 797.

If you are required to give Form W-2 and do so on time, no further notice is necessary if the Form W-2 has the required information about the EIC on the back of the employee's copy. If a substitute Form W-2 is given on time but does not have the required information, you must

notify the employee within 1 week of the date the substitute Form W-2 is given. If Form W-2 is required but is not given on time, you must give the employee Notice 797 or your written statement by the date Form W-2 is required to be given. If Form W-2 is not required, you must notify the employee by February 9, 2015.

You must hand the notice directly to the employee or send it by first-class mail to the employee's last known address. You will not meet the notification requirements by posting Notice 797 on an employee bulletin board or sending it through office mail. However, you may want to post the notice to help inform all employees of the EIC. You can get copies of the notice from IRS.gov or by calling 1-800-829-3676.

#### How Will My Employees Know If They Can Claim the EIC?

The basic requirements are covered in Notice 797. For more detailed information, the employee needs to see Pub. 596, Earned Income Credit (EIC), or the instructions for Form 1040, 1040A, or 1040EZ.

#### How Do My Employees Claim the EIC?

Eligible employees claim the EIC on their 2014 tax return. Even employees who have no tax withheld from their pay or owe no tax can claim the EIC and get a refund, but they must file a tax return to do so. For example, if an employee has no tax withheld in 2014 and owes no tax but is eligible for a credit of \$800, he or she must file a 2014 tax return to get the \$800 refund.

Notice 1015 (Rev. 12-2014)  
Cat. No. 20599I

# *Safely* Surrendered



No shame. No blame. No names.

In Los Angeles County: 1-877-BABY SAFE • 1-877-222-9723

[www.babysafe1a.org](http://www.babysafe1a.org)



In Los Angeles County: 1-877-BABY SAFE • 1-877-222-9723

www.babysafela.org

# Safely Surrendered Baby Law

## What is the Safely Surrendered Baby Law?

California's Safely Surrendered Baby Law allows parents or other persons, with lawful custody, which means anyone to whom the parent has given permission to confidentially surrender a baby. As long as the baby is three days (72 hours) of age or younger and has not been abused or neglected, the baby may be surrendered without fear of arrest or prosecution.

*Every baby deserves a chance for a healthy life. If someone you know is considering abandoning a baby, let her know there are other options. For three days (72 hours) after birth, a baby can be surrendered to staff at any hospital or fire station in Los Angeles County.*

## How does it work?

A distressed parent who is unable or unwilling to care for a baby can legally, confidentially, and safely surrender a baby within three days (72 hours) of birth. The baby must be handed to an employee at a hospital or fire station in Los Angeles County. As long as the baby shows no sign of abuse or neglect, no name or other information is required. In case the parent changes his or her mind at a later date and wants the baby back, staff will use bracelets to help connect them to each other. One bracelet will be placed on the baby, and a matching bracelet will be given to the parent or other surrendering adult.

## What if a parent wants the baby back?

Parents who change their minds can begin the process of reclaiming their baby within 14 days. These parents should call the Los Angeles County Department of Children and Family Services at 1-800-540-4000.

## Can only a parent bring in the baby?

No. While in most cases a parent will bring in the baby, the Law allows other people to bring in the baby if they have lawful custody.

## Does the parent or surrendering adult have to call before bringing in the baby?

No. A parent or surrendering adult can bring in a baby anytime, 24 hours a day, 7 days a week, as long as the parent or surrendering adult surrenders the baby to someone who works at the hospital or fire station.

## Does the parent or surrendering adult have to tell anything to the people taking the baby?

No. However, hospital or fire station personnel will ask the surrendering party to fill out a questionnaire designed to gather important medical history information, which is very useful in caring for the baby. The questionnaire includes a stamped return envelope and can be sent in at a later time.

## What happens to the baby?

The baby will be examined and given medical treatment. Upon release from the hospital, social workers immediately place the baby in a safe and loving home and begin the adoption process.

## What happens to the parent or surrendering adult?

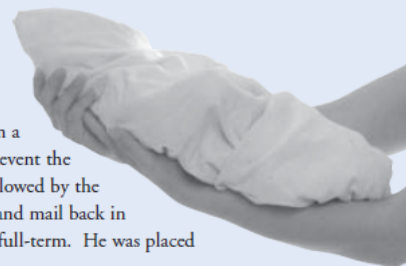
Once the parent or surrendering adult surrenders the baby to hospital or fire station personnel, they may leave at any time.

## Why is California doing this?

The purpose of the Safely Surrendered Baby Law is to protect babies from being abandoned, hurt or killed by their parents. You may have heard tragic stories of babies left in dumpsters or public bathrooms. Their parents may have been under severe emotional distress. The mothers may have hidden their pregnancies, fearful of what would happen if their families found out. Because they were afraid and had no one or nowhere to turn for help, they abandoned their babies. Abandoning a baby is illegal and places the baby in extreme danger. Too often, it results in the baby's death. The Safely Surrendered Baby Law prevents this tragedy from ever happening again in California.

## A baby's story

Early in the morning on April 9, 2005, a healthy baby boy was safely surrendered to nurses at Harbor-UCLA Medical Center. The woman who brought the baby to the hospital identified herself as the baby's aunt and stated the baby's mother had asked her to bring the baby to the hospital on her behalf. The aunt was given a bracelet with a number matching the anklet placed on the baby; this would provide some identification in the event the mother changed her mind about surrendering the baby and wished to reclaim the baby in the 14-day period allowed by the Law. The aunt was also provided with a medical questionnaire and said she would have the mother complete and mail back in the stamped return envelope provided. The baby was examined by medical staff and pronounced healthy and full-term. He was placed with a loving family that had been approved to adopt him by the Department of Children and Family Services.



# *Ley de* Entrega de Bebés *Sin Peligro*



*Los recién nacidos pueden ser entregados en forma segura al personal de cualquier hospital o cuartel de bomberos del Condado de Los Ángeles*

Sin pena. Sin culpa. Sin nombres.

En el Condado de Los Ángeles: 1-877-BABY SAFE • 1-877-222-9723

[www.babysafela.org](http://www.babysafela.org)



En el Condado de Los Ángeles: 1-877-BABY SAFE • 1-877-222-9723

www.babysafela.org

# Ley de Entrega de Bebés Sin Peligro

## ¿Qué es la Ley de Entrega de Bebés sin Peligro?

La Ley de Entrega de Bebés sin Peligro de California permite la entrega confidencial de un recién nacido por parte de sus padres u otras personas con custodia legal, es decir cualquier persona a quien los padres le hayan dado permiso. Siempre que el bebé tenga tres días (72 horas) de vida o menos, y no haya sufrido abuso ni negligencia, pueden entregar al recién nacido sin temor de ser arrestados o procesados.

*Cada recién nacido se merece la oportunidad de tener una vida saludable. Si alguien que usted conoce está pensando en abandonar a un recién nacido, infórmele que tiene otras opciones. Hasta tres días (72 horas) después del nacimiento, se puede entregar un recién nacido al personal de cualquier hospital o cuartel de bomberos del condado de Los Angeles.*

## ¿Cómo funciona?

El padre/madre con dificultades que no pueda o no quiera cuidar de su recién nacido puede entregarlo en forma legal, confidencial y segura dentro de los tres días (72 horas) del nacimiento. El bebé debe ser entregado a un empleado de cualquier hospital o cuartel de bomberos del Condado de Los Angeles. Siempre que el bebé no presente signos de abuso o negligencia, no será necesario suministrar nombres ni información alguna. Si el padre/madre cambia de opinión posteriormente y desea recuperar a su bebé, los trabajadores utilizarán brazaletes para poder vincularlos. El bebé llevará un brazalete y el padre/madre o el adulto que lo entregue recibirá un brazalete igual.

## ¿Qué pasa si el padre/madre desea recuperar a su bebé?

Los padres que cambien de opinión pueden comenzar el proceso de reclamar a su recién nacido dentro de los 14 días. Estos padres deberán llamar al Departamento de Servicios para Niños y Familias (Department of Children and Family Services) del Condado de Los Angeles al 1-800-540-4000.

## ¿Sólo los padres podrán llevar al recién nacido?

No. Si bien en la mayoría de los casos son los padres los que llevan al bebé, la ley permite que otras personas lo hagan si tienen custodia legal.

## ¿Los padres o el adulto que entrega al bebé deben llamar antes de llevar al bebé?

No. El padre/madre o adulto puede llevar al bebé en cualquier momento, las 24 horas del día, los 7 días de la semana, siempre y cuando entreguen a su bebé a un empleado del hospital o cuartel de bomberos.

## ¿Es necesario que el padre/madre o adulto diga algo a las personas que reciben al bebé?

No. Sin embargo, el personal del hospital o cuartel de bomberos le pedirá a la persona que entregue al bebé que llene un cuestionario con la finalidad de recabar antecedentes médicos importantes, que resultan de gran utilidad para cuidar bien del bebé. El cuestionario incluye un sobre con el sello postal pagado para enviarlo en otro momento.

## ¿Qué pasará con el bebé?

El bebé será examinado y le brindarán atención médica. Cuando le den el alta del hospital, los trabajadores sociales inmediatamente ubicarán al bebé en un hogar seguro donde estará bien atendido, y se comenzará el proceso de adopción.

## ¿Qué pasará con el padre/madre o adulto que entregue al bebé?

Una vez que los padres o adulto hayan entregado al bebé al personal del hospital o cuartel de bomberos, pueden irse en cualquier momento.

## ¿Por qué se está haciendo esto en California? ?

La finalidad de la Ley de Entrega de Bebés sin Peligro es proteger a los bebés para que no sean abandonados, lastimados o muertos por sus padres. Usted probablemente haya escuchado historias trágicas sobre bebés abandonados en basureros o en baños públicos. Los padres de esos bebés probablemente hayan estado pasando por dificultades emocionales graves. Las madres pueden haber ocultado su embarazo, por temor a lo que pasaría si sus familias se enteraran. Abandonaron a sus bebés porque tenían miedo y no tenían nadie a quien pedir ayuda. El abandono de un recién nacido es ilegal y pone al bebé en una situación de peligro extremo. Muy a menudo el abandono provoca la muerte del bebé. La Ley de Entrega de Bebés sin Peligro impide que vuelva a suceder esta tragedia en California.

## Historia de un bebé

A la mañana temprano del día 9 de abril de 2005, se entregó un recién nacido saludable a las enfermeras del Harbor-UCLA Medical Center. La mujer que llevó el recién nacido al hospital se dio a conocer como la tía del bebé, y dijo que la madre le había pedido que llevara al bebé al hospital en su nombre. Le entregaron a la tía un brazalete con un número que coincidía con la pulsera del bebé; esto serviría como identificación en caso de que la madre cambiara de opinión con respecto a la entrega del bebé y decidiera recuperarlo dentro del período de 14 días que permite esta ley. También le dieron a la tía un cuestionario médico, y ella dijo que la madre lo llenaría y lo enviaría de vuelta dentro del sobre con franqueo pagado que le habían dado. El personal médico examinó al bebé y se determinó que estaba saludable y a término. El bebé fue ubicado con una buena familia que ya había sido aprobada para adoptarlo por el Departamento de Servicios para Niños y Familias.



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**2.206.010 Findings and declarations.**

The Board of Supervisors finds that significant revenues are lost each year as a result of taxpayers who fail to pay their tax obligations on time. The delinquencies impose an economic burden upon the County and its taxpayers. Therefore, the Board of Supervisors establishes the goal of ensuring that individuals and businesses that benefit financially from contracts with the County fulfill their property tax obligation. (Ord. No. 2009-0026 § 1 (part), 2009.)

**2.206.020 Definitions.**

The following definitions shall be applicable to this chapter:

- A. “Contractor” shall mean any person, firm, corporation, partnership, or combination thereof, which submits a bid or proposal or enters into a contract or agreement with the County.
- B. “County” shall mean the county of Los Angeles or any public entities for which the Board of Supervisors is the governing body.
- C. “County Property Taxes” shall mean any property tax obligation on the County's secured or unsecured roll; except for tax obligations on the secured roll with respect to property held by a Contractor in a trust or fiduciary capacity or otherwise not beneficially owned by the Contractor.
- D. “Department” shall mean the County department, entity, or organization responsible for the solicitation and/or administration of the contract.
- E. “Default” shall mean any property tax obligation on the secured roll that has been deemed defaulted by operation of law pursuant to California Revenue and Taxation Code section 3436; or any property tax obligation on the unsecured roll that remains unpaid on the applicable delinquency date pursuant to California Revenue and Taxation Code section 2922; except for any property tax obligation dispute pending before the Assessment Appeals Board.
- F. “Solicitation” shall mean the County’s process to obtain bids or proposals for goods and services.
- G. “Treasurer-Tax Collector” shall mean the Treasurer and Tax Collector of the County of Los Angeles. (Ord. No. 2009-0026 § 1 (part), 2009.)

**2.206.030 Applicability.**

This chapter shall apply to all solicitations issued 60 days after the effective date of the ordinance codified in this chapter. This chapter shall also apply to all new, renewed, extended, and/or amended contracts entered into 60 days after the effective date of the ordinance codified in this chapter. (Ord. No. 2009-0026 § 1 (part), 2009.)

**2.206.040 Required solicitation and contract language.**

All solicitations and all new, renewed, extended, and/or amended contracts shall contain language which:

- A. Requires any Contractor to keep County Property Taxes out of Default status at all times during the

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term of an awarded contract;

B. Provides that the failure of the Contractor to comply with the provisions in this chapter may prevent the Contractor from being awarded a new contract; and

C. Provides that the failure of the Contractor to comply with the provisions in this chapter may constitute a material breach of an existing contract, and failure to cure the breach within 10 days of notice by the County by paying the outstanding County Property Tax or making payments in a manner agreed to and approved by the Treasurer-Tax Collector, may subject the contract to suspension and/or termination. (Ord. No. 2009-0026 § 1 (part), 2009.)

**2.206.050 Administration and compliance certification.**

A. The Treasurer-Tax Collector shall be responsible for the administration of this chapter. The Treasurer-Tax Collector shall, with the assistance of the Chief Executive Officer, Director of Internal Services, and County Counsel, issue written instructions on the implementation and ongoing administration of this chapter. Such instructions may provide for the delegation of functions to other departments.

B. Contractor shall be required to certify, at the time of submitting any bid or proposal to the County, or entering into any new contract, or renewal, extension or amendment of an existing contract with the County, that it is in compliance with this chapter is not in Default on any County Property Taxes or is current in payments due under any approved payment arrangement. (Ord. No. 2009-0026 § 1 (part), 2009.)

**2.206.060 Exclusions/Exemptions.**

A. This chapter shall not apply to the following contracts:

1. Chief Executive Office delegated authority agreements under \$50,000;
2. A contract where federal or state law or a condition of a federal or state program mandates the use of a particular contractor;
3. A purchase made through a state or federal contract;
4. A contract where state or federal monies are used to fund service related programs, including but not limited to voucher programs, foster care, or other social programs that provide immediate direct assistance;
5. Purchase orders under a master agreement, where the Contractor was certified at the time the master agreement was entered into and at any subsequent renewal, extension and/or amendment to the master agreement.
6. Purchase orders issued by Internal Services Department under \$100,000 that is not the result of a competitive bidding process.
7. Program agreements that utilize Board of Supervisors' discretionary funds;
8. National contracts established for the purchase of equipment and supplies for and by the National Association of Counties, U.S. Communities Government Purchasing Alliance, or any similar related group purchasing organization;
9. A monopoly purchase that is exclusive and proprietary to a specific manufacturer, distributor, reseller, and must match and inter-member with existing supplies, equipment or systems maintained by the county pursuant to the Los Angeles Purchasing Policy and Procedures Manual, section P-3700 or a successor provision;
10. A revolving fund (petty cash) purchase pursuant to the Los Angeles County Fiscal Manual, section 4.6.0 or a successor provision;
11. A purchase card purchase pursuant to the Los Angeles County Purchasing Policy and Procedures Manual, section P-2810 or a successor provision;
12. A non-agreement purchase worth a value of less than \$5,000 pursuant to the Los Angeles County Purchasing Policy and Procedures Manual, section A-0300 or a successor provision; or
13. A bona fide emergency purchase pursuant to the Los Angeles County Purchasing Policy and Procedures Manual section P-0900 or a successor provision;

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14. Other contracts for mission critical goods and/or services where the Board of Supervisors determines that an exemption is justified.

B. Other laws. This chapter shall not be interpreted or applied to any Contractor in a manner inconsistent with the laws of the United States or California. (Ord. No. 2009-0026 § 1 (part), 2009.)

**2.206.070 Enforcement and remedies.**

A. The information furnished by each Contractor certifying that it is in compliance with this chapter shall be under penalty of perjury.

B. No Contractor shall willfully and knowingly make a false statement certifying compliance with this chapter for the purpose of obtaining or retaining a County contract.

C. For Contractor's violation of any provision of this chapter, the County department head responsible for administering the contract may do one or more of the following:

1. Recommend to the Board of Supervisors the termination of the contract; and/or,
2. Pursuant to chapter 2.202, seek the debarment of the contractor; and/or,
3. Recommend to the Board of Supervisors that an exemption is justified pursuant to Section 2.206.060.A.14 of this chapter or payment deferral as provided pursuant to the California Revenue and Taxation Code. (Ord. No. 2009-0026 § 1 (part), 2009.)

**2.206.080 Severability.**

If any provision of this chapter is found invalid by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect. (Ord. No. 2009-0026 § 1 (part), 2009.)