



Champions For Our Children

January 12, 2009

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EXECUTIVE DIRECTOR

Evelyn V. Martinez

750 N. Alameda Street
Suite 300
Los Angeles, CA 90012
PH: 213.482.5902
FAX: 213.482.5903
www.first5la.org
contact@first5la.org

Dear Water Agency:

First 5 LA is issuing this Request for Proposal (RFP) to qualified water agencies interested in working with First 5 LA staff and Commission to implement the Oral Health Community Development (OHCD) Project.

First 5 LA's OHCD Project is based upon the Commission's priority to improve children's oral health across LA County. At the September 2007 Commission meeting, the First 5 LA Commission approved the OHCD Project which aims to prevent dental decay in children through community water fluoridation and related public education and advocacy activities. First 5 LA is seeking proposals from eligible water agencies throughout the county ready to implement fluoridation infrastructure projects for their service delivery area. Please refer to the attached RFP for all proposal requirements.

In response to this RFP, water agencies must complete and submit their proposal and all required documents to First 5 LA. Please submit one (1) original and five (5) copies of the proposal, including all required attachments and appendices to:

Evelyn V. Martinez, Executive Director
First 5 LA
750 N Alameda Street, Suite 300
Los Angeles, CA 90012

Attention: Oral Health Community Development Project

The RFP is open and available continuously on a competitive, first-come-first-serve-basis contingent upon availability of funds. For eligible water agencies, funding is also available, if needed, for preparation of preliminary cost estimate reports required for the proposals. Please see the accompanying Request for Proposal- Preliminary Cost Estimate Report Funding.

Faxed or e-mailed submissions will not be accepted. For additional information or further questions, please send an e-mail to: Lucy Lin, Program Officer, at OHCD@first5la.org. Thank you for your continued commitment to children and families and your support of the vision and mission of First 5 LA.

Sincerely,

Evelyn V. Martinez
Executive Director

**FIRST 5 LA
ORAL HEALTH COMMUNITY DEVELOPMENT PROJECT**

**REQUEST FOR PROPOSAL
TABLE OF CONTENTS**

I. BACKGROUND	1
A. FIRST 5 LA.....	1
B. COMMUNITY WATER FLUORIDATION: A PUBLIC HEALTH MEASURE	1
II. ORAL HEALTH COMMUNITY DEVELOPMENT PROJECT	2
III. ELIGIBILITY	3
IV. PROPOSAL CONTENT	4
A. DESCRIPTION OF THE WATER AGENCY	4
B. DESCRIPTION OF STAFF AND QUALIFICATIONS	4
C. DESCRIPTION OF SERVICE AREA AND TARGET POPULATION	4
D. DESCRIPTION OF THE PROJECT	5
E. SUSTAINABILITY OF PROJECT	7
F. EVALUATION OF PROJECT	7
G. SCOPE OF WORK	7
H. PROJECT PRELIMINARY COST ESTIMATE REPORT.....	7
I. BUDGET	8
V. REVIEW PROCESS, CRITERIA, AND TIMELINE	9
A. PROPOSAL PROCESS AND CRITERIA.....	9
B. TIMELINE	10
VI. SUBMISSION GUIDELINES	11
A. GUIDELINES	11
B. PROPOSAL PACKAGE	11
VII. TERMS AND CONDITIONS.....	13
VIII. APPENDICES	16

I. BACKGROUND

A. FIRST 5 LA

In 1998, California voters passed a statewide ballot initiative Proposition 10: The California Children and Families First Act of 1998. Effective January 1, 1999, Proposition 10 added a 50-cent tax on all tobacco products for the purpose of promoting, supporting, and improving the early development of children from the prenatal stage through age five. The resulting tax revenues were earmarked for the creation of a comprehensive system of information and services to advance early childhood development and school readiness within each county in California. In Los Angeles County, First 5 LA was formed as a public entity to develop and oversee various early childhood initiatives and to manage the funding from Proposition 10 (<http://www.first5la.org/>). To address the needs of underserved communities, the Commission in 2004 adopted The *Next Five* Strategic Plan (FY 2004-2009), focusing on the goal areas of Early Learning, Health, and Safety.

B. COMMUNITY WATER FLUORIDATION: A PUBLIC HEALTH MEASURE

Fluoride is a naturally occurring mineral in most water supplies that, if at optimal levels, can help to maintain dental tissue development and dental enamel resistance during a person's entire life span. Water fluoridation is the most effective public health measure for the prevention of dental decay, demonstrating benefits to people of all ages. This is primarily due to the universal reach of water supplies to all communities.

The prenatal stage through age five is a critical period of tooth formation and development. Oral health, with respect to tooth formation and development, begins in the prenatal stage. The best tooth decay protection is achieved if fluoride is consumed from birth; moreover, 85% of the maximum protection is achieved if fluoride consumption starts between ages three and four.¹ Widespread use of fluoride has been a major factor in the decline in the prevalence and severity of tooth decay in the United States.

California law (AB 733, signed into law in 1995) requires all public water systems with 10,000 or more service connections to fluoridate their systems, provided that funding for the project costs come from a source other than the water system's own usual funding sources. AB 733 was proposed as part of the U.S. Public Health Service's national campaign to "increase the proportion of the U.S. population served by community water systems with optimally fluoridated water" to a target of 75% by the turn of the century² with an ultimate goal to decrease dental caries which will create a potential cost-savings to taxpayers of approximately \$80 million annually.³ Nationally, California ranked in the bottom 25% in providing optimally fluoridated water to its residents and only 27.7% of California's population receives optimally fluoridated water.

¹ Ripa LA. A Half-Century of Community Water Fluoridation in the United States: Review and Commentary. J Public Health Dent 1993; 53(1): 17-44.

² Subsequently, the Centers for Disease Control and Prevention (CDC) promulgated Healthy People 2010.

³ Senate Committee Staff Analysis of the background of the bill as amended on June 14, 1995: projected cost savings to tax payers is approximately \$80 million with cumulative effects of \$160 million annually.

In 2006, the Dental Health Foundation, with support from First 5 California, released a report titled, “Mommy, It Hurts to Chew.” This report includes key survey findings as well as recommendations for an approach to reduce the impact of dental disease on children, families, and public systems in California. One of its key recommendations for actions to be taken is to “increase financial support for capital, operations and maintenance costs of community water fluoridation.”⁴ This report contributed to First 5 LA’s growing interest in investing in activities to improve the oral health of children from the prenatal stage through age five.

II. ORAL HEALTH COMMUNITY DEVELOPMENT PROJECT

At the September 2007 Commission meeting, the board approved the \$20 million Oral Health Community Development (OHCD) Project that aims to prevent dental decay in children through community water fluoridation and related public education and advocacy activities. (First 5 LA’s OHCD Project September 2007 Board Memo and Report for further background information can be accessed on First 5 LA’s website, www.first5la.org.) First 5 LA’s OHCD Project is based upon the Commission’s priority to improve children’s oral health. All OHCD Project activities funded by First 5 LA will support First 5 LA’s strategic plan efforts

The primary focus of the OHCD Project is to fund water fluoridation infrastructure equipment construction and related public education activities to improve the oral health of children in LA County from the prenatal stage through age five. This goal includes objectives to increase the percentage of children from the prenatal stage through age five who have access to community water sources that are optimally fluoridated and the percentage of children who consume optimally fluoridated water in LA County.

First 5 LA is seeking proposals from eligible water agencies with a level of readiness and technically prepared to construct water fluoridation infrastructure equipment in order to increase the number of people in their service area who will receive optimally fluoridated water. The OHCD funds must build on existing efforts and interest in community water fluoridation. The current available leveraging opportunities are a driving force behind the OHCD Project. In line with the Commission’s desire to maximize its investments by working with other partners on strategic leveraging opportunities, the OHCD Project seeks to optimize concurrent fluoridation efforts by Metropolitan Water District (MWD) to further increase the supply of optimally fluoridated water in LA County.

The OHCD Project activities are one-time costs and will be available continuously on a competitive, first-come-first-serve-basis contingent upon availability of funds. Contracts funded under the OHCD Project will not exceed \$1 million per contract. Water agencies who want to invest in construction of water fluoridation systems must assess feasibility and receive formal support from the municipalities that will receive the optimally fluoridated water as a result of the proposed Project. Water agencies may need to build their level of readiness through a number of other activities such as implementing a community building process to establish support for an OHCD Project across a range of stakeholders. The Commission requires water agencies to sustain the Project through continued fluoridation of water and public education.

⁴ “Mommy, It Hurts to Chew: The California Survey and an Oral Health Assessment of California’s Kindergarten and 3rd Grade Children” by the Dental Health Foundation, February 2006.

III. ELIGIBILITY

“Water agency” refers to any entity considered to own and operate a public water system providing water to consumers in LA County. Only water agencies/ systems meeting the following threshold criteria are eligible to submit a proposal requesting OHCD Project funding to optimally fluoridate its community drinking water:

- (1) Water agency’s service area that will receive optimally fluoridated water as a result of funding from First 5 LA must be within LA County;
- (2) Water agency must demonstrate a level of readiness by demonstrating public will through formal support by municipalities that will receive optimally fluoridated water by water agency’s proposed Project;
- (3) At minimum, 5% of the population in the service area that will receive optimally fluoridated water identified in this proposal is age zero through five.

Water agencies must address these requirements by completing Appendix C: Verification of Eligibility. **Water agencies are strongly encouraged to request and attend an information meeting with First 5 LA staff prior to preparing the proposal.**

IV. PROPOSAL CONTENT

Water agencies submitting a proposal for OHCD Project funding must review the following instructions and provide the proposal items listed below. Water agency's proposal must use exact headings and subheadings. The proposal cannot exceed twenty (20) pages total, not including appendices and required attachments to the proposal.

A. DESCRIPTION OF THE WATER AGENCY

Briefly describe the water agency and any other organizations overseeing and/or administering the proposed Project. Describe administrative and fiscal experience that demonstrates the capacity of the water agency and/or organization that will provide administrative services for the proposed Project. Describe the water agency's role in relation to the proposed Project.

B. DESCRIPTION OF PROJECT STAFF AND QUALIFICATIONS

Water agencies must identify all staff who will work on this Project, including the organization they represent, their titles, and each person's role, responsibilities, and expertise as it relates to this Project. Include resumes of key Project staff. The person(s) who will have the primary responsibility of coordinating the Project must be identified. Highlight staff experience on other relevant projects similar to the one described in this RFP. If the water agency intends to hire new staff, include job qualifications and job description in the Appendices of the proposal. Describe the process that will be used to manage the human resources of the Project, including coordinating work and training of staff, subcontractors, and other consultants. Water agencies must provide an organization chart of the proposed Project.

Agencies proposing to subcontract work in order to provide needed skills or services for the proposed Project need to provide key qualifications of subcontractor(s) and specify activities they will conduct to ensure Project success.⁵ Specify the role of each subcontractor on the team as well as the anticipated level of commitment. For example, provide the percentage of time and/or number of days to be committed by the subcontractors. Describe the water agency's past experience in working with subcontractors.

C. DESCRIPTION OF THE SERVICE AREA AND TARGET POPULATION

Briefly describe the proposed service area that will receive optimally fluoridated water as a result of this Project. Include the following information:

- Cities, neighborhood, street boundaries, zip codes, and/or census tract(s);
- Provide a map illustrating the above descriptor of the service area in the Appendices of the proposal;
- Size and demographics of the population in the proposed service area including the estimated number of children ages zero through five based on the most recent data available at the time of submission of this proposal;⁶ and
- Water agency must provide the source(s) of the data listed above.

⁵ Subcontractors include individuals and/or organizations, including consultants and construction contractors, who will be paid by this Project.

⁶ Possible sources of data include, but are not limited to, www.healthycity.org.

Provide documentation dating no earlier than twelve (12) months before the submission date of this proposal that municipality(ies) receiving optimally fluoridated water from the proposed Project has expressed **formal** support to receive optimally fluoridated water. Such formal support may be in the form of an approved resolution. Note that water agencies must provide this formal support from municipalities as one of the requirements identified in Section III: Eligibility.

D. DESCRIPTION OF THE PROJECT

Objectives

Provide a Project statement that addresses intended goal/desired result(s) of the proposed Project as it relates to public health benefits. Also, address the water agency's commitment to leveraging other resources for this Project and briefly describe specific leveraging activities. For example, describe how OHCD funding will be utilized with other resources, if any, to achieve the Project goals.

A list of Project activities are set forth below. The activities described under each category are not intended to be a complete list as there may be other requirements and deliverables to be determined by First 5 LA Commission and staff.

Service Connections

Provide information about the following items:

- Number of service connections water agency has at the time of submission of this proposal;
- The number of service connections proposed through this Project to receive optimally fluoridated water as a result of First 5 LA funding;
- Each water supply source and its water production quantity delivered to the proposed service area and outside of the service area;
- Each water supply source or water facility that will be modified or supplemented by the proposed Project;
- Engineering design, including plans, specifications, bidding documents, etc;
- Construction management, such as, bidding, contracting, inspection, change orders, testing, and final acceptance;
- Process for each fluoridation system that will be implemented in order to meet the criteria set forth in Title 22, Section 64433.5 of the California Code of Regulations;
- The type of fluoridation equipment to be installed at the Project's sites and plan for installing fluoridation equipment at each of the proposed Project water agency sites; and
- The chemical delivery control method selected for this Project and the reasons for this method of delivery control. For example, proportional flow or constant flow

Chemicals

Provide information about the following items:

- The fluoridation requirements of the proposed Project based on water chemistry, proposed service area, climate, water production quantities, available fluoridation chemicals and other relevant factors that affect the recommended fluoride chemical, the amounts and modes of chemical use, delivery, and storage; and
- The chemicals to be used to fluoridate water under this Project.

Permits

Provide information about the following items:

- Estimated time needed to complete the permitting process with the California Department of Public Health, Division of Drinking Water and Environmental Management (DDWEM);
- A plan of action to obtain all necessary permit(s) in a timely manner after OHCD Project funding is provided; and
- A plan of action to ensure that all engineering design, facilities, equipment, process and procedures comply with all state, county and city requirements. For example, requirements or regulations from the DDWEM, city department of Building and Safety, local fire departments.

Safety and Security

Provide information about the following items:

- The plan to provide appropriate training, including safety training, for all staff who will directly access or service the fluoridation equipment;
- The plan to provide appropriate protective safety equipment for staff;
- The plan for providing safety and security measures and devices to protect public health and assure proper Project operation;
- Plan for installation of an emergency shower/eyewash station at proposed Project site(s) that do not currently have this safety equipment; and
- Plan for compliance with all safety and health requirements set forth by state, county and local governments, including, but not limited to, completing and obtaining approval of an Operations Contingency Plan from the DDWEM.

Public Education

Water agency must comply with all California Code of Regulations requirements regarding notification of water systems fluoridation (California Code of Regulations, Title 22, Division 4, Chapter 15, Article 4, Section 64433.7(c)). In addition, water agency must add distribution results of fluoride to their annual Consumer Confidence Report.

Water agency must also comply with public education requirements set by First 5 LA. The water agency will be required to inform its consumers and the healthcare providers in its service area regarding:

- The levels of fluoride in its community drinking water;
- The effects of consuming optimally fluoridated water; and
- Fluoride's role in effective prevention of tooth decay, particularly in children prenatal stage through age five.

Water agency must commit to ongoing public education costs for the duration of the Project implementation. All public education efforts shall be in multiple languages as appropriate for the consumers served. Provide a plan of how the water agency will comply with the requirements listed above. Describe all funds which will be leveraged to fulfill this commitment to educate the public.

Eligible water agencies can request additional funding for initial public education efforts that will *supplement* their public education campaign. Those water agencies interested in applying for supplemental public education funding must submit Appendix H: Request for Public Education Funding.

E. SUSTAINABILITY OF PROJECT

Water agency must commit to pay all Operations and Maintenance (O&M) costs and public education costs for the duration of the Project. (Water Agency must complete and submit Appendix K: Written Commitment to Pay Project Operations and Maintenance Costs.) Water agencies must describe, at minimum, the projected duration of their Project once construction is completed. For example, water agency must specify whether the project is a 20 or 30 year Project. The water agency's plans for sustaining community water fluoridation and public education efforts for the duration of the Project implementation must be identified in this proposal. Water agencies must describe other resources, cash or in-kind, that has been or will be secured for this Project other than the funds requested in this proposal. Provide the intended use of these other resources to further the public education efforts by the water agency.

F. EVALUATION OF PROJECT

The Commission will require all water agencies with successful proposals to work with the Commission's evaluation team on selecting the appropriate performance measures and providing data and other information required. Successful water agencies will also participate in other evaluation activities, as the Commission and/or its evaluator deem necessary. Water agencies must state their willingness to participate in evaluation activities in their proposal. Water agencies who submit successful proposals will be contacted by Commission staff to develop an appropriate evaluation plan based on the approved Project.

G. SCOPE OF WORK

Water agency(ies) who receive First 5 LA OHCD Project funds must complete the construction of fluoridation equipment and begin fluoridation within two years from the date of receiving First 5 LA OHCD Project funds. Water agencies must list the objectives, deliverables, and sequence of tasks and/or activities to be completed in a Project timeline within Appendix D: Scope of Work. The Scope of Work must detail activities and expected dates of activities arising from Section IV B, D, and G of this RFP as well as activities occurring prior to construction. For example, the agency must provide specific dates on which subcontracts are executed and projected dates for obtaining required permits.

The proposal must include a completed Appendix D: Scope of Work. If you are proposing a multi-year Project, show the Scope of Work by fiscal years. For the purposes of this RFP, a fiscal year is defined as the period of time beginning July 1 ending June 30 of the following year. For example, July 1, 2007 through June 30, 2008. The Scope of Work will be the basis of contract negotiations if the proposal is recommended for funding. The Commission expressly reserves the right to negotiate changes to the proposal's Scope of Work and Budget.

H. PROJECT PRELIMINARY COST ESTIMATE REPORT

The proposal must include a completed Appendix I: Project Preliminary Cost Estimate Report. The Project Preliminary Cost Estimate Report must be prepared under the direction of a professional engineer who is licensed by the State of California and is experienced in the planning and engineering of public water supply systems, including the design of community water fluoridation systems. [If your agency does not employ a professional engineer on a full-time basis, the agency may be eligible to seek additional

funding for the cost of preparing the Preliminary Cost Estimate Report.] The Project Preliminary Cost Estimate Report must have been prepared no earlier than twelve (12) months prior to the submission of this OHCD Project proposal. Actual Project cost(s) over and above an approved OHCD Project budget will be the financial responsibility of the water agency and not of First 5 LA.

I. BUDGET

Budget Request Forms

Selected water agencies will be funded from the OHCD Project allocation of \$20 Million. Water agency must develop budgets that are in line with common business practices to ensure the success of the Project. Water agency must complete the required line items in Appendix E: Budget Request Forms. The Budget Request Forms may be expanded to provide additional line items or space for clarification. (The Budget Request Forms will not be included as part of the twenty (20) page proposal maximum.) Use Appendix E: Budget Request Forms to create a separate budget(s) for each of the water agency's subcontractors, if any.

Budget Narrative

Complete a separate Budget Narrative and include in the Appendices of the proposal that shows the purpose and amount of requested funds, describes Project financing, including management cash flow, and provides justification for each line item in the budget. In the Budget Narrative also describe other resources, cash or in-kind, that has been secured or will be for this Project other than the funds requested in this proposal. Also, include the number of service connections, the estimated number of people to be served by this Project, and the cost per service connection. Briefly state the estimated Project's installation costs and annual O&M costs to provide optimally fluoridated water within the proposed service delivery area. **The Budget Narrative is not included in the maximum 20 page proposal limit.**

Consistent with the intent of the Proposition 10: California Children and Families Act of 1998, no monies for this Project may be used to supplant Federal, state, county and/or other monies available to the water agency for any purpose. Activities funded under this proposal must be new or enhancements to existing activities.

V. REVIEW PROCESS, CRITERIA, AND TIMELINE

A. REVIEW PROCESS AND CRITERIA

First 5 LA staff will review each proposal to ensure that threshold criteria (please refer to Section III: Eligibility) was met to determine if the water agency is eligible to submit a proposal for OHCD Project funding.

The water agency(ies) will be selected through a review process and this process includes a review panel. The review process may involve an interview and/ or site visit. Proposals that are incomplete or do not meet the minimum requirements are subject to disqualification. All decisions of First 5 LA are final. An appeal process will not be available. First 5 LA will provide water agencies that were not selected for funding with general feedback.

The following represents the selection criteria that will be considered during the review process:

- The appropriateness and measurability of the selected Project goals;
- The service area and target population;
- The appropriateness and thoroughness of the Project design, construction, and safety plans;
- The demonstrated capacity for Project implementation and management;
- The level of support for project from stakeholders;
- The appropriateness of the plan(s) for legal compliance;
- The appropriateness of leveraging efforts identified;
- Feasibility of plans for Project sustainability;
- The appropriateness of funds requested based on the Project activities;
- The demonstrated knowledge and understanding of the issues and policy environment surrounding community water fluoridation in Los Angeles County.

First 5 LA seeks to effectively integrate its initiatives to build off of the infrastructure established through previous Commission investments and existing community strengths/assets by coordinating efforts in the following Priority Areas identified by First 5 LA: Baldwin Park, Bell, El Monte, Hawthorne, Huntington Park, Lancaster, La Puente, Lynwood, Panorama City, South Gate, South LA, and Long Beach. Thus, increased funding priority will be provided to water agencies proposing to provide optimally fluoridated water through this Project to these Priority Areas. Increased priority will also be provided to water agencies blending water with MWD water.

B. TIMELINE

The RFP process will operate along the following timeline: (Note: First 5 LA reserves the right to modify the stated schedule of events at any time.)

Date	Activity
January 12, 2009	Release of RFP
Dates to be determined	Information Meetings- Dates, Times, and Locations to be determined as requested by water agencies*
45 days from date the proposal is received	Notify Selected Contractors of Final Decisions
7 days from the date of the notification of final decision	Contract Negotiations Begin
90 days from the date contract negotiations began	Contract Begins

*** Water agencies are strongly encouraged to request and attend an information meeting with First 5 LA staff prior to preparing the proposal.**

[Note: For agencies applying for preliminary cost estimate report funding, please see the accompanying RFP for OHCD Preliminary Cost Estimate Report Funding and the timeline included therein.]

VI. SUBMISSION GUIDELINES

Upon release of this RFP, funding is available on a competitive first-come-first-serve basis contingent upon the availability of funds. Water agencies interested in submitting a proposal for OHCD Project funding can attend a First 5 LA OHCD Project RFP Information Meeting. The meeting will provide information about the RFP and the RFP process and staff will be available to answer questions related to the OHCD Project.

The costs of developing the proposal are entirely the responsibility of the water agency submitting this proposal and cannot be charged to the Commission or included in the proposed budget. The Commission is prohibited from funding any services that were performed and/or paid for prior to an agreement approved by the Commission.

Water agencies interested in submitting a proposal for OHCD Project funding must follow the following guidelines

A. GUIDELINES

Proposals must adhere to the following guidelines in order to be considered:

- Use only 8 ½” by 11”, white paper;
- Times New Roman font, no less than 12-point;
- Single sided only;
- Clip all copies of the proposal. All pages and page numbers, excluding appendices, must be numbered sequentially with the name of the water agency at the top of each page;
- Provide a table of contents with page numbers for the proposal;
- The descriptive proposal content must not exceed twenty (20) pages total, not including appendices and required documents;
- The proposal material must not be bound, although a heavy clasp or thick rubber band is acceptable. Expensive binding, colored displays, promotional materials, etc., are not necessary or desired. Do not use binders;
- **One (1) original plus five (5) copies** of the full proposal (including all appendices) must be submitted; and
- All original forms and appendices that require **signatures must be signed in blue ink** for the original proposal package. Signature stamps are not acceptable. The five additional copies may include photocopied signatures.

B. PROPOSAL PACKAGE

A complete proposal package must consist of the items identified below. For a proposal to be eligible for review, all required appendices must be submitted. Complete the Appendix B: Proposal Package Checklist to confirm all the required items are included. The following documents are to be included in the order listed below:

- Appendix A: Proposal Cover Sheet
- Appendix B: Proposal Package Checklist
- Table of Contents*
- Proposal Content *
- Appendix C: Verification of Eligibility
- Organization Chart*

- Resumes of key Project staff, subcontractor(s) and consultant(s)*
- Map of the service area illustrating the Proposal Content, Description of Service Area, and Target Population*
- Appendix D: Scope of Work
- Appendix E: Instructions for Budget Forms and Budget Request Forms
- Budget Narrative*
- Appendix G: Agency Involvement in Litigation and/or Contract Compliance Difficulties
- Appendix H: Request for Public Education Funding (if applicable)
- Appendix I: Project Preliminary Cost Estimate Report
- Appendix J: Signature Authorization Form
- Appendix K: Written Commitment to Pay Project Operations and Maintenance Costs
- Proof of nonprofit status and/or appropriate business license*
- Municipal approval*
- Current Audited Financials*
- By-Laws⁷ *
- Articles of Incorporation⁸ (if applicable)*
- List of Governing Body Members *

* No First 5 LA format is required. Water agencies may submit existing documents or records.

Submit one (1) original and five (5) copies of the proposal, including all required attachments and appendices to:

Evelyn V. Martinez, Executive Director
First 5 LA
750 N Alameda Street, Suite 300
Los Angeles, CA 90012
Attention: Oral Health Community Development Project

⁷ This is required in order to verify signature authority to submit application and to enter into legal agreement. If signature authority is not identified in the By-laws, a Board Resolution or Partnership Agreement should be submitted, as applicable, that indicates signature authority.

⁸ A business license from the jurisdiction where the organization operates should be submitted instead of Articles of Incorporation for Partnerships, Limited Liability Partnerships and Sole Proprietorships.

VII. TERMS AND CONDITIONS

Specific contractual considerations, including but not limited to the following, apply to RFQ/RFP submission process and project implementation and to any contracts that result from the submission and implementation of the project/proposal. The contractor will need to comply with all of the provisions in the attached sample contract (See Sample Contract).

A. *Conflict of Interest*

The selected Contractor will be required to comply with the Commission's Conflict of Interest provisions, as outlined in the contract, and as applicable under California Law. CONTRACTOR acknowledges that he/she/it is acting as public official pursuant to the Contract and shall therefore avoid undertaking any activity or accepting any payment, employment or gift from any third party that could create a legal conflict of interest or the appearance of any such conflict. A conflict of interest exists when one has the opportunity to advance or protect one's own interest or private interest of others, with whom one has a relationship, in a way that is detrimental to the interest, or potentially harmful for the integrity or fundamental mission of the Commission. CONTRACTOR shall maintain the confidentiality of any confidential information obtained from the COMMISSION during the Contract and shall not use such information for personal or commercial gain outside the Contract. By agreeing to the Contract and accepting financial compensation for services rendered hereunder, CONTRACTOR agrees that he/she/it will not subsequently solicit or accept employment or compensation under any program, grant or service that results from or arises out of the funded project and related initiative(s). During the term of the Contract and for one year thereafter, CONTRACTOR will not knowingly solicit or accept employment and/or compensation from any COMMISSION collaborator or CONTRACTOR without the prior written consent of the COMMISSION.

B. *Compliance*

Current/Former grantees and/or contractors must be in good standing and in compliance with all aspects of their contract with the COMMISSION in order to be eligible to apply for the current Request for Proposals (RFP) and Request for Qualifications (RFQ) /BIDS/LOI's. COMMISSION may deem an applicant ineligible if it finds in its reasonable discretion, that applicant has done any of the following, including but not limited to: (1) violated any significant terms or conditions of Grant Agreement/Contract; (2) committed any act or omission which negatively reflects on Applicant's quality, fitness or capacity to perform services listed in RFP/RFQ with COMMISSION or any other public entity, or engaged in a pattern or practice which negatively reflects on the same; (3) committed an act or offense which indicates a lack of business integrity or business dishonesty; or (4) made or submitted a false claim against COMMISSION or any other public entity.

C. *Contract Information*

1. The Commission may, at its sole discretion, reject any or all submissions in response to this RFQ/ RFP. The Commission also reserves the right to cancel this RFQ/ RFP, at its sole discretion, at any time before execution of a contract. The Commission shall not be liable for any costs incurred in connection with the preparation of any submissions in response to this RFQ/RFP. Any cover letters, résumés and/or curriculum vita, including

attached materials, submitted in response to this RFQ/RFP shall become property of the Commission and subject to public disclosure.

2. The agency/organization submitting an application agrees that by submitting an application it authorizes the Commission to verify any or all information and/or references given in the application.
3. The Commission reserves the right, after contract award, to amend the resulting contract, scope of work, and any other Exhibits as needed throughout the term of the contract to best meet the needs of all parties.
4. The Commission reserves the right to request additional financial information to verify applicant's past and current financial status. This information includes, but is not limited to: the most recent independent audit ending Calendar Year 2007 or Fiscal Year June 30, 2007 or applicant's year end date, Cash Flow Statement, Statement of Activities (Income Statement), and Statement of Financial Position (Balance Sheet).
5. Consistent with the intent of Proposition 10: California Children and Families Act of 1998, no monies for this Project may be used to supplant Federal, state, County and/or other monies available to the organization for any purpose. Activities funded under this proposal must be new or enhancements to existing activities.
6. The award of a contract by the Commission to an individual/agency/organization that proposes to use subcontractors for the performance of work under the contract resulting from this application process shall not be interpreted to limit the Commission's right to approve subcontractors, assemble teams and/or assign leads. Each applicant will be evaluated independently for added value to the overall team. A copy of executed subcontract(s) related to Program funding must be provided to the Commission.
7. The selected Contractor will be required to sign the contract at least two (2) weeks prior to the intended start date of the contract, as outlined in Term of Contract section of contract, to assure the timely completion of the signature process by all parties. If the contract is not signed prior to the intended start date, the commencement of any activities under the Exhibit A – Scope of Work will not begin until the contract execution date (the date all parties have signed the contract) and Contractor will not be eligible to obtain reimbursement for any costs incurred prior to the contract execution date, unless otherwise approved by the Commission. If this Contract is not signed within the thirty-day (30) period from the intended start date, the Commission has the right to withdraw the contract award. Any agreed upon changes to the intended start date must be confirmed in writing by both parties.
8. Unless otherwise submitted during the application (RFQ, RFP, etc.) process, the selected Contractor will be required to submit the required documentation listed on the Contractor Checklist, which includes, but not limited to, the following documents before the Contract can be fully executed:
 - Agency Involvement in Litigation and/or Contract Compliance Difficulties Form
 - By-laws (if applicable)
 - Articles of Incorporation (if applicable)
 - Board of Directors or List of Partners (as applicable)
 - Signature Authorization Form

- Form RRF-1 (required and filed annually with the California Attorney General's Registry of Charitable Trusts) and IRS Form 990 (if applicable)
 - Annual Independent Audit for prior fiscal year or calendar year (if applicable)
 - Single Source Audit (if applicable)
 - Appropriate business licenses (for vendors or private organizations)
 - IRS Letter of Determination (if applicable) or completed IRS Form W-9
 - Memorandums of Understanding (for any sub-contractors, collaborators, and/or partners listed under Contracted Services and Evaluation sections of Exhibit B – Budget Forms)
 - Certificates of Insurance for all insurance requirements outlined in the contract.
9. Per the Commission's Policy and Guidelines for Hiring Consultants (Section 7), the total composite rate for a Consultant may not exceed \$150 an hour. This means that the total cost of billable hours associated with a contract divided by the total number of hours billed must be equal to or less than \$150. A blended rate is allowable. For example, for a contract totaling \$150,000, a consultant may bill 500 hours for Consultant A at \$200/hour, and 500 hours for Consultant B at \$100/hour, with a total composite rate of \$150/hour (1,000 total hours divided by \$150,000 in billable hours = \$150/hour).
10. The sample contract and contracting requirements are attached (See Sample Contract). If successful, the Contractor will be required to meet all of the terms and provisions set forth in these documents and within the timeframe identified.

VIII. APPENDICES

APPENDIX A: Proposal Cover Page

APPENDIX B: Proposal Package Checklist

APPENDIX C: Verification of Eligibility

APPENDIX D: Scope of Work

APPENDIX E: Instructions for Budget Forms and Budget Request Forms

APPENDIX F: Sample Contract

APPENDIX G: Agency Involvement in Litigation and/or Contract Compliance Difficulties

APPENDIX H Request for Public Education Funding (If applicable)

APPENDIX I: Project Preliminary Cost Estimate Report

APPENDIX J: Signature Authorization Form

APPENDIX K: Written Commitment to Pay Project Operations and Maintenance Costs