Tot Parks and Trails Project
Request for Proposals (RFP)
Restricted to
Los Angeles County Supervisorial District 5*

Los Angeles County Children and Families First –
Proposition 10 Commission (aka First 5 LA)

RELEASE DATE: May 30, 2012
*TPT awards have been issued in Los Angeles County Supervisorial Districts 1-4.
This RFP is restricted to District 5
TABLE OF CONTENTS

I. TIMELINE FOR SELECTION PROCESS................................................................. 1

II. BACKGROUND .................................................................................................. 2

III. PUBLIC/PRIVATE PARTNERSHIPS FOR TOT PARKS AND TRAILS........... 5

IV. ELIGIBLE PARTNERSHIPS ............................................................................. 6

V. SUMMARY OF DESIRED QUALIFICATIONS FOR LEAD ORGANIZATIONS.. 6

VI. TERMS OF PROJECT ....................................................................................... 7

VII. APPLICATION PROCESS............................................................................... 8

VIII. SELECTION PROCESS AND REVIEW CRITERIA ........................................ 11

IX. CONTRACTUAL CONSIDERATIONS.............................................................. 13

X. APPENDICIES................................................................................................. 16
I. TIMELINE FOR SELECTION PROCESS

<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>RFP Released</td>
<td>May 30, 2012</td>
</tr>
<tr>
<td>Information Session</td>
<td>June 6, 2012</td>
</tr>
<tr>
<td>Final date to submit questions regarding RFP</td>
<td>June 13, 2012</td>
</tr>
<tr>
<td>Frequently Asked Questions (FAQs) posted</td>
<td>June 15, 2012</td>
</tr>
<tr>
<td>Application Due:</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 “Application Checklist”, “Signature Authorization” and “Agency Involvement in Litigation and/or Contract Compliance Difficulties” forms sent or delivered to First 5 LA</td>
<td>June 27, 2012</td>
</tr>
<tr>
<td>External Review of Applications</td>
<td>July 2, 2012 to July 18, 2012</td>
</tr>
<tr>
<td>Interviews with qualified applicants, if required</td>
<td>July 23, 2012 to July 26, 2012</td>
</tr>
<tr>
<td>Finalists selected</td>
<td>July 31, 2012</td>
</tr>
<tr>
<td>Recommendations presented to the First 5 LA Commissioners</td>
<td>September 13, 2012</td>
</tr>
<tr>
<td>Contract negotiations begin</td>
<td>September 14, 2012 to September 27, 2012</td>
</tr>
<tr>
<td>Negotiated contracts approved by Commission</td>
<td>October 11, 2012</td>
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<tr>
<td>Contract start date</td>
<td>November 1, 2012</td>
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</tbody>
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TIMELINE FOR SELECTION PROCESS

*Dates listed in timeline are subject to change at First 5 LA’s sole discretion.*

All questions and requests for additional information regarding this RFP must be received in writing by First 5 LA by 5:00 p.m. on **Wednesday, June 27, 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:
Karen Robertson-Fall, Program Officer
First 5 LA
750 N. Alameda Street, Suite 300
Los Angeles, CA 90012
Phone: 213.482.7553
Fax: 213.482.5903 E-mail: krobertson@first5la.org
II. BACKGROUND

A. 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 Commission was formed as a public entity to develop and oversee various early childhood initiatives and to manage the funding from Proposition 10. Since 1998, First 5 LA has invested over $800 million to support initiatives in all four of its goal areas. Additional information regarding First 5 LA can be found at http://www.first5la.org/Tot-Parks-and-Trails.

B. The First 5 LA FY 2009-2015 Strategic Plan

In June 2009, the First 5 LA Board of Commissioners adopted its FY 2009-2015 Strategic Plan entitled Strengthening Families and Communities in Los Angeles County. This Plan reveals lessons learned from the first 10 years of First 5 LA’s grant-making and research, which reveal not only the importance of supportive and informed parents and caregivers to a young child’s quality of life, but also the role of safe and supportive neighborhoods, or places, to that child’s development. As a result, this new plan represents a major shift in First 5 LA’s grant-making from an initiative-based to a place-based approach. This new approach allows First 5 LA to focus on strengthening families while fostering communities’ abilities to create and sustain safe and nurturing places for children to grow and thrive.

In addition, a concurrent countywide approach focuses 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.

In the Strategic Plan, the Commission established four specific outcomes that it seeks for young children in Los Angeles County. These outcomes are defined in the plan as four long-term goals of ensuring that children:

1. Are born healthy
2. Maintain a healthy weight
3. Are safe from abuse and neglect
4. Are ready for Kindergarten

The Place-Based Approach

The First 5 LA Board of Commissioners adopted a place-based approach as one of two central approaches in its new strategic plan. The research and promising practices emerging from decades of place-based efforts makes a strong case for First 5 LA’s shift of a significant amount of its resources to this funding mechanism. A place-based approach focuses on the places in which families live, combining efforts to strengthen families with

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those building the capacity of communities to create and sustain thriving and healthy environments for all children. The place-based approach allows First 5 LA to focus on families most in need, creating a seamless pipeline to effectively serve families along the continuum of a child’s development. This approach also creates unique partnerships with families, community residents, and other funders, resulting in a better measure of our impact across funding areas.

**Countywide Approach**

In addition to the place-based approach, the First 5 LA FY 2009-2015 Strategic Plan outlines the critical role of strong, coordinated, and responsive systems in supporting families and improving outcomes for children prenatal through five. These systems include the actual structures through which health and human services are provided in Los Angeles County, as well as less formalized systems. By focusing on countywide systems improvement and change, strategic plan investments can have a widespread impact on children across Los Angeles County while improving the sustainability of the place-based approach and outcomes. Success in the place-based communities requires that systems change occurs countywide in order to achieve sustained and long-term improved outcomes for children in those communities. First 5 LA understands that enduring systems changes are most successful when they are informed by, and grow out of, close-to-the ground, culturally competent, community-based, and resident-driven models for strengthening families, such as those we will be supporting in the place-based communities.

The countywide approach represents a comprehensive effort to address systems improvement in Los Angeles County through the following seven strategies to:

1. **Public Policy:** Define and pursue First 5 LA’s priorities for policy change that support families within the four priority goal areas.

2. **Public Education:** Build public will and promote knowledge around issues facing children and families.

3. **Resource Mobilization:** Support and enhance the impact of the total portfolio of First 5 LA investments through effective, strategic partnerships; and by leveraging social and financial capital.

4. **Workforce Development:** Improve the knowledge and skills of the countywide prenatal to five workforce to strengthen families and support children’s healthy development.

5. **Data Systems Integration:** Support improvement of the quality and usefulness of data collected about children and families throughout Los Angeles County and the programs, projects and services that support them.

6. **Health Access:** Increase access to health insurance for children 0-5 by assisting families in obtaining coverage, and potentially subsidizing insurance for children not covered by other insurance.

7. **Information Resource and Referral:** Provide telephone lines or printed/online resource directories which community members can access in order to get information about resources.

These strategies address countywide systems improvement from various points within these systems, yet work in a coordinated manner. Combined, they constitute a coordinated approach for First 5 LA to leverage opportunities, advocate for change, instill knowledge
and raise awareness about how best to strengthen families with young children. In addition, while these strategies were approved as “countywide,” some of the activities will be specifically targeted to support the place-based approach.

C. Tot Parks and Trails Background

**Early Childhood Obesity and Physical Activity**

Childhood obesity has been recognized by the First 5 LA Commission as one of the most significant public health threats we face. The American Diabetes Association has projected that if the obesity epidemic is not reversed, one in three children born today will develop diabetes in their lifetimes. The situation in Latino and African-American communities is even more dire where, without effective action, one in two children born today will develop diabetes in their lifetimes. Nationally, about 20 percent of infants and toddlers between ages 2 to 5 years old are identified as overweight or obese. In Los Angeles County, 21 percent of three year olds and 22 percent of four year olds receiving WIC services are overweight.

Children who are obese are more likely to have a number of health conditions that are frequently seen in adults including high blood pressure and high cholesterol, Type 2 diabetes, asthma, joint problems, fatty liver disease, gallstones, and heartburn. Even if these obesity-related health conditions do not appear in childhood, obese children are at increased risk later in life. In addition to the physical health consequences of obesity, there are social and psychological consequences as well. Obese and overweight children and adolescents are more likely to experience depression, have difficulties with peer relationships, and experience a diminished quality of life compared to their healthy weight counterparts.

To maintain a healthy weight, young children require daily physical activity. Parents and caregivers play a strong role in teaching children about healthy choices and behaviors, in modeling those behaviors, and making decisions for children. Communities that encourage physical activity for children through public space use also have a role in the healthy development of young children. Studies have reported positive associations among access to sidewalks or walking paths, playgrounds, or recreation centers and physical activity. Health and recreation researchers have reported children with access to

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4 PHFE-WIC Administrative Data Provided to First 5 LA, 2011.


recreational facilities and programs near their homes are more active than those without such access.\textsuperscript{9}

**Rationale for Funding**
In November 2010, First 5 LA approved a $10 million allocation to develop tot parks and trails throughout Los Angeles County. This allocation was approved to support the goal of *Children Maintain a Healthy Weight* as identified in the FY 2009-2015 Strategic Plan. The Tot Parks and Trails project seeks to create sustainable changes in communities to support increased physical activity creating the shift to healthy and active living communities. Examples of places that can be enhanced to support physical activities include: parks, sidewalks, trails, schools, workplaces, playgrounds, walkable neighborhoods, and indoor recreational facilities.

**Objectives and Outcomes**
Through this RFP, First 5 LA will engage public/private partnerships in Los Angeles County to develop, upgrade, or improve playgrounds, play spaces, and stroller trails for all young children and their families in park-deficient communities. These projects will be implemented by public/private partnerships with a high level of community support and demonstrated capacity to attain the following objectives and outcomes:

- **Objective #1**: Expand number of play spaces for all young children including those with special needs and families residing in park-deficient communities
  - Outcome 1a: Joint-use agreements will be established
  - Outcome 1b: Vacant lands will be modified\textsuperscript{10}
  - Outcome 1c: Parks, play grounds, and stroller trails will be more accessible to all young children and families in park-deficient communities

- **Objective #2**: Improve play space safety for all young children and families in park-deficient communities
  - Outcome 2a: Safer equipment in urban play spaces will be installed
  - Outcome 2b: More and brighter lighting in urban play spaces will be installed
  - Outcome 2c: More parks in park-deficient urban neighborhoods will be fenced

**III. PUBLIC/PRIVATE PARTNERSHIPS FOR TOT PARKS AND TRAILS**
First 5 LA is seeking proposals from qualified public/private partnerships to develop tot parks and trail projects. Partnerships will be selected for District 5 with funding up to $2 million for a period of up to three years. Each partnership will designate a qualified lead organization to oversee the day-to-day management of the partnership regarding park design, implementation, and construction. The lead organization will be the accountable party and contracted on behalf of the designated partnership keeping open and clear communication between all parties involved throughout the course of the project. An organization can participate in partnerships in more than one supervisorial district,

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\textsuperscript{10} Does not include land acquisition.
including the organizations contracted in Supervisorial Districts 1-4. However, organizations cannot act as the partnership’s lead entity in more than one supervisorial district.

Public/private partnerships are encouraged to propose a variety of play spaces for young children including: indoor, natural, shaded, roof-top play spaces, and splash pads. The designated lead organization will need to ensure oversight of the various strategies necessary to accomplish Tot Parks and Trails (TPT) objectives and outcomes in a timely and strategic manner. First 5 LA will provide each lead organization and partnership with direction on the design and implementation of the projects proposed. Selected applicants will work with First 5 LA to be in compliance with all applicable policies and procedures throughout the contract period.

IV. ELIGIBLE PARTNERSHIPS

First 5 LA provides funding to projects and services that benefit children prenatally to age 5. To be eligible for funding, applicants must:

- Designate a qualified nonprofit organization with tax-exempt status under Section 501(c)(3) of the Internal Revenue Code as a lead organization
- Have a physical presence in, and the capacity to work throughout, District 5
- Include at least one government partner responsible for municipal approval of park projects
- Include community based organizations as partners
- Include leveraged fiscal/non-fiscal resources
- Include lead organizations that are in good standing with existing or previous First 5 LA grants and contracts (applies to prior grantees only)

V. SUMMARY OF DESIRED QUALIFICATIONS FOR LEAD ORGANIZATIONS

First 5 LA is seeking to enter into contracts with highly committed lead organizations with demonstrated capacity to manage partnerships comprised of public entities and private non-profit agencies (service clubs, faith-based organizations, neighborhood associations, child play and recreational agencies, etc.) with clearly designated roles and responsibilities. In order to function in the role of lead organization for the partnership, candidates must have all of the following qualifications:

**General Qualifications**

- Demonstrated success serving in a similar role
- Prior experience developing, administering, and monitoring park projects
- Substantial expertise in working with non-profits, foundations, community-based organizations, and park and recreation agencies in Los Angeles County
- Demonstrated capacity to manage partnerships comprised of public entities and private non-profit agencies
- Prior experience in the design and development of parks for young children, ages 2-5, including those with special needs
• Knowledge of local organizations in fields related to tot parks including recreation, child development, community involvement, sustainability and leveraging of resources
• Knowledge of First 5 LA’s FY 2009–2015 Strategic Plan and Theory of Change

Lead organizations responding to this RFP must have the qualifications, experience, competency, and ability to successfully provide fiscal, programmatic, and administrative oversight for the partnership. Lead organizations must have a physical presence in, and the capacity to work throughout, District 5.

Applicants that meet initial eligibility criteria (See VIII. SELECTION PROCESS AND REVIEW CRITERIA) may be invited for an in-person interview with First 5 LA staff.

VI. TERMS OF PROJECT

Available Funding
The selected applicant for District 5 will manage a budget of up to $2,000,000 over the three year implementation period. The public/private partnership must include at least three (3) partners from the community. Letters of commitment are required, and must be included in the proposal.

The proposed budget should include all project expenses for tot parks and trails enhancements and indirect costs\(^1\) incurred by the lead organization. Please note that funding is limited to enhance existing spaces and cannot be used to purchase land. The lead organization is responsible for all expenses related to any subcontracted partners and for supplying all business equipment required to implement the tasks and scope of work (e.g., computer, printer, fax, internet access, telephone, etc.).

The scope of work and budget will be finalized during the contract development and negotiation process. The applicant’s budget should reflect verified and realistic cost-estimates developed by the appropriate partner. Funds will be dispersed through monthly invoices based on actual expenses. It is expected that applicants’ budgets will be clearly justified in the budget narrative and will be appropriate to the work proposed. Please refer to provided budget instructions for guidelines on how to complete required budget forms.

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.

Project Period
The total award for the selected applicant in District 5 will not exceed $2,000,000 over a period of three year. The term includes time for project design through full implementation of proposed projects, and final contractual closeout by the applicant. The final length of applicant’s contract with First 5 LA will be determined by the contract execution date.

\(^1\) First 5 LA limits indirect costs to 10% of base salaries.
First 5 LA will enter into a contract with selected eligible applicants. Existing grantees/contractors need to be in compliance and in good standing with First 5 LA. First 5 LA contracts are executed annually, and at the end of each contract year the selected contractor will be required to submit a scope of work and budget for the following year. Contracts will be renewed if the contractor is in compliance with the contract terms for renewal at the end of each contract year.

The applicant shall not be authorized to deliver or commence performance of services as described in the application until written approval has been obtained from First 5 LA. Any performance of services commenced prior to the applicant obtaining all written approvals by First 5 LA shall be considered voluntary.

**Contractual Obligation**
The selected applicant is required by law to adhere to all contractual obligations as outlined in this document, including the First 5 LA Contract.

**VII. APPLICATION PROCESS**

In order to respond to this RFP, applicants are required to submit the following materials to First 5 LA no later than **5:00 p.m. on Wednesday, June 27, 2012.**

Applications received after this deadline **will not** be considered.

First 5 LA requires submission of proposals only via First 5 LA’s online system accessed from the TPT Applicant website at: [http://www.first5la.org/Tot-Parks-and-Trails](http://www.first5la.org/Tot-Parks-and-Trails). Only proposals received online will be eligible for funding. Emailed, mailed or delivered proposals will not be considered, excluding forms requiring original signatures.

Applicants are strongly encouraged to participate in the information session before submitting a proposal where information about how to use this system and proposal requirements will be reviewed. Information about this session is listed in the next section. Please review carefully the following requirements for proposal content.

1. **Online Application Form:** This online form is accessible from the TPT Applicant website and must be completed to submit a proposal. Enter Executive Director’s name, address, and other requested information of the lead organization.

2. **Proposal Narrative:** The Proposal Narrative must be uploaded in a Word or PDF document using the online proposal system on the TPT Applicant website. No hard copies of the Proposal Narrative or electronic copies received via email will be accepted. The narrative must describe the following:

   **Applicant Background, Expertise and Experience (maximum 4 pages):**
   - Number of years serving in a similar role
   - Prior experience working in District 5
   - General and project specific qualifications, competency, experience, business integrity, and capacity to successfully execute a competitive applicant project
• Established staff presence and office in District 5
• Examples of types of contracts applicant has previously entered into, including the name and type of contracting entity, location of the work, purpose of the work, and general types of services provided
• Estimated percentage of the overall organization’s work to be performed through this contract
• Prior experience working in culturally and linguistically diverse, low-income, urban and park deficient communities

Partnership (maximum 4 pages):
• Names of partner agencies and roles and responsibilities of each partner
• Previous experiences of partnership members working together to complete similar projects
• Leveraging opportunities that will result from the partnership

Projects (maximum 4 pages):
• Description of the tot parks and trails project(s) that the partnership will implement that includes: 1) the proposed geographic locations in each Supervisorial District; 2) the types of enhancements to be made; 3) the expected benefits; 4) an explanation of how the proposed enhancements will be sustained over time; and 5) if your project represents a creative approach for the existing space
• Description of any architectural, structural, engineering, or other design elements that have been completed, are in progress, or planned
• Discussion of project objectives and outcomes for proposed work
• Demonstrate availability of land for each project
• Identify projects that will require integration of ADA compliance requirements
• Demonstrate at minimum, 5% of the population, within a two (2) mile radius, is age zero through five

The following materials are also required:

1. Application Checklist:
   Submit one original form signed in blue ink.

2. Scope of Work:
   Using the attached Scope of Work template list the objectives, deliverables, and sequence of tasks and/or activities to be completed for the proposed project, including a project timeline.

   Before completing the template, please review the Scope of Work Instructions

3. Proposed Budget and Budget Narrative:
   Using the attached budget worksheet (provide an itemized budget that details expenses for the proposed projects and a budget narrative justifying all costs

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12 Please see American FactFinder at [www.factfinder2.census.gov](http://www.factfinder2.census.gov) for population information.
included in the budget worksheet. In addition, complete a projected budget summary which covers the full three-year contract period. Reference the attached Budget Instructions when completing templates.

4. Résumé or Curriculum Vitae for Applicant(s): 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 résumés for sub-contractors as well. All sub-applicants must be clearly identified and approved by First 5 LA prior to commencing work.

5. Letter(s) of Intent or Memo(s) of Understanding: Obtain and submit for all collaborative partners and/or sub-contractors listed in Budget for Contracted Services. Document must specify proposed responsibilities of and between each of the partners and/or sub-contractors.

6. References and Letters of Support (minimum of 3 each, 6 total): Provide letters of support from organizations, governments, and other stakeholders from the local communities where projects are proposed. Provide references 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.

7. Signature Authorization Form: Submit this form 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.

8. Agency Involvement in Litigation and/or Contract Compliance Difficulties: Read the information in 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.

9. IRS Letter of Determination

10. Business License (if applicable)

11. Articles of Incorporation

12. Bylaws
13. Board of Directors

14. **Annual Independent Audit**: The applicant must include the most recent independent financial audit including the following:
   - 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 Audit” (if applicable)

**Submission Process**

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

- All documents listed on the Application Checklist should be uploaded with the online application.
- 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 by the June 27, 2012 deadline.
- All supporting materials must include the name of the applicant.

**VIII. SELECTION PROCESS AND REVIEW CRITERIA**

**Selection Process**

First 5 LA will award a contract to the lead organization of the partnership 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. Please note that reviewers at all levels are required to sign Conflict of Interest Forms, prior to their review.

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. (Review Tool 1)

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 by 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 (Review Tool 2).

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 (Review Tool 3).

5. **References** – As part of this review process, the panel may contact an applicant’s references.

6. **Interview** – Some or all of the applicants, who have completed responsive applications, may be interviewed if the scores for the final applicants are less than 10 points apart on a 100 point scale. Appointments will be held on the dates in Section I (Timeline for selection process). These dates are subject to change at First 5 LA’s sole discretion. Interviews will be held either at First 5 LA or via phone. An interview is *not* a guarantee of funding approval.

7. **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.

8. **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.

**Review Criteria**

In addition to prior experience in District 5, the successful applicant should meet the following qualifications:

**GENERAL QUALIFICATIONS**
- Substantial expertise in working with non-profits, foundations, community-based organizations, and park and recreation agencies in L.A. County
- Experience in providing leadership and support to public/private partnerships
- Expertise in assessing and implementing sustainable tot parks and trails projects
• Experience in the design and development of parks for young children, ages 2-5, and children with special needs
• Successful experience leveraging fiscal/non-fiscal resources

PROJECT SPECIFIC QUALIFICATIONS
• Demonstrated support of a Public/Private partnership for implementation of TPT projects
• Prior experience working with at least two or more members of the partnership as well as in District 5
• Prior applicant experience and demonstrated capacity to develop, administer, and manage multiple partners and projects
• Expertise in assessing proposed park design as well as organizational capacity to implement proposed parks and trails
• Knowledge and ability to provide park development logistical assistance on issues such as: filing for permits, providing utilities, surveying and engineering, disposing/recycling of construction waste
• Demonstrated ability to provide day-to-day oversight in the construction/renovation of parks in a timely and cost-effective manner
• Prior experience working in culturally and linguistically diverse, low-income, urban and park deficient communities
• Prior experience in the refurbishment of tot parks for young children including those with special needs
• Demonstrated capacity to build strong community support for proposed projects

IX. 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 the COMMISSION.

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, 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 sub-contractors 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/Term of Grant 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 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 in writing 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. The COMMISSION reserves the right to revise the effective date prior to final execution of the contract.

The contractor shall not be authorized to deliver or commence performance of services as described in this RFQ until final execution of the contract (contract must be signed by both parties). Final execution of the contract is contingent on First 5 LA’s Board approval of the negotiated scope of work and budget. Any performance of services commenced prior to obtaining all written approvals by First 5 LA shall be considered voluntary.

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
- 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)
- 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 selected contractor/s will be required to adhere to all contractual obligations as outlined in this document, including the First 5 LA Contract (See Sample Contract). The selected applicant shall be expected to execute the contract without substantive alteration. If applicant cannot accept the terms of the contract without substantive alterations, the applicant should refrain from applying. It is imperative that all applicants review the contract language in detail and fully understand contractual obligations should they be selected.

I. APPEALS POLICY

First 5 LA reserves the right, without prejudice, to reject any or all submitted applications. An Appeal shall be permitted only on the grounds that the decision violated applicable law, First 5 LA policies and procedures, or the terms of the bid, RFP or RFQ. Appeals challenging First 5 LA’s decision on the merits or qualifications of bidders or proposers or the scoring of proposals shall not be permitted. An appeal of a First 5 LA decision shall be in writing and filed with the office of the CEO within ten (10) business days following the date the notification of decision is made by First 5 LA. For more information, please see First 5 LA’s Appeals Policy.

X. APPENDICES

All appendices are included as separate attachments.