

## **PROPOSAL REQUIREMENTS AND EVALUATION CRITERIA**

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#### **PART 1 – PROPOSAL REQUIREMENTS**

##### **1.0     Format of Proposals**

**1.0.1**   Proposals shall be typed and submitted in accordance with the requirements of the RFP Instructions, this Attachment No. 3, and the other RFP Documents.

- .1**       Proposals shall be separately packaged as required by Section 5.1 of the RFP Instructions.
- .2**       Each package containing a Proposal shall include one (1) paper original marked “Original” and seven (7) paper copies, each marked “Copy,” along with a copy of the entire Proposal in electronic form on one (1) flash drive or other similar storage device other than a CD.
- .3**       All paper originals and copies of Proposals shall be (1) on paper marked “100% recycled,” (2) double-sided printed, and (3) on 8 ½ x 11-inch sheets (except that any schedules, organization charts, or staffing plans may be provided on 11 x 17-inch single-sided sheets, in which case each such printed side will be counted as one page).

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- .4 The original and each paper copy of a Proposal shall be separately bound in a ring binder or other simple method of fastening.
- .5 Proposals shall be typed and not include any unnecessarily elaborate or generic promotional materials.

**1.0.2** Each Proposal shall be accompanied by a letter of transmittal located at the beginning of the Proposal. The letter of transmittal shall not be longer than two pages. The letter of transmittal shall be addressed to Los Angeles Community College District, Contracts Division, 770 Wilshire Blvd., Third Floor, Los Angeles, CA 90017 Attention: James Watson and shall, at a minimum, contain the following:

- .1 identification (name, address, and telephone number) of the Proposer;
- .2 name, title, address, telephone number, and email address of a contact person on behalf of the Proposer for the duration of the RFP process;
- .3 the following statement: "We have carefully read and understand all of the provisions of the Request for Proposal and its exhibits and agree to be bound by them. We have also carefully read and reviewed the terms and conditions of the Standard Form of Professional Services Agreement attached to the RFP, and by submitting this Proposal, understand that this is the agreement that we will be expected to execute if we are successful in receiving the award."
- .4 a statement affirming that the terms of the Proposal shall be irrevocable for a period of one hundred and twenty (120) calendar days following the date of its submission to the District; and
- .5 a signature of a person authorized to bind the Proposer to the terms of the Proposal, to negotiate contract terms, and to make binding contractual commitments in respect to all matters relating to the RFP

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accompanied by an affirmative statement that such person has such authority to sign contracts on behalf of the Proposer.

- 1.0.3** Immediately following the letter of transmittal, each Proposal shall include a table of contents and exhibits included in the Proposal, including references to page numbers.
- 1.0.4** Except as otherwise stated in this Paragraph 1.0.4, the Proposal shall not contain more than twenty-five (25) sheets printed double-sided (i.e., fifty [50] pages). A page that is only partially used shall constitute a full page. The following are not included in or subject to the foregoing page limitation: front and back covers and tabs, letters of transmittal, table of contents, and District forms attached to the RFP Instructions that are required to be signed and submitted by the Proposer with its Proposals, resumes, and financial statements (or permissible financial information in lieu of financial statements).
- 1.0.5** Print used in all portions of a Proposal, including inserts and footnotes, shall be a font size not smaller than approximately 11 point.

### **1.1 Proposer's Organizational Structure**

- 1.1.1 Basic Information.** Each Proposal shall include the following basic information concerning its business organization:
  - .1** the legal business form (i.e., sole proprietor, corporation, LLC, LLP, etc.) under which the Proposer would perform as Bond Program Monitor (NOTE: If the Proposer is a Single Purpose Joint Venture as that term is defined in Paragraph 4.6.3 of the RFP Instructions, then the Proposal shall state the following: "Proposer is a joint venture that has been formed for the sole purpose of performing an agreement with the District to provide services as the Bond Program Monitor");

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- .2 the jurisdiction (i.e., state) in which the Proposer was originally formed, the date of such formation, and the status of the Proposer's current filings with the Office of the Secretary of State for the State of California authorizing the Proposer to conduct business in the State of California;
- .3 the names of the Proposer's current directors and senior officers within the Proposer's organization who would be directly involved in the chain of responsibility and reporting related to the Proposer's performance of the Agreement;
- .4 any professional licenses currently issued in the name of Proposer as the licensee and with respect to each such license, the governmental or other legally authorized issuer issuing the license and whether the license is currently active and in good standing; and
- .5 the current location of (1) the Proposer's principal office and (2) the Proposer's local office located in or nearest to the City of Los Angeles.

**1.1.2 Organizational Capacity.** Without limitation to any other information the Proposer wishes to have considered relative to its organizational structure, each Proposal shall address the following subjects relative to the capacity of Proposer's current business organization to perform the office of Bond Program Monitor:

- .1 the number of years the Proposer (or if the Proposer is a Single Purpose Joint Venture, its joint venture partner who is proposed to serve in the Key Personnel position of "Bond Program Monitor") has been actively and continuously conducting business, in its currently constituted legal form (whether sole proprietor, corporation, partnership, limited liability company or other legal entity), delivering services of a type that are

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comparable to those required for the office of Building Program Monitor;

- .2 the capacity of Proposer's business organization (or if the Proposer is a Single Purpose Joint Venture, its joint venture partner who is proposed to serve in the Key Personnel position of "Bond Program Monitor"), both historically and currently, to provide the business infrastructure and other platform resources that are needed for the delivery of services of a type that are comparable to those required for the office of Building Program Monitor; and
- .3 availability of Support Staff (clerical and non-clerical) to provide the administrative support to Key Personnel and Professional Staff and the flexibility and capacity of Proposer to promptly provide additional personnel and other resources that may be needed to adapt to the changing demands of the office of Building Program Monitor, including, without limitation, the availability of a suitable reserve "bench" of qualified personnel (employees or independent contractors) that Proposer would be able to call upon as and when needed to supplement the personnel identified in the Proposal as its proposed Key Personnel, Professional Staff and Support Staff.

### **1.2 Proposer's Personnel Qualifications**

- 1.2.1 Key Personnel.** Each Proposal shall include the names and resumes of two (2) individuals proposed to serve as its Key Persons in each of the Key Personnel positions listed below of Bond Program Monitor and Deputy Bond Program Monitor. The Proposal shall describe in detail the work history and experience of each proposed individual with reference to the minimum and preferred qualifications that are set forth in this Section 1.2 and shall not rely solely on position titles as evidence that the individual meets the requirements or

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preferred work history or experience criteria of the RFP Documents. Only one individual, who shall not be the same individual, shall be proposed for each Key Personnel position:

**.1 Bond Program Monitor:** The Bond Program Monitor is envisioned as being a full-time or nearly full-time position for the Term of the Agreement with senior-most responsibility for all activities and actions of the office of Bond Program Monitor and, while at all times functioning in a manner that is independent of the elected and executive leadership of the District, reporting directly to the Chancellor. Each Proposal shall include the name and resume of the individual proposed to serve as the Bond Program Monitor. Each resume shall contain a complete statement of the individual's educational and work history and any other information that the Proposer wishes be considered in evaluating the individual's qualifications and fitness. Proposer shall disclose in the resume the extent to which the individual's work history has required him/her to have a working knowledge of the laws governing public bidding and public contracting. If no such working history is disclosed, it will be presumed that none exists. Resumes shall disclose the complete content of any evaluations or audits of the individual's performance, including both positive and negative evaluations. The following are the qualifications for the Bond Program Monitor. Unless otherwise identified hereinafter as a "minimum" requirement, the qualifications set forth hereinafter are considered preferred qualifications:

- (a)** certified inspector general by the Association of Inspectors General;
- (b)** a minimum of ten (10) years of experience as a full-time, paid inspector general or senior-most lead person in an office of

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inspector general or similar government investigatory agency at a municipal, state, or federal level performing functions comparable to those included services described in RFP Attachment No. 2 - "Description of Basic Services";

- (c) knowledge and experience supervising personnel in the following areas as they relate to the aforementioned functions of the Bond Program Monitor: accounting and auditing, investigative techniques, ethics and conflicts of interest, and criminal and civil law enforcement, remedies and rules of evidence;
- (d) knowledge of and a work history demonstrating a working familiarity with state, local, or federal laws governing bidding, procurement, and award of contracts by public agencies, including, but not necessarily exclusively limited to, universities, colleges, community colleges, or schools; and
- (e) an undergraduate or advanced degree from an accredited college or university in accounting, finance, business administration, criminal justice, law, or a closely related field.

**.2 Deputy Bond Program Monitor:** The Deputy Bond Program Monitor is envisioned as being a full-time or nearly full-time position for the Term of the Agreement with responsibility to head the account examination and investigative functions of the office of Bond Program Monitor and reporting directly to the Bond Program Monitor. Each Proposal shall include the name and resume of the individual proposed to serve as Deputy Bond Program Monitor. Each resume shall contain a complete statement of the individual's educational and work history and any other information that the Proposer wishes be considered in evaluating the individual's qualifications and fitness. Proposer shall disclose in the resume the extent to which the

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individual's work history has required him/her to have a working knowledge of the laws governing public bidding and public contracting. If no such working history is disclosed, it will be presumed that none exists. Resumes shall disclose the complete content of any evaluations or audits of the individual's performance, including both positive and negative evaluations. The following are the qualifications for the Deputy Bond Program Monitor. Unless otherwise identified hereinafter as a "minimum" requirement, the qualifications set forth hereinafter are considered preferred qualifications:

- (a)** certified public accountant;
- (b)** certified inspector general auditor or certified inspector general investigator by the Association of Inspectors General;
- (c)** certified fraud examiner by the Association of Certified Fraud Examiners or certified fraud specialist by the Association of Certified Fraud Specialists;
- (d)** a minimum of five (5) or more years of experience as a full-time, paid senior member in the management of an office of inspector general or similar government investigatory agency at a municipal, state, or federal level performing functions comparable to those included services described in RFP Attachment No. 2 - "Description of Basic Services";
- (e)** knowledge and experience in the following areas as they relate to the aforementioned functions of the Bond Program Monitor: accounting and auditing, investigative techniques, and criminal enforcement;
- (f)** knowledge of and a work history demonstrating a working familiarity with state, local, or federal laws governing bidding, procurement, and award of contracts by public agencies,



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including, but not necessarily exclusively limited to, universities, colleges, community colleges, or schools;

- (g) experience performing or supervising the performance of construction contract audits on behalf of a government agency at a state, local, or federal level;
- (h) an undergraduate or advanced degree from an accredited college or university in accounting, business administration, finance, criminal justice, law, or a closely related field.

- .3 Professional Staff:** The District envisions that the Bond Program Monitor will be assisted on an as-needed and not necessarily full-time basis in the performance of the duties of the office of Bond Program Monitor by at least two (2) senior Professional Staff personnel who are experienced in examining accounts and financial matters and conducting investigations, including one (1) person serving as the Professional Staff – Senior Examiner and one (1) person serving as the Professional Staff – Senior Investigator. The person serving as Professional Staff – Examiner shall be responsible to directly perform the included services described in RFP Attachment No. 2 - “Description of Basic Services” that involve the examination and evaluation of accounting and financial information. The person serving as Professional Staff – Investigator shall be responsible to directly perform the included services described in RFP Attachment No. 2 - “Description of Basic Services” that involve the investigation and evaluation of other forms of evidence related to allegations of misconduct. The Professional Staff shall also be responsible to supervise the services of any additional junior professionals who may be retained or hired by the Bond Program Monitor on an as-needed basis to provide similar and supplemental services. Each Proposal shall include the name, resume, and proposed title and work description of one individual for each of the aforementioned positions of Professional Staff – Senior Examiner and

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Professional Staff – Senior Investigator. Proposer shall disclose in the resume the extent to which the individual’s work history has required him/her to have a working knowledge of the laws governing public bidding and public contracting. If no such working history is disclosed, it will be presumed that none exists. Resumes shall disclose the complete content of any evaluations or audits of the individual’s performance, including both positive and negative evaluations. The following are the qualifications for the Professional Staff - Senior Examiner and Professional Staff – Senior Investigator. Unless otherwise identified hereinafter as a “minimum” requirement, the qualifications set forth hereinafter are considered preferred qualifications:

**(a) Senior Professional – Examiner:**

- (i)** an undergraduate or advanced degree from an accredited college or university in accounting, business administration, finance, or a closely related field;
- (ii)** a minimum of five (5) or more years of experience as a full-time, paid senior auditor or seven (7) or more years of experience as a staff or junior auditor for an internal government auditing or investigatory department of a public agency at a municipal, state, or federal level;
- (iii)** certified government auditing professional or certified internal auditor by the Institute of Internal Auditors or certified fraud examiner by the Association of Certified Fraud Examiners.

**(2) Senior Professional – Investigator:**

- (i)** an undergraduate or advanced degree from an accredited college or university in criminal justice, law, or a closely related field;

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- (ii) a minimum of five (5) or more years of experience as a full-time, paid senior fraud investigator or seven (7) or more years of experience as a staff or junior fraud investigator for an internal government auditing or investigatory department of a public agency at a municipal, state, or federal level;
- (iii) five (5) or more years of experience in law enforcement at a local, state, or federal level performing or supervising criminal investigations involving fraud, corruption, or malfeasance;
- (iv) certified fraud examiner by the Association of Certified Fraud Examiners or certified fraud investigator by the Certified Financial Crimes Investigator Association.

**1.2.2 Key Personnel References.** With regard to each of the two individuals proposed to serve as the Bond Program Monitor and Deputy Program Monitor, Proposer shall list at least one, and up to three (3), References. References shall be individuals familiar with the proposed Key Person's performance while employed or retained by a public agency, department, district, or other political subdivision ("agency or department") performing services of a type and scope comparable to the services that the Proposer has proposed in its Proposal will be performed by the Key Person for the office of Bond Program Monitor. Only one Reference shall be provided for each such agency or department unless the proposed Key Person worked for the agency or department for more than ten (10) years, in which case up to three (3) References may be provided from the same agency or department subject to the aforesaid limitation that no more than three (3) References shall be provided by any Proposer. For each Reference, Proposer shall state in its Proposal the name of the agency or department and the name of and contact information for the Reference (including an address, telephone number, fax number, and email address where

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the Reference can be reached during regular business hours and during the RFP process). References should be informed that they may be contacted by the District. Proposers are solely responsible to ensure that References are available and responsive to contacts by the District.

**1.3 Proposer's Technical Approach** Each Proposer shall submit as part of its Proposal a narrative describing the following elements of Proposer's technical approach to administering the office of Bond Program Manager:

**1.3.1 Staffing and Operations Plan.** Describe how the Proposer would organize, staff, and operate the office of Bond Program Monitor.

**1.3.2 Investigative Objectives.** Describe the specific types of misconduct based on Proposer's experience that the Proposer anticipates might be encountered in a program like the District's Bond Program.

**1.3.3 Methodologies.** Describe the investigative methodologies and techniques that the Proposer would anticipate employing to conduct investigations of possible misconduct without inhibiting performance by employees, contractors, and consultants.

**1.3.4 Whistleblowers.** Describe how the Proposer would administer the District's Whistleblower Program.

**1.3.5 Work Plan.** Describe how the Proposer would structure its initial annual Work Plan referred to in RFP Attachment No. 2 - "Description of Basic Services."

**1.4 Proposer's Claims History**

**1.4.1** With respect (1) the Proposer (or if the Proposer is a Single Purpose Joint Venture, its joint venture partner who is proposed to serve in the Key Personnel position of "Bond Program Monitor") and (2) to each person proposed by

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Proposer to serve as Key Personnel Proposer shall disclose whether or not any of the following events has occurred within the past five (5) years and if so, a brief description of the circumstances involved (including, without limitation, the names of the parties involved, current status, and final disposition of the matter or dispute and any other information in the nature of mitigating factors the Proposer would like the District to consider):

- .1 a termination for default under a contract awarded by a local, state, or federal agency;
- .2 a debarment by a local, state, or federal agency debarring the Proposer or such person to enter into a contract;
- .3 a determination of non-responsibility by a local, state, or federal agency;
- .4 the filing at any time within the past five (5) years of a lawsuit or arbitration in which the Proposer or such person, or a firm retaining or employing the Proposer or such person, was a defendant or cross-defendant in which the circumstances of the lawsuit or arbitration involved the performance of professional services by such person for local, state, or federal agency and in which the amount in controversy sought to be recovered from Proposer or the Subconsultant was more than \$100,000;
- .5 a conviction for violation of a state or federal antitrust law involving bid rigging, collusion, or restriction on competition between bidders, or conviction of violating any other federal or state law relating to bidding or contract performance;

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**.6** a felony conviction within the past seven (7) years.

**1.4.2** A failure by Proposer to disclose, or the existence of, any of circumstances described in Paragraph 1.4.1 above shall constitute grounds, exercised or not exercised in sole discretion of the District, to find the Proposer not responsible and to disqualify the Proposer from Award.

### **1.5 Proposer's Financial Information**

**1.5.1** Each Proposer (or if the Proposer is a Single Purpose Joint Venture, its joint venture partner who is proposed to serve in the Key Personnel position of Bond Program Monitor) shall submit the following financial documentation:

**.1** If audited financial statements are available, they shall be provided, which include the following: (1) Income Statement; (2) Balance Sheet; and (3) Statement of Changes in Financial Position; or

**.2** If audited financial statements are not available and if unaudited financial statements compiled, reviewed, or attested by a CPA firm are available, then such unaudited financial statements shall be provided, which include the following: (1) Income Statement and (2) Balance Sheet.

**.3** If there an audited financial statement or an unaudited financial statement is not available, then the following shall be provided:

**(1)** a self-prepared unaudited financial statement;

**(2)** two (2) current references from a bank or other institutional lender;

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- (3)** a current statement from a bank confirming the Proposer's open credit line available and the available amount of credit line; and
- (4)** a current Dunn and Bradstreet report or report from a recognized commercial credit rating service, such as Experian, for the last two (2) full calendar years.

- 1.5.2** All financial information requested, whether in the form of a financial statement or other permissible form, shall conform to "generally accepted accounting principles" ("GAAP"). If audited financial statements are not available, the Proposer shall nonetheless include and disclose all of the same information that would be required to be disclosed in a fully audited financial statement prepared in accordance with GAAP. The District is under no obligation to inform Proposers if information is missing from a Proposal and shall not be responsible for a Proposer's failure to provide the financial information requested.
- 1.5.3** Each Proposal shall include a statement of whether the Proposer has filed or had filed against it a petition in bankruptcy or taken any actions with respect to the insolvency, reorganization, receivership, or assignment for the benefit of creditors, or otherwise sought relief from creditors at any time in the past seven (7) years and if so, the circumstances and final disposition thereof.
- 1.5.4** Except where the Proposer is a Single Purpose Joint Venture (in which case the financial information shall reflect the financial condition of the joint venture partner who is proposed to serve in the Key Personnel position of Bond Program Monitor), financial information shall be that of the Proposer and not that of related, parent, or affiliate company.

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### 1.6 Proposer's Price

**1.6.1 Proposed Contract Hourly Rates.** Proposer shall state in its Proposal its proposed Contract Hourly Rates (as defined in Paragraph 2.4.5 of the RFP Instructions) for each and all Key Personnel and Professional Staff during each successive 12-month period of the anticipated five-year Term of the Agreement. Proposers shall use the following format in setting forth its proposed Contract Hourly Rates:

<u><b>Key Personnel</b></u>	<b>Year One</b>	<b>Year Two</b>	<b>Year Three</b>	<b>Year Four</b>	<b>Year Five</b>
Bond Program Monitor	\$_____	\$_____	\$_____	\$_____	\$_____
Deputy Bond Program Monitor	\$_____	\$_____	\$_____	\$_____	\$_____

<u><b>Professional Staff</b></u>	<b>Year One</b>	<b>Year Two</b>	<b>Year Three</b>	<b>Year Four</b>	<b>Year Five</b>
Senior Examiner	\$_____	\$_____	\$_____	\$_____	\$_____
Senior Investigator	\$_____	\$_____	\$_____	\$_____	\$_____
Junior Examiners, Investigators*	\$_____	\$_____	\$_____	\$_____	\$_____

\*Junior examiners or investigators provide services when and as needed to supplement the services of the Senior Examiner or Senior Investigator.



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<b><u>Support Staff</u></b>	<b>Year One</b>	<b>Year Two</b>	<b>Year Three</b>	<b>Year Four</b>	<b>Year Five</b>
Support Staff Position: _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Support Staff Position: _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Support Staff Position: _____ **	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____

\*\* Insert in the blank provided a brief description of each proposed Support Staff position. Add rows for any additional positions that are anticipated by Proposer to be required.

**1.6.2 Included Costs.** Proposed Contract Hourly Rates shall be fully-burdened, “all-in” lump-sum unit rates that include all base compensation, burden, benefits, overhead, and profit of every kind.

**1.6.3 Escalation.** Hourly Rates may be proposed for the same position that escalate during the Term of the Agreement, but shall not escalate more than once in any 12-month period.

**1.6.4 Scoring Methodology.** Scoring of a Proposer’s price (i.e., proposed Contract Hourly Rates) will be based on the rankings of the Proposer’s overall blended average hourly rate over the entirety of the five-year Term of the Agreement for the positions of Bond Program Monitor, Deputy Bond Program Monitor, Professional Staff – Senior Examiner, and Professional Staff – Senior Investigator (“Competitive Blended Rate”). Rates charged by other individuals proposed by Proposer (including, but not limited to, Support Staff and any junior Professional Staff who may be required to supplement the services of senior Professional

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Staff) shall not be included in the calculation of scores for proposed price; however, Proposer is reminded that pursuant to the terms of Paragraph 3.9 of Attachment No. 1 – “Professional Services Agreement” the Consultant shall not propose an hourly rate for the services of any individual that is greater than the hourly rate proposed for a person occupying a position that is senior to such individual. The Proposer submitting the lowest Competitive Blended Rate shall receive the maximum number of possible points for Proposer’s price of 30 points, the Proposer submitting the next-lowest Competitive Blended Rate shall receive 25 points, and the Proposer submitting the next-lowest Competitive Blended Rate shall receive 20 points, and so on, with 5 points being deducted for each successive higher Competitive Blended Rate.

### **PART 2 – PRESENTATION/INTERVIEW REQUIREMENTS**

#### **2.0 Presentation/Interview Requirements**

**2.0.1 Short-Listed Proposer.** Only the Short-Listed Proposers (as defined in Paragraph 2.4.7 of the RFP Instructions) will be invited to participate in a Presentation/Interview.

**2.0.2 Participants.** No person other than a person proposed to serve as a Key Person or member of Proposer’s Professional Staff shall attend the Interview/Presentation. The Proposer’s proposed Key Person for the position of Bond Program Monitor shall lead the Proposer’s presentation. All persons attending on behalf of the Proposer shall speak during the presentation. The total number of persons attending for the Proposer shall not exceed four (4).

**2.0.3 Schedule.** The schedule and timing of Presentations/Interviews will be announced by RFP Addendum.

**2.0.4 Visual Aids.** Visual aids are permitted, but not required, at Presentations/Interviews. If visual aids are used, Proposer shall furnish each

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member of the Evaluation Panel with one printed copy and one electronic copy of any visual aids used during the presentation. The Proposer is responsible for providing all software, hardware, screens, projectors, easels, and any and all other necessary tools, equipment, or services necessary for its presentation.

**2.0.5 Evaluators.** In advance of the Presentations/Interviews and by means of an RFP Addendum, Proposers will be informed of the number of persons who will be present on behalf of the District at the Presentations/Interviews.

**2.0.6 Questions.** Proposers may be provided with scripted questions to be responded to as part of their Presentations/Interviews. If so, scoring of Presentations/Interviews will be based primarily, but not exclusively, on the responses to scripted questions. If utilized, the scripted questions will be distributed to the Proposers by means of an RFP Addendum prior to the Presentations/Interviews.

**2.0.7 Timing.** Proposers will be allowed sixty (60) minutes for presentations. Presentations will be followed by a period of questions and answers that may vary depending on the nature of the follow-up questions and the length of the answers. Each Proposer will then be given ten (10) minutes to make a closing statement or summation. The total time allotted for a Presentation/Interview is approximately ninety (90) minutes.

**2.0.8 Clarifications.** The District may seek clarifications of a Proposer's Proposal at any time during the conduct of the Presentations/Interviews whether or not the subject matter of the clarification is addressed by the Proposer in the Presentation/Interview.

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### **PART 3 – SCORING METHODOLOGY**

#### **3.0 First Phase: Written Proposals**

In the First Phase of the RFP process, the District will evaluate and score each Proposal according to the methodology shown in the table below. “Maximum Points” refers to the maximum possible number of points that a single Evaluator may give to a Proposer for the listed Evaluative Factor. Evaluative Factors listed below are limited to primary factors. Evaluation and scoring in some cases may be based on the maximum possible points listed below being allocated and assigned to evaluative sub-factors not shown below:

	<b>First Phase Evaluative Factors</b>	<b>Maximum Points</b>
1.	Organizational Structure	10
2.	Personnel Qualifications	25
3.	Technical Approach	25
4.	Claims History	5
5.	Price (Competitive Blended Rate)	30
6.	Overall Proposal Quality	5
	<b>First Phase Total:</b>	100

Scores received by Proposers from all Evaluators and for all of the above First Phase Evaluative Factors will be totaled for purposes of determining which Proposers will qualify for short-listing and for determining which of those qualifying Proposers will be invited to participate as Short-Listed Proposers in the Second Phase.

#### **3.1 Second Phase: Presentations/Interviews**

In the Second Phase of the RFP process, the District will evaluate and score the performances by the three highest-ranked Short-Listed Proposers in Presentations/Interviews. Scoring will be according to the methodology shown in the table below. “Maximum Points” refers to the maximum possible number of points that a single Evaluator may give to a Proposer for the listed Evaluative Factors. Evaluative Factors listed below are limited to primary Factors. Evaluation and scoring in some cases may be based on the maximum possible points listed below being allocated and assigned to evaluative sub-factors not shown below:

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	Second Phase Evaluative Factors	Maximum Points
1.	Presentation ( including responses to scripted questions, if any, distributed to Proposers in advance ["Scripted Questions"])	30
2.	Responsiveness to Questions (other than Scripted Questions)	10
3.	Overall Communication/Interpersonal Skills	20
4.	Overall Demonstrated Knowledge	20
5.	Overall Performance	20
	<b>Second Phase Total:</b>	100

Scores received by Proposers from all Evaluators for all of the above Second Phase Evaluative Factors will be totaled for purposes of determining which Proposer from among the Short-List Proposers competing in the Second Phase will continue to the Third Phase.

### **PART 4 – BACKGROUND CHECKS**

In the Third Phase, the District will conduct background checks of some or all individuals proposed by the Proposer to whom the District is considering making an Award. Background checks may be conducted of any individual (whether employed by Proposer or a Subconsultant) identified in such Proposer's Proposal for any position (including Key Personnel, Professional Staff, Support Staff, or any other position) who the District judges, in its sole discretion, may have access to proprietary or confidential information of the District. To assist the District in conducting the background checks, the Proposer shall, upon request by District, provide within five (5) business days of such request the following information about each individual identified in the District's request (any information requested below that is contained in a resume submitted as part of a Proposal should not be cross-referenced but should be repeated in the Proposer's written response prepared in accordance with this Part 4):

**4.0** full name and any aliases, "AKAs," or "DBAs" by which the individual has been known or done business within the past seven (7) years;

**4.1** date of birth;

**4.2** social security number;

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**4.3** each federal employment ID number, if any, held in the past seven (7) years, including the name of the individual or business associated with the ID number;

**4.4** all employment and all offices held (including any office, trusteeship, directorship, partnership, or position of any nature whether compensated or not) during the past seven (7) years, including the following:

- .1 name of employer or office,
- .2 location of employment or office,
- .3 job or office title,
- .4 dates during which the employment existed or the office was held,
- .5 reason for cessation of employment or office, and
- .6 name and address of person to contact to verify employment or office information;

**4.5** any business or legal entity in which a vested or contingent interest having a fair market value of more than \$2,500 has been held within the past seven (7) years by (1) the individual or his/her current spouse, (2) a partnership of which such individual or spouse was or is a member, or (3) a corporation of which 10 percent or more of the stock was or is owned or controlled by such individual or spouse.

**4.6** any contract in which a vested or contingent interest having a fair market value of more than \$2,500 is currently held by (1) the individual or his/her current spouse, (2) a partnership of which such individual or spouse was or is a member, or (3) a corporation of which 10 percent or more of the stock was or is owned or controlled by such individual or spouse (it is not necessary to list any contract that has been fully performed and paid for and for which only warranties or guarantees remain to be performed unless there is a known dispute with regard to the performance of the contract or any warranty or guarantee under the contract, in which case the contract shall be listed), including the following:

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- .1 the names of the parties to the contract,
- .2 a general description of the contract performance required by the individual or spouse,
- .3 the amount of compensation paid to the individual or spouse under the contract, and
- .4 the amount of compensation that remains to be paid to the individual or spouse under the contract if and when the contract is fully performed in the future;

**4.7** any bankruptcy filings made within the past seven (7) years (regardless of who initiated the filing) by or involving as the debtor in such proceeding any of the following: (1) the individual, (2) a partnership of which the individual was a partner, or (3) a corporation of which 10 percent or more of the stock was or is owned or controlled by the individual;

**4.8** all felony and misdemeanor convictions (including a plea of guilty or no contest) within the past seven (7) years which resulted in a criminal conviction that has not been judicially ordered sealed or expunged and excluding any misdemeanor convictions for marijuana-related offenses more than two years old;

**4.9** with respect to all debts or liabilities within a category listed below that are obligations of the individual, obligations of a trust in which the individual has a beneficial interest, obligations of a partnership in which the individual or his/her spouse is a partner, or obligations of a corporation in which the individual or his/her spouse owns more than a 10 percent ownership interest and where the monetary amount of the debt or liability exceeds \$2,500, the Proposer shall provide a description and estimate of the current amount owing on account of each such debt or liability within such category, including the following:

- .1 judgments,
- .2 state and federal tax liens,
- .3 promissory notes, and
- .4 loan guarantees;

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**4.10** all lawsuits filed within the past seven (7) years in which the individual was named as a party whether as a defendant, plaintiff, or other party, the court in which the lawsuit was filed, the case number, the date of filing, date of dismissal or final judgment, and a description of the final disposition of such lawsuit whether by judgment or settlement;

**4.11** the dates and disposition of any investigations of the individual within the past ten (10) years conducted by a department of social services;

**4.12** the dates of military service, highest rank achieved, date of discharge, and whether the discharge was honorable or dishonorable;

**4.13** if the individual is licensed by any state jurisdiction to practice law, a general description of the individual's license history and law practice, including the following:

- .1** date of license issuance,
- .2** dates of any periods of license suspension or revocation,
- .3** whether the license is currently active or inactive and if not active, the reason why,
- .4** details of any complaints filed against the individual with, or disciplinary action recommended or taken by, the governing board regulating the practice of law,
- .5** number of years of active practice as a lawyer, and
- .6** areas of specialization; and

**4.14** any other information of which the District should be aware (including, without limitation, information that is available from the internet) that whether considered by the individual to be true or not true, could be reasonably perceived as potentially affecting the individual's independence or objectivity in performing the Bond Program Monitor services described in the RFP Documents.