

Hidden Creeks Estates Request for Bids

Questions from Panel of Economists

Question 1

Given that the contracting process, especially the first time around, can take some time, how can we initiate that process so as to make it as smooth and quick as possible?

Response to Question 1

The Request for Bids states:

The selected economist or team of economists will be required to comply with the City's current Contractor Responsibility Ordinance and other City contracting requirements. In addition, the selected firm or firms will need to provide a copy of their Business Tax Registration Certificate (BTRC) from the City of Los Angeles Office of Finance.

Once the OEA has selected a firm or firms and negotiated the terms of the agreement, the OEA will prepare a written contract which will be signed by the City and the chosen firm(s). By that time, the firm(s) will need to show compliance with the current Contractor Responsibility Ordinance and will need to provide a copy of the BTRC. To make sure that the process goes smoothly, firms should verify that their contracting paperwork and BTRC information are up-to-date.

For information about the Standard Provisions for City Contracts and Proof of Insurance, go to the CAO Risk Management website at: <http://cao.lacity.org/risk/>

To apply for or renew a BTRC, go to the Office of Finance website at: <http://finance.lacity.org/>

Clarification to Response to Question 1

Once the OEA has selected a firm or firms and negotiated the terms of the agreement, the OEA will prepared a written contract which will be signed by the City and and the chosen firm(s). Prior to contract execution, the firm(s) will need to demonstrate compliance with the current Contractor Responsibility Ordinance and other City contracting requirements and will provide a copy of the BTRC. To make sure that the process goes smoothly, firms should verify that their contracting paperwork and BTRC information are up-to-date.

For information about the Standard Provisions for City Contracts and Proof of Insurance, go to the CAO Risk Management website at: <http://cao.lacity.org/risk/>

To apply for or renew a BTRC, go to the Office of Finance website at: <http://finance.lacity.org/>

Question 2

Was this Request for Bids sent to the selected firms under one of the Service Categories? If yes, what Service Category was used?

Response to Question 2

The RFB was sent to the firms in the Taxes, Revenue and Forecasting category, which is all of the consultants.

Question 3

Is an emailed PDF of the response (including signed cover letter) sufficient, or do you also need hard copies (and if so, how many copies)?

Response to Question 3

The RFB states that “all information is due by Thursday, December 8, 2011 at 3:00 PM by e-mail.”

For this project, an e-mailed proposal is requested and sufficient.

Question 4

Can submitting firms use subconsultants, or is all work expected to be done solely by the approved consultants on the panel?

Response to Question 4

The RFB says that the selected economist or team of economists will be required to comply with the City’s current Contractor Responsibility Ordinance and other City contracting requirements, which includes the Standard Provisions for City Contracts. Sections PSC-12 and PSC 13 of the Standard Provisions state as follows:

PSC-12. CONTRACTOR’S PERSONNEL

Unless otherwise provided or approved by the CITY, CONTRACTOR shall use its own employees to perform the services described in this Contract. The CITY shall have the right to review and approve any personnel who are assigned to work under this Contract. CONTRACTOR agrees to remove personnel from performing work under this Contract if requested to do so by the CITY.

CONTRACTOR shall not use subcontractors to assist in performance of this Contract without the prior written approval of the CITY. If the CITY permits the use of subcontractors, CONTRACTOR shall remain responsible for performing all aspects of this Contract. The CITY has the right to approve CONTRACTOR'S subcontractors, and the CITY reserves the right to request replacement of subcontractors. The CITY does not have any obligation to pay CONTRACTOR'S subcontractors, and nothing herein creates any privity between the CITY and the subcontractors.

PSC-13. PROHIBITION AGAINST ASSIGNMENT OR DELEGATION

CONTRACTOR may not, unless it has first obtained the written permission of the CITY:

- A. Assign or otherwise alienate any of its rights under this Contract, including the right to payment; or
- B. Delegate, subcontract, or otherwise transfer any of its duties under this Contract.

The City Attorney states that firms may include subcontractors in proposals for the Hidden Creeks Estates RFB. If the City then signs an agreement that includes subcontractors, that agreement would comply with the Standard Provisions for City Contracts and would constitute "prior written approval" as described in Section PSC-12.

Question 5

Does the cover letter of transmittal (page 2, #7) count as part of the 5 pages or is it in addition to the 5 pages?

Response to Question 5

The cover letter is included in the five pages of the proposal.

Question 6

Is the list of firms on the Economic bench available?

Response to Question 6

The list of firms is included in the attached CAO report.

Question 7

Do you have a list of the subsidiaries and subcontractors to Forestar Real Estate Group so we may confirm or deny any conflicts of interest?

Response to Question 7

The CAO does not have that information.

Question 8

Is the project currently in the Southern California Edison service area and does DWP need to acquire that service area from SCE?

Response to Question 8

The following response was provided by a representative for the developers.

The property is currently in the County of Los Angeles, and thus in the So Cal Edison service area. Upon annexation, the property will automatically be served by the DWP as all properties in the city boundaries are served by DWP.

Question 9

Has DWP identified the water supplies it needs to acquire under state law to service the new development?

Response to Question 9

The following response was provided by a representative for the developers.

See the attached March 26, 2010 letter from DWP. This references DWP's commitment to enter with Forestar, a Water Supply Agreement that will be a condition of the final map recordation. The Planning Department has relied upon this letter.

Question 10

The RFB states that the analysis should address the "Impact of potential legal issues due to delays in the project." Could you please provide clarification of what this means? Perhaps there is another way to state what type of analysis or evaluation the City would like on this point.

Response to Question 10

The "impact of potential legal issues due to delays in the project" should be one of many factors the Analysis of the proposed Project. While the City does not have a specific situation in mind, we are generally looking to know about potential fiscal impacts should there be any legal challenges regarding the Project if it is delayed for some reason. Responses should be based on your expertise and experience in this area.