Healthy Food Access Initiative: Community Gardens Project Administrator Request for Proposals (RFP)
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I. TIMELINE FOR SELECTION PROCESS

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<th>ACTIVITY</th>
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<tr>
<td>RFP Released</td>
<td>August 29, 2011</td>
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<tr>
<td>Teleconference/Webinar Information Session</td>
<td>September 13, 2011</td>
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<td>Final date to submit questions and requests for additional</td>
<td>September 19, 2011</td>
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<td>Due Date for Proposals:</td>
<td>September 30, 2011</td>
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<td>• Online applications plus all forms</td>
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<td>• One (1) original and signed copy of First 5 LA’s “Signature</td>
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<td>work samples, sent or delivered to First 5 LA</td>
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<td>Review of Applications</td>
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<td>Interviews/Site Visits of Qualified Applicants:</td>
<td>Week of October 24th</td>
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<td>Award Announcement</td>
<td>Week of November 1st</td>
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<td>Contract Negotiations Begin:</td>
<td>November 1-30, 2011</td>
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All questions and requests for additional information regarding this RFP must be received in writing by First 5 LA via mail, fax, or email before 5 p.m. on Monday, September 19, 2011. First 5 LA reserves the sole right to determine the timing and content of the responses to all questions and requests for additional information.

Questions and information requests can be submitted to:

Juan Aquino, Program Officer  
First 5 LA  
750 N. Alameda Street, Suite 300  
Los Angeles, CA 90012

Phone: 213.482.7828  
Fax: 213.482.5903  
E-mail: jaquino@first5la.org

¹ Note: While it is First 5 LA’s desire to execute the Contract for a January 2, 2012 start date, all dates are subject to change at First 5 LA’s sole discretion.
II. BACKGROUND

A. ABOUT FIRST 5 LA – “CHAMPIONS FOR OUR CHILDREN”

In 1998, California voters passed Proposition 10, which levied a 50-cent per pack tax on all tobacco products. 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). First 5 LA champions health, education, and safety issues benefiting young children and families. Since 1998, First 5 LA has invested $800 million to support initiatives in all three of its goal areas.

B. FIRST 5 LA’S STRATEGIC PLAN (2009–2015)

In June 2009, First 5 LA’s Board of Commissioners adopted a new strategic plan to guide its investments through June 2015. The adoption of this plan titled, “Strengthening Families and Communities in L.A. County,” marked a significant evolution in First 5 LA’s approach to grant-making by committing a sizeable portion of funding to improving the well-being of children in specific geographic communities throughout the County. We believe, and research confirms, that children thrive when they live in safe and supportive families and neighborhoods. This place-based approach allows the Commission to concentrate limited resources in areas of high need and to sustain those efforts over time. The adoption of the new Strategic Plan will allow First 5 LA to continue focusing on strengthening families while deepening our commitment to fostering a communities’ ability to create and sustain safe and nurturing places for children to grow. The Commission has established four specific outcomes it seeks for young children as part of the new Strategic Plan. These four long-term goals strive to ensure that:

- Children are born healthy
- Children maintain a healthy weight
- Children are safe from abuse and neglect
- Children are ready for kindergarten

All of our place-based investments will be focused on changing outcomes in one of these areas.

First 5 LA has recently completed a data-driven and research intensive process to identify the 14 communities which can benefit the most from First 5 LA’s place-based investments. The primary consideration in community selection is community need as measured by incidences of low birth weight, low-performing schools, poverty, reports of child abuse and neglect, and other commonly recognized factors that put children at reach. For more information about the community selection process, visit the First 5 LA website at www.first5la.org/articles/strategic-plan-community-selection-principles.

In addition, a concurrent countywide approach will focus on integrating children and family service delivery systems, policy change, public education, workforce development and other strategies that improve the health, safety and early education of all children in the county.
The Healthy Food Access Initiative was approved by the Commission in November of 2010 with a total allocation of up to $7.5 million dollars over five years. Of the total amount allocated, $5 million is for the construction of community gardens (which includes start-up costs and ongoing maintenance and operations) and $2.5 million is for the expansion of a “veggie voucher” program.

The Healthy Food Access Initiative is intended to increase families’ access to fresh fruits and vegetables by:

- Providing grants to non-profits, community-based and educational organizations to construct, operate and/or maintain local community gardens for low-income children and their families
- Provide grants to non-profit and community-based organizations that promote the purchase of healthy fruits and vegetables for low-income children through a “veggie voucher” subsidy

Community gardens are designed to provide communities with the opportunity to develop the infrastructure to grow and consume fruits and vegetables in an effort to support obesity prevention, increase food security, provide physical activity and support community cohesion. The proposal includes complementary nutritional education for families that would support obesity prevention strategies. Funding the development of community gardens within known “food deserts” across the county could serve as one valuable approach at addressing the obesity epidemic, increasing food security for low-income families, and fostering community capacity building. First 5 LA would like to expand the current efforts by the county and various community-based nonprofits that have provided momentum for the development of community gardens countywide.

To further promote healthy eating habits, the Commission also approved a $2.5 million dollar investment into a veggie voucher program, such as WIC’s (Women, Infants and Children) Farmers’ Market Nutrition Program. Fruit and vegetable vouchers have been introduced through WIC and various community-based activities to encourage low-income families to purchase healthier food options. Through the WIC Farmers’ Market Nutrition Program, for example, California currently operates the largest program in the nation. Each eligible family receives a total of $20 in vouchers to purchase fresh fruits and vegetables at WIC-approved certified Farmers’ Markets in California during May through November.

The development of community gardens and provision of food vouchers can have a direct impact on the food security and healthy food choices for families. Additionally, community gardens can improve the quality of life for communities. According to the National Gardening Association, the average six hundred foot food garden can produce an estimated 300 pounds of fresh produce per season worth $600 (at $2 per pound) and can create a return of $530 based on an average investment of $70. (National Gardening Association, The Impact of Home and Community Gardening In America, 2009). To be effective, the community gardening strategy must actively engage parents of children, birth to five. To do so, programmatic activities will be considered to ensure parent and child participation.
The Healthy Food Access Initiative directly supports First 5 LA’s priority outcomes: Children are Born Healthy and Children Maintain a Healthy Weight. Additionally, by supporting increased food security for families, this proposal also supports the Family Strengthening component of the strategic plan by assisting families build protective capacities.

D. PROJECT DESCRIPTION: A THREE PHASE APPROACH

This request for proposals (“RFP”) is solely for the implementation of the community gardens component. This RFP will provide funding to a project administrator that has the capacity to 1) identify sites and community partners for the construction of community gardens across LA County (Phase I); 2) work with community partners to ensure that programmatic activities that engage 0-5 children and their parents are being implemented at the new community garden sites (Phase II); 3) provide technical assistance and maintenance support to the constructed community gardens, work with First 5 LA staff to ensure the sustainability of this effort in terms of resources and policy change, and incorporate an evaluation plan to measure how the community gardens are helping reduce 0-5 obesity rates (Phase III).

The highest scoring proposal will be awarded not to exceed $5 million over five years to cover the cost of implementing all phases of this project which includes garden construction, ongoing maintenance, and program implementation in addition to any overhead costs that the project administrator might incur. Only one project administrator will be selected. Staff anticipates that operational costs may include indirect administrative costs as well as direct staff time to ensure full completion of this project (these costs are included in the $5,000,000 award).

The Commission expects to enter into a contract with the selected project administrator which will be eligible for renewal at the end of each contract year. The total contract amount for the entirety of the project will not exceed $5,000,000 over five years.

III. ELIGIBILITY REQUIREMENTS

Applicants must have the qualifications, experience and competency, and ability to successfully serve as a project administrator. Proposals will be considered from project administrators that are not-for-profit and/or public or private organizations. Applicants should have a presence in California, the capacity to work in Los Angeles County and have familiarity with the technicalities of constructing and managing community gardens in order to apply for this RFP. To be eligible for the review process, the applicant must meet this first level of criteria for selection:

1. Capacity to organize, identify and partner with community organizations whose mission is to create access to healthy food options and that have the capacity to manage community gardens.
2. Applicant can contribute or attract fiscal/non-fiscal resources to the project (i.e. access to land, water, materials such as seeds, water hoses, fertilizer tools, etc.).
3. Applicant has an L.A. County reach.
4. Applicant is affiliated to experts in the field of community gardens/food policy in L.A. County.
5. Applicant obtains the level of expertise/experience needed to construct community gardens

IV. SUMMARY OF DESIRED QUALIFICATIONS

In addition to meeting the general key eligibility requirements, the ideal project administrator would possess all or some of the following core competencies:

Knowledge and Skills
- Evidence of the project administrator’s understanding of the intricacies associated with constructing community gardens.
- Ability to conduct soil testing to ensure a healthy productive community garden.
- Knowledge in structuring, negotiating, and completing land transactions that create community gardens.
- Ability to provide technical expertise to CBO’s (community based organizations) in the area of community gardening (i.e. program development, community engagement, parent engagement, management support).
- Expertise in working with non-profits, foundations, community-based organizations and social services agencies in L.A. County.
- Strong time management and budgetary skills.
- Knowledge of organizations in the field of community gardens, healthy food policy, and food deserts.
- An understanding of the food policy issues affecting the 0-5 target population and their families

Experience
- Technical assistance experience with community garden construction.
- Ability to conduct demographic analysis and asset mapping.
- Ability to identify and create an inventory of public/private lands available for the construction of community gardens in known food deserts across Los Angeles County.
- Ability to identify low-income communities that have limited access to fresh fruits and vegetables.
- Demonstrated experience working with governmental agencies.
- Demonstrated experience building community partnerships and outreaching to community residents.

Other Desired Qualifications
- Knowledge of city and county community gardens ordinances.
- Knowledge and experience in identifying, coordinating or applying for resources needed to construct and maintain community gardens.
- Ability to identify and outreach to other funders investing in community gardens.
- Demonstrated experience in healthy food policy advocacy.

V. ADDITIONAL EXPERIENCE REQUIRED
Leveraging fiscal/non-fiscal resources is a key element of the Healthy Food Access Initiative. A successful project administrator will identify, convene or contribute additional resources to expand First 5 LA’s $5 million investment. Examples of fiscal contributions to this project can be additional grants awarded to the project administrator by other funders to match or leverage First 5 LA’s investment. Non-fiscal resources can be in kind contributions such as volunteer time used for the construction of community gardens, the donation of land and/or negotiating a below market land lease, the subsidy of water costs, staff time etc.

In an effort to successfully implement all phases of the project, the applicant is encouraged to partner with other entities that demonstrate expertise in some of the areas listed above (only the lead agency shall apply). In addition, the selected project administrator will be required to engage in the following activities as part of its completion of the Healthy Food Access Initiative requirements and deliverables:

- Meet with First 5 LA staff as needed during the entire implementation of the project.
- Work with First 5 LA staff to evaluate the effect and success of the project.
- Work with First 5 LA staff to share their expertise in advancing the policy agenda associated with healthy food access.
- Assist First 5 LA staff in building relationships with stakeholders interested in promoting and funding healthy food access for disadvantaged communities across LA County.

VI. PROPOSAL CONTENT

First 5 LA requires submission of proposals using First 5 LA’s online system accessed from the community gardens RFP website at http://www.first5la.org/Community-Gardens-Request-for-Proposal. Carefully review the following requirements for proposal content.

A. Online Registration Form: This online form accessible from the community gardens RFP website must be completed prior to submitting the project narrative. Enter Executive Director’s name, address and other requested information. If applying as a collaborative, provide the name of lead organization as the primary contact. Complete all other required questions with respect to First 5 LA funding status, project eligibility, and organizational and project information.

B. Proposal Checklist (requires the CEO/ED signature)

C. Project Narrative: The Project Narrative must be uploaded in a Word or PDF document using the online proposal system on the Community Gardens website. No hard copies of the proposal narrative will be accepted. Responses shall not exceed 8 pages in length double spaced. The narrative must include the contents as listed below. All proposal content must use exact headings and subheadings.

1. Description of the Project Administrator
a. Briefly describe how the project administrator proposes to implement the three phases of the project as described in SECTION II D.

b. Briefly describe how the project administrator will oversee and administer the proposed project, including how the project administrator will work with proposed community partners.

c. Describe the project administrator’s experience and capacity to construct community gardens and provide technical assistance to community partners. Include detail on how the Project Administrator meets SECTIONS IV and V of this RFP.

2. Description of Project Staff and Qualifications

The project administrator must identify all staff that will work on and/or participate in this project, including their titles, each person’s role, responsibilities, and expertise as it relates to this project. Include resumes of key project staff and subcontractors if applicable (the resumes will not be included as part of the eight (8) page proposal maximum). The person(s) who will have the primary responsibility of coordinating the project must be identified.

If the project administrator intends to hire new staff (i.e., part-time project coordinator), include job qualifications and job description as an appendix to 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. The project administrator must provide an organization chart of the proposed project.

Applicants 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. Specify the role of each subcontractor.

3. Description of the Service Area and Target Population

a. Because this project is designed to have a countywide impact, briefly describe the project administrator’s service area.

b. Describe the proposed locations of where the community gardens will be constructed by county districts (the locations selected must be in areas/communities that demonstrate limited access to fresh fruits and vegetables).

c. Provide an estimate of the number of community gardens that can be built with a $5 million operating budget (less overhead, maintenance, programmatic activities and staff time). Also provide an estimated number of 0-5 children that reside within 0.5 to 1 mile radius of the proposed location of where the community garden will be built (use the most recent data available at the time of submission of this proposal).

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2 Subcontractors include individuals and/or organizations, including consultants who will be paid by this project.
4. Description of the Project

Provide a project statement that addresses intended goal/desired result(s) of the proposed project as it relates to the relevant outcomes of the Healthy Food Access Initiative. Describe details of plans, timeline and strategies to be implemented in order to achieve the goals stated, including how the applicant would work with other community partners to ensure that programmatic activities are being designed to increase access to healthy food options for children 0-5 and their parents. Also, address the project administrator’s commitment to leveraging other resources for this project and briefly describe specific leveraging activities. For example, describe what types of fiscal and/or non-fiscal resources will be utilized with other resources, if any, to achieve the project goals.³

5. Sustainability of the Project

Provide a description for how the project administrator intends to maintain the community gardens built beyond First 5 LA’s funding. Describe other resources, cash or in-kind, that will be secured for this project other than the funds requested in this proposal. Identify strategies to engage other funders in sustaining this project.

6. Evaluation of Project

Provide a description for how the project administrator will work with First 5 LA to evaluate the effect that the community gardens might have on children 0-5 and their families.

D. Contractual Documents

These documents are for your review only and should not be submitted with the proposal. Successful applicants will move into the contract negotiation phase which will entail the development of several contractual documents. Applicants should review these documents or requirements prior to proposal submission.

³ Examples of leveraged funds for the project include direct funding from other funders, reimbursements for services provided, and funds utilized for the same program but serving the 6-18 age group and/or the adult population. Timelines for leveraged funds should overlap with those of the proposed program. Funds can also be “in-kind” contributions including space, donated equipment and volunteer labor and staff time that is used to produce the outcomes related to the project/program being funded by First 5 LA. A clear justification for all in-kind expenses should be provided by potential partners as a part of the budget narrative. First 5 LA reserves the right to request, once contractors have been selected, verification of funds that will be used for the project/program being considered by First 5 LA that stipulates the amount being awarded and timeline for the project/program.
1. **Scope of Work Template (Appendix H):** Please review the attached Scope of Work Template. While it is not required to be completed for the proposal, it will be completed during contract negotiation for the organizations selected to receive funding.

2. **Sample First 5 LA Contract (Appendix I)**

**E. PROPOSAL ASSISTANCE**

First 5 LA will host a teleconference call/webinar on September 13, 2011. Applicants are strongly encouraged to participate on the call to learn information about the Healthy Food Access Initiative requirements, learn the process, receive instruction in developing a proposal using the online system, and completing First 5 LA required budget forms. The workshop will review the proposal narrative and other components, and highlight what to expect following the proposal submission, review, and selection process. Applicants may register up to two participants from each organization. To register, email the name and title of each attendee as well as the organization’s name to Juan Aquino, Program Officer at jaquino@first5la.org no later than 5:00pm on September 12, 2011.

**VII. TERMS OF THE PROJECT**

**Available Funding**

First 5 LA staff expects that the not to exceed $5 million award will cover the following costs associated with this project:

- Garden construction, ongoing maintenance, and program implementation
- Direct personnel costs and any other subcontracts needed for the implementation of this project, including the construction of the gardens, programmatic activities and ongoing maintenance/TA for 5 years.
- Indirect administrative costs, which are not allowed to exceed 10% of personnel costs.

Final length of contract and available funding will be determined by the contract execution date. Annual expenditures will be negotiated during the finalization of the contract’s Scope of Work and Budget. Yearly contracts with First 5 LA will coincide with First 5 LA’s fiscal year, which ends on June 30th. Annual expenditures will be negotiated during the finalization of the contract’s Scope of Work and Budget. *Funds will be granted through monthly invoices based on services rendered and actual expenses.*

**Contract Period**

The first contract period will be approximately six (6) months (estimated contract period (January 2, 2012 — June 30, 2012), contingent upon successful contract negotiations. Each subsequent Contract (including Scope of Work, Budget and Budget Narrative), if awarded, will be renewed on a fiscal year basis covering the periods of **July 1st-June 30th**.
The project administrator shall not be authorized to deliver or commence performance of services as described in the application until the final execution of the contract and written approval has been obtained from First 5 LA. Any performance of services commenced prior to the project administrator obtaining such approval by First 5 LA shall be considered voluntary.

**Contractual Obligation**

The selected project administrator will be required to adhere to all contractual obligations as outlined in this document, including the First 5 LA Contract (*Appendix I*) Please note: applicant must be willing to accept all terms outlined in the contract.

**VIII. APPLICATION PROCESS**

In order to respond to this RFP, please complete and submit your proposal and all required documents to First 5 LA no later than 5:00 PM on September 30, 2011. Applications received after this deadline will not be considered.

**Required Documents to Respond to RFP:**

1. **Online Application Form:** This online form accessible from the community gardens RFP website must be completed prior to submitting the Proposal Narrative. Enter Executive Director’s name, address and other requested information.

2. **Application Checklist:** The application checklist must be signed by authorized signatory and included as part of the RFP.

3. **Proposal Narrative:** An 8-page maximum proposal outlining the project administrator’s project description as outlined in this RFP (please refer to section VI “Proposal Content”), as well as how the project administrator’s demonstrated ability, based on qualifications and experience, will facilitate the accomplishment of the project.

4. **Résumé(s) or Curriculum Vitae(s) for Applicants:** Provide a detailed professional résumé for each key staff person expected to work on the project, outlining all relevant work history, educational attainment, publications, prior research projects, etc. Include the résumés for subcontractors as well. All subcontractors must be clearly identified and approved by First 5 LA prior to commencing work.

5. **Memorandum of Understanding (if applicable):** If the project administrator will seek other partners to jointly carry out this project, an MOU specifying understandings, agreements, resources and responsibilities of and between each of the partners will be required among collaborating partners after the proposal review process.
6. **Proposed Budget (6 months):** Using the attached budget worksheet (**Appendix E**), please provide an itemized budget that details expenses for the proposed services for the time period **January 2, 2012 - June 30, 2012.** Please include costs broken down by hourly rate for all staff and subcontractors.

7. **Budget Narrative (6 months):** In addition to the proposed 6 month detailed budget, please include a budget narrative (**see sample budget narrative in Appendix G**) justifying all costs included in the budget worksheet. In completing the budget narrative, the applicant should estimate the personnel costs associated with managing this project as well as the costs to construct the community gardens and then an estimate of how much would be available for the ongoing maintenance, technical assistance and programmatic activities associated with this project.

8. **Projected Multiyear Budget Summary:** Please complete a projected budget summary (**Appendix F**) which covers the full five-year contract period. Please reference the attached Budget Instructions (**Appendix D**) when completing the templates.

Applicant may also include other sample budgets and budget narratives that reflect the type of work they believe will be involved in the execution of their role as Project Administrator.

**Please Note:** As you prepare your budget, please ensure to include the cost associated with implementing all three phases of the project: Phase I: construction of community gardens; Phase II: work with community partners to ensure that programmatic activities that engage 0-5 children and their parents are being implemented at the new community garden sites; and Phase III: provide technical assistance and maintenance support to the constructed community gardens, work with First 5 LA staff to ensure the sustainability of this effort in terms of resources and policy change, and incorporate an evaluation plan to measure how the community gardens are helping reduce 0-5 obesity rates. **The total budget for this project is not to exceed 5 million dollars ($5,000,000.00).**

9. **References (minimum of three, maximum of five. No more than 6 pages total):** References may be from colleagues, current or former clients, or peers. Each reference should include name, company, address, phone number, email, length of time known, and a short statement about your relationship. In addition, written statements from each reference may be included. First 5 LA must be able to contact at least two (2) of the references provided by the applicant. If two (2) references cannot be reached within a timely manner (no more than three attempts, no longer than one week), First 5 LA may deem the applicant ineligible for this opportunity.

**Additional Required Attachments:**

10. **Signature Authorization Form (1 original SIGNED with BLUE INK, **Appendix B**):** This form is required in order to verify signature authority to enter into contractual agreement with First 5 LA. If not outlined in the Bylaws, a Board
Resolution or Partnership Agreement must be submitted, as applicable, that indicates signature authority. Applicants must submit one original form signed in blue ink.

11. Agency Involvement in Litigation and/or Contract Compliance Difficulties (Appendix C): Please read the information on the required Agency Involvement in Litigation and/or Contract Compliance Difficulties form thoroughly. An unsigned form or its omission will constitute an incomplete application and will be grounds for disqualification. Applicants must submit one original form signed in blue ink.

12. Annual Independent Financial Audit:
The applicant must include the most recent independent financial audit including the following, as appropriate:
- Management Letter
- Auditor’s Report
- Statement of Financial Position (Balance Sheet)
- Statement of Activities (P/L, Income and Expenses Report)
- Statement of Cash Flow
- Functional Expense Report
- Notes to Financial Statements
- Federal “single-item” audit (if applicable)

13. Bylaws (if applicable)
14. Articles of Incorporation (if applicable)
15. IRS Letter of Determination (if applicable)
16. Business License (if applicable)
17. Board of Directors or List of Partners (as applicable)
18. W9 Form (if applicable, Appendix K)
19. Board Resolution (if applicable)
20. Certificates of Required Insurances (refer to “Summary of Required Insurances” form for limits- Appendix L)

IX. SELECTION PROCESS AND REVIEW CRITERIA

Selection Process

First 5 LA will award a contract to the project administrator that has the expertise and qualifications outlined in the RFP. The review process is outlined below. First 5 LA reserves the right to modify the review process at any time if necessary. Proposals with omissions of any required documentation are subject to disqualification.

1. Review for Completeness – First 5 LA staff will evaluate all applications for completeness and minimum qualifications. Basic requirements include: timely receipt of application, inclusion of all appropriate attachments, etc. Applications with omissions of any required documentation are subject to disqualification. Applicants may use the Application Checklist as an aid in preparing the application. Please note that the Application Checklist is merely an aid.
2. **External Review Process** - After initial review, a minimum of three (3) external reviewers with expertise in the field will be recruited to score applications. Review tools are strictly adhered to all external reviewers to mitigate the potential of bias. In accordance with First 5 LA policy, external reviewers sign a conflict-of-interest form. Please refer to the Review Tool that the external reviewers will use to assess proposals in *(Appendix M).*

3. **Project Budget Review** – Project budgets will be reviewed for thoroughness, cost effectiveness and appropriateness based on the proposed activities and timeline.

4. **Financial Review** – As a public entity, the Commission has a responsibility to the public to ensure that the organizations selected are financially stable to provide services. Applicants will be reviewed to assess fiscal health in relationship to their capacity to implement the proposed project and manage the proposed budget. Further written materials regarding the financial stability of the agency may be requested by our finance department prior to the interview.

5. **Interview** – Staff will conduct interviews for selected proposal applicants to gain additional knowledge regarding the applicant’s relationship to the community, its capacity to engage in the proposed project, its relationship with proposed collaborative partners, and/or to answer questions that may arise during programmatic or financial review. An interview is *not* a guarantee of funding approval.

6. **Funding Announcement** – all applicants will be notified in writing of the status of their submitted proposal. Contract negotiations will be conducted with all approved awardees. Execution of the contract will be based upon successful contract negotiation.

7. **Feedback Process** – Proposal applicants who are declined may receive feedback if requested. There will be no consideration of appeals. Further details regarding the feedback process will be provided following the proposal review.

First 5 LA reserves the right, without prejudice, to reject any or all submitted qualifications. An appeals process is not available; all decisions of First 5 LA are final.

**X. CONTRACTUAL CONSIDERATIONS**

Specific contractual considerations, including but not limited to the following, apply to 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 will 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 Qualifications (RFQ). The 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 RFQ with the 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 the 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. The COMMISSION also reserves the right to cancel this RFQ, 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. Any cover letters, résumés and/or curriculum vita, including attached materials, submitted in response to this RFQ 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 2010 Fiscal Year June 30, 2010, 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 Terms of Contract section, 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 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)
Healthy Food Access Initiative

- 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 (Appendix I). 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.

XI. APPLICATION SUBMISSION PROCESS

Applicants are required to submit one application in the following manner:

- All documents listed on the Application Checklist (Appendix A) should be uploaded with the online application at [http://www.first5la.org/Community-Gardens-Request-for-Proposal](http://www.first5la.org/Community-Gardens-Request-for-Proposal)
- All forms that require signatures must be signed in blue ink. Signature stamps are not acceptable. Please submit one (1) original and signed copy of First 5 LA’s “Application Checklist”, “Signature Authorization” and “Agency Involvement in Litigation and/or Contract Compliance Difficulties” forms sent or delivered to First 5 LA.
- All supporting materials must include the name of the applicant

Please register early online in order to become familiar with the system. It is highly recommended that after submitting your proposal you print a “printer-friendly version” of the online proposal form and review it carefully prior to submission. The printed version should be kept for your records, and will include a list of the proposal components that were attached. If the attachment is not listed, it was not successfully submitted.

If you experience any technical difficulties with submission of the proposal, you should first check this page [http://www.first5la.org/Online-Application-Help](http://www.first5la.org/Online-Application-Help) or email Online_Application@first5la.org if your issue is not resolved. First 5 LA is not responsible for delays due to computer malfunction, or if applicants have problems with the First 5 LA online system. Late proposals due to technical difficulties will be considered late and will be ineligible for review. Please allow additional time to account for unexpected delays.
Applicants must submit hard copies of First 5 LA's “Signature Authorization,” and “Agency Involvement in Litigation and/or Contract Compliance Difficulties” forms to:

Evelyn V. Martinez, Chief Executive Officer  
First 5 LA  
750 N. Alameda Street, Suite 300  
Los Angeles, CA 90012  
Attention: Healthy Food Access Initiative: Community Gardens

XII. APPENDICIES

All appendices are included as separate attachments.