DATE: May 28, 2019

TO: All BusinessSource Center Contractors

FROM: Daysi Hernandez, Chief Grants Administrator
Economic Development Division

SUBJECT: INFORMATION BULLETIN NO. 19-03
PY 2019-2020 REQUEST FOR CONTRACT RENEWAL (RFCR)

EFFECTIVE DATE
This bulletin is effective on the date of issue.

PURPOSE
The purpose of this Information Bulletin is to provide current Los Angeles BusinessSource Center Program (LABSC) subrecipients with a Request for Contract Renewal (RFCR) package for Program Year 2019-20 (PY19-20). This RFCR package sets out program requirements and identifies documents that must be submitted in order for agreements to be renewed for the new program year.

Until the City Council and Mayor approve the Consolidated Plan and an executed agreement is on file with the City Clerk, the Economic and Workforce Development Department (EWDD) cannot release funds to the LA BusinessSource Center Program subrecipients for the 2019-20 program year. Your agency, therefore, will assume the prudent risk for any and all allowable program expenditures incurred after June 30, 2019.

Submission of a renewal request does not constitute a guarantee of funding for PY19-20. The decision to fund any organization beyond June 30, 2019, rests solely with City and is based on the availability of funds and City Council and Mayor approval of the 45th Program Year Action Plan for 2019-20.

The submission deadline for the items requested in this part of the renewal package is 5:00 p.m., Thursday, June 13, 2019.

An original application, with original, wet signature, along with two (2) complete copies of the same one (1) electronic copy and one (1) paper copy, must be hand or courier delivered to the address appearing below. Individuals who hand-deliver the application will be issued a receipt for the submission. The original of the submitted
application will be date and time stamped.

City of Los Angeles  
Economic and Workforce Development Department  
Economic Development Division  
Attention: Roxanne Dunkle.  
1200 West 7th Street, 6th Floor  
Los Angeles, CA 90017

Timely submission of the renewal package is the sole responsibility of the subrecipient. The City reserves the right to determine the timeliness of all submissions. Hand delivery of applications after 5:00 p.m. on the deadline date will be noted as an administrative capability issue during the performance evaluation process. Contractors may also experience a delay in contract execution and release of funds. The City reserves the right to reject submittals received after the deadline. Contract execution is contingent upon contractors submitting all corporate and contract-related documents on or before the due date indicated.

This RFCR is being released and may be downloaded from the EWDD website at http://ewddlacity.com/index.php/businesssource-system-bulletins and e-mail. Be advised, however, that the City will not be held responsible for delays in your receipt of the e-mail.

Documents and information to be submitted in response to this RFCR are listed in the RFCR checklist Form 1. Additional forms have been provided for certain information; such forms are identified by the word “Form” in the header of the document. RFCR submissions to the City must include all required forms and must be completed as to all requested information. Missing forms or incomplete information will cause the RFCR submission to be considered incomplete.

Questions or requests regarding the RFCR or the RFCR process must be emailed to richard.pallay@lacity.org, with “RFCR Question” indicated in the subject line.

DH:JDR:RP

Attachments:
1. Request for Contract Renewal (RFCR) and RFCR Checklist
2. Contractor General Information
3. 2019 Certification of Authorities
4. 2019 Board Resolution and Certification (sample)
5. 2019 Resolution Identifying Members of Board of Directors (sample)
6. Bidder Certification Certificate of Compliance (City Ethics Commission Form 50)
7. Bidder Contributions CEC Form 55
8. Budget & Equipment Inventory Form
9. Contractor Responsibility Ordinance Service Questionnaire
10. Contractor Responsibility Ordinance Pledge of Compliance Guidelines
11. Los Angeles BusinessSource & Worksource Center Regional Matrix
12. LABAVN Compliance Docs Manual

Appendix 1 - Funding Allocations
I. **Eligibility for Contract Renewal**

A. The City of Los Angeles reserves the right to offer renewal agreements with Community Development Block Grant (CDBG) funded subrecipients provided the following:

1. Funding is available; and
2. The contractor has no confirmed program, financial, or audit findings, actively responding to a corrective action plan

B. Only existing Program Year (PY) 2018-19 contractors may submit an RFCR for PY 2019-20.

C. Final, enforceable terms will be set forth in the actual agreements with the LA BusinessSource Center Program subrecipients.

II. **Funding Allocations**

PY 2019-20 potential funding allocation levels is $500,000 per center.

III. **Los Angeles BusinessSource Center Program Requirements**

Subrecipient must abide by all PY19-20 contract requirements, including but not limited to §202 of the contract:

- Each WorkSource Center (WSC) is required to collaborate with the LABSC in their region. An updated LABSC/WSC Regional Matrix is attached (Attachment 12). Additional requirements will be outlined in an upcoming WSC/LABSC Directive.

IV. **Performance Measures**

A. Initial levels of performance shall be established within agency contracts.

B. The City reserves the right to adjust PY19-20 contract goals by directive to accord with CDBG requirements.

V. **Program Measurements**

A. As required by Los Angeles Administrative Code §10.39.2, evaluations will be based on a number of criteria, including but not limited to the quality of the work product or service performed, adherence to the Branding and Marketing of the LA BusinessSource Center Program guidelines and requirements.

B. The timeliness of performance which includes meeting report submission
deadlines such as annual GPR’s, weekly BusinessSource Scorecard updates, success stories and other reports as deemed necessary by the City.

C. Compliance with all budget and fiscal requirements, and the expertise of personnel assigned to the Agreement.

VI. Upcoming BSC Program changes

A. Green Jobs - Salesforce tracking
   In an effort to dispel confusion regarding the green economy and green jobs, the Bureau of Labor Statistics (BLS) developed a definition of green jobs for use in data collection in March 2010 (last modified on January 2013). Based on two components, BLS defines green jobs as either:
   1. Jobs in businesses that produce goods or provide services that benefit the environment or conserve natural resources
   2. Jobs in which workers’ duties involve making their establishment’s production processes more environmentally friendly or use fewer natural resources.

B. Sexual Harassment Training
   1. All existing and newly hired staff on the LABSC budget must attend sexual harassment training.
   2. A certificate of completion of training shall be made available during the City’s program Site monitoring visit conducted by the City.

VI. Closeout of Prior Year Contracts

A. Completed prior-year (PY18-19) LABSC contracts must be closed out before PY19-20 contracts are executed.

B. In the event Subrecipient does not submit a final closeout or other required documentation within the prescribed time frame, the City reserves the right to unilaterally close out the agreement and to use the invoice then on file at the City for determination of subrecipient’s final allowable expenditures.

VII. Budget/Expenditure Plan

A. Your contract analyst will review and recommend approval of your LABSC PY19-20 program budget/expenditure plan.
   1. To ensure that the proposed PY19-20 budget LABSC design, operation, and performance requirements are met, it is

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recommended that the LABSC program director and its fiscal/budget director jointly prepare the budget packet.

2. **Subrecipients should prepare two (2) budgets, one (1) for Micro-enterprise and one (1) for Small Business activity.** The forms for the new program year are attached as Form 8.

B. Approval of the budget/expenditure plan does not constitute an approval to incur expenses for individual purchases or acquisitions. In all instances, subrecipients shall follow proper procurement procedures, including securing the City’s prior written approval for purchase of equipment and/or computers.

C. There is some flexibility in adjusting line item allocations and transferring funds between line items/cost categories provided that both of the following conditions are met:
   1. 10% Flexibility: The total expenditures for each category do not exceed 10% of the approved budget amount for the cost category;
   2. The total cumulative expenditure for all cost categories does not exceed the Agreement amount.

VIII. **Budget Narrative**

Subrecipient must use Form 8 to set out the budget narrative information in support of the proposed PY19-20 budget. Please provide the name(s) and contact information of staff who may be contacted about questions concerning the budget submission.

The budget narrative must include the following:
   1. A statement setting forth the intended use of the monies for each line item
   2. An explanation/justification for the use of each line item contained within the proposed PY19-20 budget plan.
   3. In preparing the budget narrative, please provide information so that a reviewer understands the necessity of each proposed item as well as the process used to arrive at each budgeted amount (e.g., formulas used).

IX. **Budget Support Documentation**

In addition to the budget narrative, appropriate support documentation must be submitted for each budget line item. Support documentation may include the following:

A. **Personnel/Job descriptions with approved staff salary ranges.**

B. **Organization chart (covering all positions cost allocated against CBDG funds).**

C. **Executed copies of all subcontract agreements and professional service agreements with vendors for outside services (e.g., legal or accounting).**
is the policy of the City of Los Angeles (City) to encourage fair and open competition in its procurement for goods and services. By practicing sound purchasing and contracting practices, we are demonstrating the highest ethical standards possible. Procurement shall be conducted at least once every three years. Subrecipient shall conduct and document oversight to ensure compliance with procurement procedures.

If executed subcontract agreements and professional service agreements with vendors for outside services are not available at the time of RFCR submission, submit as soon as available. No expenditures for this line item will be reimbursed until agreements are submitted.

D. New or amended lease agreement(s) or depreciation schedule(s) with Cost allocation plan defining the method for allocating various shared expenses between all BusinessSource Contracts and all other non-BusinessSource Center programs. Provide a floor plan of the Center facility and the methodology used to calculate space costs.

E. Copies of the Subrecipient’s indirect cost rate approval letter from the Subrecipient’s cognizant agency (if any). Agencies that do not have a cognizant Federal agency may submit a request to the EWDD Financial Management Division to negotiate a rate.

X. Additional Required Contract Documentation

A. Organizations recommended for funding by the EWDD, and approved for funding by the City Council and Mayor, are required to comply with the City’s requirements for contract execution.

B. These requirements include the submission of various compliance statements, corporate documents, and certifications.

C. Code of Conduct contract language
   1. PY19-20 contracts will include language regarding the Code of Conduct.
   3. Subrecipients submitting a RFCR must have adopted, by a duly authorized motion of their Board of Directors, the following:
      a. The Code of Conduct provided by the City of Los Angeles; or
      b. The subrecipient’s own Code of Conduct subject to City approval.

D. Corporate Documents

If there have been any changes to the subrecipient entity structure,
mission, type or legal name, subrecipient must submit the updated/revised documents with this RFCR. If there are no changes in these documents, indicate “No change” on the Request for Contract Renewal Checklist-Attachment 1.

E. IRS Taxpayer Identification Number

Subrecipient must ensure that they have submitted a copy of its IRS tax identification number dated within the last ten years. To comply with this requirement subrecipient must submit an updated copy with a date after 2009.

F. Signatory Authorization

Subrecipients must ensure that they have submitted an updated Certification of Authorities within the current program year ending June 30 or with any changes in the listed authorities. To comply with the RFCR subrecipient must do one of the following:
1. Submit an updated Board Resolution - Form 4 along with an appropriate Certification of Authorities - Form 3. The board resolution must specifically list all individuals appearing on the Certification of Authorities as well as the tasks such individuals are authorized to perform. Also, provide minutes of the board meeting that resolution was passed; or
2. Check “No Change” on the RFCR Document Checklist - Form 1 if the last submission is dated after July 1, 2018, and there have been no changes since that date.

G. Board of Directors

An updated list of Board Members with contact information and a Certification by Corporate Secretary – a sample has been provided Form 5 must be submitted with the RFCR.

H. Municipal Lobbying Ordinance

The Municipal Lobbying Ordinance established by Council requires City departments to include a copy of the Municipal Lobbying ordinance in all invitations for bids, requests for proposals, requests for qualifications or other solicitations relative to entering into agreements with the City. Subrecipients must submit Bidder Certification CEC Form 50 - Form 6 along with their RFCR documentation. The new law, LAMC section 49.7.30, requires bidders to submit CEC Form 55 to the awarding authority at the time of bid submission. Bidder Contributions CEC Form 55 - Form 7 can be found on the Ethics Commission’s website, on the Forms page, this ordinance may be viewed at the City website at http://ethics.lacity.org/pdf/forms/CEC_Form_55_June2011.pdf.
For additional information, please see
I. **Insurance**

The City requires that proof of current insurance coverage be submitted electronically via the City's KwikComply site by the subrecipient's agent/broker (and not by the subrecipient itself), who must register at [https://kwikcomply.org](https://kwikcomply.org) For EWDD subrecipients, the agent/broker must include Lafaye Jones in the notification section of the form. Her email address is [lafaye.jones@lacity.org](mailto:lafaye.jones@lacity.org). **Please note for PY 19-20, Professional Liability (Errors and Omissions) will also be required.**

J. **Contractor Responsibility Ordinance**

Contractor Responsibility Ordinance (CRO), requires a determination that prospective contractors are responsible and capable of fully performing the work before being awarded a City contract. No contract may be executed unless a CRO questionnaire and a pledge form have been received and approved. The completed Questionnaire and a signed "Pledge of Compliance with the Contractor Responsibility Ordinance" must be turned in with the RFCR.

The CRO Questionnaire for service contracts - Form 9 is attached for reference and can also be downloaded from [https://bca.lacity.org/uploads/cro/CROQ%20Service%20Questionnaire%20Rev%201-20-12.pdf](https://bca.lacity.org/uploads/cro/CROQ%20Service%20Questionnaire%20Rev%201-20-12.pdf)

The CRO Pledge of Compliance - Form 10 is attached for reference and can also be downloaded from [https://bca.lacity.org/uploads/cro/CRO%20Pledge%20of%20Compliance.PDF](https://bca.lacity.org/uploads/cro/CRO%20Pledge%20of%20Compliance.PDF)

K. **CDBG Equipment Inventory Form**

Pursuant to City agreements, contractors are responsible for maintaining "Inventory Control" of all equipment purchased with grant funds. Please complete and submit Equipment Inventory Form - Form 8 for all equipment purchased with grant funds. The record shall include:

1. A description of the item or equipment, including model and serial number, if applicable;
2. Date of acquisition;
3. The acquisition cost or assigned value to the program; and
4. Source of acquisition
5. LABSC program analyst will follow up with an inspection of the inventory to reconcile with the Equipment Inventory Form annually.
L. Los Angeles Business Assistance Virtual Network (LABAVN)

As of August 15, 2011, the Bureau of Contracts Compliance Office of Contract Compliance modified the compliance verification process.

LABAVN is now the platform for satisfying the reporting requirements for the City's Equal Employment Opportunity Enforcement. Affirmative Action Program (AA), the Equal Benefits Ordinance (EBO), Slavery Disclosure Ordinance (SDO), and the First Source Hiring Ordinance (FSHO). Please go to www.labavn.org, register and follow the instructions for downloading and uploading completed Ordinance forms to the system. All applicable forms must be completed and signed prior to uploading to the "Company Documents" section. Instructions for registering and downloading templates have been included in the RFCR as Guideline 1.

IMPORTANT: AA. EBO, SDO AND FSHO approvals remain in effect for 12 months. If the contractor has uploaded these forms to www.labavn.org within the last 12 months, no action is necessary.

Please select the "Uploaded" boxes on the RFCR Checklist - Form 1 and include the date the forms were uploaded. For more details regarding the above ordinances please go to https://bca.lacity.org/Equal-Employment-Opportunity-Enforcement

M. Living Wage Ordinance (LWO) Documentation

The Living Wage Ordinance (LWO) requires employers who have agreements with the City to pay their employees at least a minimum "living wage" and to provide certain benefits unless an exemption applies. For more details, please refer to City website https://bca.lacity.org/living-wages-ordinance-lwo. The applicable Living Wage forms can be downloaded at https://bca.lacity.org/LWO%20Printable%20Forms and should be completed and submitted with the RFCR.