EXECUTIVE RECRUITER/PUBLIC ENTITY SPECIALIST SEARCH FIRM REQUEST FOR QUALIFICATIONS (RFQ)
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Appendix 1: Agency Involvement in Litigation and/or Contract Compliance Difficulties
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I. TIMELINE FOR SELECTION PROCESS\textsuperscript{1}

<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>DATE</th>
</tr>
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<tr>
<td>RFQ Released</td>
<td>December 21, 2011</td>
</tr>
<tr>
<td><strong>Application Due:</strong></td>
<td></td>
</tr>
<tr>
<td>• 1 original</td>
<td></td>
</tr>
<tr>
<td>• 1 set of copies</td>
<td></td>
</tr>
<tr>
<td>• 1 CD containing all materials</td>
<td></td>
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<tr>
<td></td>
<td>Friday, January 6, 2012 at 5:00 pm</td>
</tr>
<tr>
<td>Applicant Review Process</td>
<td>Week of January 9th</td>
</tr>
<tr>
<td>Contractor(s) Selected/Notified</td>
<td>January 20, 2012</td>
</tr>
<tr>
<td><strong>Contract Start Date\textsuperscript{1}</strong></td>
<td>January 25, 2011</td>
</tr>
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All questions and requests for additional information regarding this RFQ must be received in writing by First 5 LA via mail, fax, or email before 5 p.m. on Tuesday, January 3\textsuperscript{rd}, 2012. 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:

Maggie Martinez  
Director of Human Resources  
First 5 LA  
750 N. Alameda Street, Suite 300  
Los Angeles, CA 90012

mmartinez@first5la.org

\textsuperscript{1} Note: While it is First 5 LA's desire to execute the Contract for a January 25, 2012 start date, all dates are subject to change at First 5 LA’s sole discretion.
II. BACKGROUND

ABOUT FIRST 5 LA
In 1998, California voters passed Proposition 10, which levies 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 early childhood initiatives and to manage the funding from Proposition 10 (http://www.first5la.org/). Since 1998, First 5 LA has invested more than $800 million to champion and support health, education, and safety issues and programs benefiting young children and families.

In June 2009, the First 5 LA Board of Commissioners adopted a strategic plan to guide its investments through 2015: Strengthening Families and Communities in L.A. County.” The plan was developed during a public process that engaged community stakeholders, grantees, commissioners and staff and in conjunction with research in the field of early child development. We believe, and research confirms, that children are strongest when they live in safe and thriving families and neighborhoods. Therefore, First 5 LA will focus on strengthening families, while also building the capacity of communities and organizations to create and sustain nurturing environments for children. This new "place-based approach" will allow First 5 LA to have a deeper impact in select areas, while also supporting countywide objectives, and to better measure the impact of its investments.

III. ELIGIBILITY

First 5 LA is issuing this Request for Qualifications (RFQ) to select an Executive Search Firm, specializing in executive level recruitment for a public entity, non-profit organization, and/or public/private foundation to conduct recruitment for the Chief Executive Officer (CEO) for the organization. Applicants responding to this RFQ must have the qualifications, experience and demonstrated success in placing executive level professionals.

IV. DELIVERABLES AND SCOPE OF WORK

The executive search firm will be required to perform any and all tasks related to the sourcing, recruitment and selection of CEO candidates including but not limited to the following:

1. In consultation with the First 5 LA Board of Commissioners and the Director of Human Resources, develop candidate identification and evaluation criteria based on the defined job description, duties and responsibilities of the position, and minimum qualifications.

2. Develop a sourcing and recruitment plan that will yield qualified and desirable candidates.

3. Prepare a comprehensive Recruitment Profile which includes information about First 5 LA, the position to be filled and sourcing and recruitment strategies.
4. Recruit candidates from diverse backgrounds utilizing local, regional, and national resources, as applicable.
5. Prepare a thorough assessment of the merits of each candidate and their appropriateness for hire, including their professional and educational credentials.
6. In collaboration with the Director of Human Resources, coordinate pre-screening interviews of qualified candidates.

V. TERMS OF SERVICE

Available Funding

A final budget will be negotiated once a firm has been selected. Funds will be granted through monthly invoices based on services rendered and actual expenses.

Funds are available in the FY 2011-12 Programmatic Budget adopted by the Board of Commissioners on September 8, 2011.

Contract Period

The contract period will be from approximately January 25, 2012 through the satisfactory completion of the assignment.

The COMMISSION must approve all selected applicants prior to contract execution. This may cause a delay in project implementation. Once the COMMISSION approves the award, the selected applicant will be sent the contract for signature and final approval. The COMMISSION reserves the right to cancel this RFQ, at its sole discretion, at any time before execution of a contract.

The Firm is not authorized to deliver or commence services as described in the application until written approval has been obtained from First 5 LA. Any performance of services commenced prior to the Firm obtaining an executed Contract from First 5 LA shall be considered voluntary.

Contractual Obligation

The selected firm is required by law to adhere to all contractual obligations as outlined in this document, including the First 5 LA Contract. (See Appendix 3: Sample Contract)

VI. STATEMENT OF QUALIFICATIONS

Applicants should submit their qualifications including each of the following elements via the online application. Applications must adhere to the instructions and page limits outlined below. The applicant’s qualifications will be reviewed according to the review criteria enumerated at the end of this document.
1. **Application Checklist:** Please fill out and make sure that the checklist is signed by the person authorized to bind the agency into a contract. An unsigned form or its omission will constitute an incomplete application and will be grounds for disqualification.

2. **Statement of Qualifications:** Executive/specialty search firms interested in assisting First 5 LA with the candidate sourcing and recruitment process for the Chief Executive Officer position should submit a proposal of no more than ten (10) pages that includes:

   a. A draft work plan that outlines the entirety of the proposed search process. The work plan should describe the proposed approach to be taken for recruitment of the position, including a recruitment timeline and suggestions for different sourcing and recruitment strategies that may be necessary for filling the position. description of the firm’s approach and experience with identifying and successfully placing women and minority candidates.

   b. Identification of key personnel proposed to work with First 5 LA including background, relevant experience, and time available to complete this project.

   c. Description of the firm’s relevant experience in the recruitment of executive level positions at organizations comparable to First 5 LA

   d. A fee proposal for the proposed services. Fee proposals should outline:

      i. How the firm will work to achieve cost effectiveness for First 5 LA.

      ii. Description and enumeration of cost difference between national and local executive searches, if applicable; and,

      iii. Identify what categories of direct expenses are not included within the fee proposal and provide an estimated budget for these expenses.

3. **References:** Names and contact information for at least three references from current and former clients. There is no First 5 LA format required)

Qualified parties should submit information sufficient to support their qualifications to perform this service. First 5 LA reserves the right to request additional information and/or to begin negotiating with the most qualified bidder.

In order to respond to this RFQ, please complete and submit your proposal and all required documents to First 5 LA as instructed no later than **5:00 PM on January 6, 2012.** Applications received after this deadline will not be considered.

Applications, including all required attachments, must be submitted online at [http://www.first5la.org/Funding-Center](http://www.first5la.org/Funding-Center). In addition to the electronic versions of the Signature Authorization and Agency Litigation Forms, please mail an original of the RFQ checklist, cover letter and these two signed forms to:

Craig A. Steele, Interim Chief Executive Officer
First 5 LA
750 N Alameda Street, Suite 300
Los Angeles, CA 90012
Attention: Executive Recruiter RFQ
Additional Required Documentation (not a part of 10 page proposal):

4. **Agency Involvement in Litigation and/or Contract Compliance Difficulties (Appendix 1):** 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.

5. **Signature Authorization Form (Appendix 2):** This form is required in order to verify signature authority to enter into contractual agreement with First 5 LA. If not outlined in the applicant’s Bylaws, a Board Resolution or Partnership Agreement must be submitted, as applicable, that indicates signature authority. Applicants must submit two original forms signed in blue ink.

6. **Business License**

7. **W-9 Form**

8. **Proof of Commercial General Liability Insurance**

9. **Proof of Automobile Insurance**

10. **By-Laws, if applicable**

11. **Articles of Incorporation, if applicable**

**VII. SELECTION PROCESS AND REVIEW CRITERIA**

**Selection Process**

First 5 LA staff will review each application to ensure that basic requirements are met including: timely receipt, format as required, inclusion of all appropriate attachments, etc. Submissions with omissions of any required documentation are subject to disqualification. Late or incomplete proposals will not be accepted.

Applications will be reviewed by a team of three (3) external reviewers with relevant expertise employing the Review Tool posted with the RFQ. Review tools are adhered to by all staff and external reviewers to mitigate any potential for bias. In accordance with First 5 LA policy, external and internal reviewers sign a Conflict of Interest and Confidentiality Statement.

Reference checks will be completed as necessary to complement rankings resulting from the internal and external review process. First 5 LA must be able to contact at least three (3) of the five (5) references provided by the applicant. If three (3) references cannot be reached, First 5 LA may deem the applicant ineligible for this opportunity.
**Funding Announcement** – all applicants will be notified in writing of the status of their submitted proposal. Contract negotiations will be conducted with the approved contractor. Execution of the contracts will be based upon successful contract negotiation.

**Feedback Process** – Proposal applicants who are declined may receive feedback if requested. Further details regarding the feedback process will be provided following the proposal review.

**Selection Criteria**

First 5 LA will award a Contract to the highest scoring applicant in accordance with the expertise and qualifications outlined in the RFQ.

First 5 LA reserves the right, without prejudice, to reject any or all submitted qualifications. The Commission may, at its sole discretion, reject any or all submissions in response to this RFQ. Declined applicants have the right to request a feedback session.

The Commission does have an appeals process, if you would like to appeal the decision, please contact the Contracts Compliance Department.

**VIII. CONTRACTUAL CONSIDERATIONS**

Specific contractual considerations, including but not limited to the following, apply to RFQ 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 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 2011 Fiscal Year June 30, 2011, 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 in writing. 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
- IRS Form 990 (if applicable) OR Annual Independent Audit for prior fiscal year or calendar year (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)
- 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.

IX. APPENDICES
All Appendices are included as separate attachments.