

**City of Los Angeles**  
**Contractor Responsibility Program**  
Contractor Responsibility Ordinance (CRO)  
Responsibility Questionnaire-Procurement  
**INSTRUCTION & INFORMATION SHEET**

## I. COMPLETION INSTRUCTIONS

### TYPE OF SUBMISSION

**A. If you have not previously submitted a Responsibility Questionnaire** (since Sept. 4, 2001), follow the steps listed under Option A below (“Initial Submission”).

**B. If you previously submitted an “Initial” or “Update” Questionnaire and if any of your Questionnaire responses have changed since submission**, follow the steps listed under Option B below (“Update Submission”).

**Note:** If an “Initial” Questionnaire was submitted for an RFQ which was canceled and rebid, the previous bid, including CRO Questionnaire, became void-follow the steps listed under Option A below.

**C. If you previously submitted an “Initial” or “Update” Questionnaire** (whichever was the most recent prior submission) **and your Questionnaire responses have not changed since submission**, follow the steps listed under Option C below (“No Change Submission”).

*NOTE: Should you have any difficulty in determining which submission type or format to use or should you have any other difficulty or question, please phone the assigned Procurement Analyst, before bid submission.*

#### **Option A- “Initial Submission”**

1. Complete pages 1 thru 8 (including pg. 9, Attachment C).
2. Complete Section A (“CONTACT INFORMATION”) including:
  - a. City Awarding Dept/Division (GSD/Supply Services Div.) and;
  - b. City Contact Person’s name & phone (Procurement Analyst assigned to the RFQ).
3. Mark the Submission Type as “Initial submission...”
4. A separate Questionnaire must be submitted with the bid response for each Joint-Venture partner, if applicable.
5. Provide a definitive “Yes” or “No” response to each question.
  - a. For all “Yes” responses provide details on the appropriate Attachment A or B.
  - b. Pay special attention to question #7 and provide a list of the five largest similar contracts, if applicable, your company has held in the last five years on Attachment B.

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Otherwise, check the box to indicate that your company has not held similar contracts in the last five years.

6. Read, sign, and date in the space provided on page 6.
7. Submit all 9 pages of the completed Questionnaire, which includes Attachment C.
8. **Keep a copy for your records.** You will be required to provide a exact copy with future Requests for Quotes (RFQs).

**Option B-** “Update Submission”

1. Complete a whole new Questionnaire, pages 1 thru 8 (include pg. 9, Attachment C).
2. Complete Section A (“CONTACT INFORMATION”) including:
  - a. City Awarding Dept/Division (GSD/Supply Services Div.) and;
  - b. City Contact Person’s name & phone (Procurement Analyst assigned to the RFQ).
3. Mark the Submission Type as “An update of a prior Questionnaire dated \_\_\_/\_\_\_/\_\_\_” and insert the date from the signature page (pg. 6) of the prior Initial or Updated Questionnaire (whichever is the most recent prior submission) in the space provided.
4. A separate Questionnaire must be submitted with the bid response for each Joint-Venture partner, if applicable.
5. Provide a definitive “Yes” or “No” response to each question.
  - a. For all “Yes” responses provide details on the appropriate Attachment A or B.
  - b. Pay special attention to question #7 and, if applicable, provide a list of the five largest similar contracts your company has held in the last five years on Attachment B. Otherwise, check the box to indicate that your company has not held similar contracts in the last five years.

6. Read, sign, and date in the space provided on page 6.
7. Submit all 9 pages of the new Update Questionnaire, which includes Attachment C.
8. **Keep a copy for your records.** You will be required to provide an exact copy with future Requests for Quotes (RFQ’s).

**Option C-** “No Change Submission”

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1. **Complete only page 1 (cover page)** of a new Questionnaire and attach it to a complete copy of the Initial or Update Questionnaire (whichever is the most recent prior submission).
2. Mark the Submission Type as “No Change...”, and insert the date from the signature page (pg.6) of the prior Initial or Update Questionnaire in the space provided for “... no change to any response since the last Responsibility Questionnaire dated \_/\_/\_.”
3. Read, sign, and date in the space provided on page 1 (cover page).
4. There should be a total of ten (10) pages – pages 1 through 9 of the Initial Questionnaire plus page 1 of a new Questionnaire containing the complete “CONTACT INFORMATION,” “BIDDER/CONTRACTOR INFORMATION,” and “SUBMISSION TYPE” for the current RFQ.

## **II. POSTING**

- A. First three pages (Section A thru C) for each of the three lowest responsive bidders will be posted on the Internet. (Refer to the General Information Section on page 3 of these instructions.)
  1. Includes Attachment A, if applicable, and any subcontractor list, if applicable.
  2. Will be posted for fourteen (14) calendar days to allow a period of public review.

## **III. DEBARMENT**

- A. A bidder or contractor may be debarred (for 5 years) from doing business with all City Departments for failure to comply with the CRO.
- B. The debarment policy is contained in the Rules & Regulations implementing the CRO and is available on the City’s Bidder Responsibility Web Site at [www.lacity.org/bidresp](http://www.lacity.org/bidresp).

## **IV. PLEDGE OF COMPLIANCE**

- A. A Pledge of Compliance form is required to be signed and filed by each contract recipient and its subcontractors.
  1. Within 14 calendar days of award notification, contract recipient must submit a signed Pledge of Compliance.
  2. Within 30 calendar days, contract recipient must also submit a signed Pledge of Compliance from each of its subcontractors.
    3. By signing the Pledge of Compliance, the contractor agrees to submit within 30 calendar days of occurrence, an updated Questionnaire notifying the City of any occurrence or developments which would change any previous response and such

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change would affect the contractor's fitness and ability to continue the contract. Contractor is also responsible for making sure all subcontractors comply with the Ordinance.

**V. GENERAL INFORMATION**

For additional information regarding the Contractor Responsibility Ordinance (CRO), please visit the City's Chief Administrative Office (CAO) Bidder Responsibility Web Site at [www.lacity.org/bidresp](http://www.lacity.org/bidresp). A copy of the Ordinance, Rules & Regulations, appropriate Questionnaire (Procurement), and Pledge of Compliance may also be obtained from this site. Should you have any questions regarding any of these forms please contact the assigned Procurement Analyst.

**CITY OF LOS ANGELES**

**PLEDGE OF COMPLIANCE WITH CONTRACTOR RESPONSIBILITY ORDINANCE**

Los Angeles Administrative Code (LAAC) Section 10.40 et seq. (Contractor Responsibility Ordinance) provides that, unless specifically exempt, City contractors working under service contracts of at least \$25,000 and three months, contracts for the purchase of goods and products of at least \$100,000, contracts for the purchase of garments of at least \$25,000, and construction contracts of any amount; public lessees; public licensees; and certain recipients of City financial assistance or City grant funds, shall comply with all applicable provisions of the Ordinance. Upon award of a City contract, public lease, public license, financial assistance or grant, the contractor, public lessee, public licensee, City financial assistance recipient, or grant recipient, and any its subcontractor(s), shall submit this Pledge of Compliance to the awarding authority.

The contractor agrees to comply with the Contractor Responsibility Ordinance and the following provisions:

- (a) To comply with all federal, state, and local laws in the performance of the contract, including but not limited to laws regarding health and safety, labor and employment, wage and hours, and licensing laws, which affect employees.
- (b) To notify the awarding authority within 30 calendar days after receiving notification that any governmental agency has initiated an investigation which may result in a finding that the contractor did not comply with any federal, state, or local law in the performance of the contract, including but not limited to laws regarding health and safety, labor and employment, wage and hours, and licensing laws, which affect employees.
- (c) To notify the awarding authority within 30 calendar days of all findings by a governmental agency or court of competent jurisdiction that the contractor has violated any federal, state, or local law in the performance of the contract, including but not limited to laws regarding health and safety, labor and employment, wage and hours, and licensing laws which affect employees.
- (d) If applicable, to provide the awarding authority, within 30 calendar days, updated responses to the Responsibility Questionnaire if any change occurs which would change any response contained within the Responsibility Questionnaire and such change would affect the contractor's fitness and ability to continue the contract.
- (e) To ensure that subcontractors working on the City agreement (including contractors or subcontractors of a public lessee, licensee, sublessee, or sublicensee that perform or assist in performing services on the leased or licensed premises) shall comply with all federal, state, and local laws in the performance of the contract, including but not limited to laws regarding health and safety, labor and employment, wage and hours, and licensing laws, which affect employees.
- (f) To ensure that subcontractors working on the City agreement (including contractors or subcontractors of a public lessee, licensee, sublessee, sublicensee that perform or assist in performing services on the leased or licensed premises) submit a Pledge of Compliance.
- (g) To ensure that subcontractors working on the City agreement (including contractors or subcontractors of a public lessee, licensee, sublessee, or sublicensee that perform or assist in performing services on the leased or licensed premises) shall comply with paragraphs (b) and (c).

**Failure to complete and submit this form to the Awarding Authority may result in withholding of payments by the City Controller, or contract termination.**

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Company Name, Address and Phone Number

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Signature of Officer or Authorized Representative Date

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Print Name and Title of Officer or Authorized Representative

DEPARTMENT OF GENERAL SERVICES, SUPPLY SERVICES DIVISION

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Awarding City Department Contract Number

CITY OF LOS ANGELES  
RESPONSIBILITY QUESTIONNAIRE

RFQ ID

**RESPONSES TO THE QUESTIONS CONTAINED IN THIS QUESTIONNAIRE MUST BE SUBMITTED ON THIS FORM. In responding to the Questionnaire, neither the City form, nor any of the questions contained therein, may be retyped, recreated, modified, altered, or changed in any way, in whole or in part. Bidders or Proposers that submit responses on a form that has been retyped, recreated, modified, altered, or changed in any way shall be deemed non-responsive.**

The signatory of this questionnaire guarantees the truth and accuracy of all statements and answers to the questions herein. Failure to complete and return this questionnaire, any false statements, or failure to answer (a) question(s) when required, may render the bid/proposal non-responsive. All responses must be typewritten or printed in ink. Where an explanation is required or where additional space is needed to explain an answer, use the Responsibility Questionnaire Attachments. Submit the completed form and all attachments to the awarding authority. Retain a copy of this completed form for future reference. Contractors must submit updated information to the awarding authority if changes have occurred that would render any of the responses inaccurate in any way. Updates must be submitted to the awarding authority within 30 days of the change(s).

**A. CONTACT INFORMATION**

CITY DEPARTMENT INFORMATION

City Department/Division Awarding Contract City Contact Person Phone

City Bid or Contract Number (if applicable) and Project Title

BIDDER/CONTRACTOR INFORMATION

Bidder/Proposer Business Name

Street Address City State Zip

Contact Person, Title Phone Fax

**TYPE OF SUBMISSION:**

The Questionnaire being submitted is:

An initial submission of a completed Questionnaire.

An update of a prior Questionnaire dated \_\_\_\_/\_\_\_\_/\_\_\_\_.

No change. I certify under penalty of perjury under the laws of the State of California that there has been no change to any of the responses since the last Responsibility Questionnaire dated \_\_\_\_/\_\_\_\_/\_\_\_\_ was submitted by the firm. Attach a copy of that Questionnaire and sign below.

Print Name, Title Signature Date

**TOTAL NUMBER OF PAGES SUBMITTED, INCLUDING ALL ATTACHMENTS:** \_\_\_\_\_

**B. BUSINESS ORGANIZATION/STRUCTURE**

Indicate the organizational structure of your firm. "Firm" includes a sole proprietorship, corporation, joint venture, consortium, association, or any combination thereof.

**Corporation:** Date incorporated: \_\_\_\_\_ State of incorporation: \_\_\_\_\_

List the corporation's current officers.

President: \_\_\_\_\_

Vice President: \_\_\_\_\_

Secretary: \_\_\_\_\_

Treasurer: \_\_\_\_\_

Check the box only if your firm is a publicly traded corporation.

\_\_\_\_\_  
\_\_\_\_\_

**Limited Liability Company:** Date of formation: \_\_\_\_\_ State of formation: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**Partnership:** Date formed: \_\_\_\_\_ State of formation: \_\_\_\_\_

List all partners in your firm. Use Attachment A if more space is needed.

\_\_\_\_\_  
\_\_\_\_\_

**Sole Proprietorship:** Date started: \_\_\_\_\_

List any firm(s) that you have been associated with as an owner, or partner, for the last five years. Use Attachment A if more space is needed. Do not include ownership of stock in a publicly traded company in your response to this question.

\_\_\_\_\_  
\_\_\_\_\_

**Joint Venture:** Date formed: \_\_\_\_\_

List: (1) each firm that is a member of the joint venture and (2) the percentage of ownership the firm will have in the joint venture. Use Attachment A if more space is needed. **Each member of the Joint Venture must complete a separate Questionnaire for the Joint Venture's submission to be considered as responsive to the invitation.**

\_\_\_\_\_  
\_\_\_\_\_

**C. OWNERSHIP AND NAME CHANGES**

1. Has any of the firm's owners, or partners operated a similar business in the past five years?

**Yes**     **No**

If **Yes**, list on Attachment A the names and addresses of all such businesses, and the person who operated the business. Include information about a similar business only if an owner, or partner of your firm holds a similar position in another firm.

2. Has the firm changed names in the past five years?

**Yes**     **No**

If **Yes**, list on Attachment A all prior names, addresses, and the dates they were used. Explain the reason for each name change in the last five years.

**Bidders/Contractors must continue on to Section D and answer all remaining questions contained in this Questionnaire.**



**D. FINANCIAL RESOURCES AND RESPONSIBILITY**

3. Is your firm now or has it ever been at any time in last five year, the debtor in a bankruptcy proceeding?

Yes     No

If **Yes**, explain on Attachment B the circumstances surrounding each instance.

4. Is your company in the process of, or in negotiations toward, being sold?

Yes     No

If **Yes**, explain the circumstances on Attachment B.

5. In the past five years, has any bonding company made any payments to satisfy any claims made against a bond issued on your firm's behalf?

Yes     No

If **Yes**, explain on Attachment B the circumstances surrounding each instance.

**E. PERFORMANCE HISTORY**

6. How many years has your firm been in business? \_\_\_\_\_ Years

7. List on Attachment B the five largest contracts your firm has had with any private or governmental entity over the last five years which are similar to the work to be performed on the contract for which you are bidding or proposing. For each contract listed in response to this question, include: (a) contract number; (b) awarding authority; and (c) contact name and phone number.

Check the box if you have not had any similar contracts in the last five years.

8. In the past five years, has your firm ever had a contract, whether with a governmental entity or with a private individual or entity, terminated prior to completion of the contract?

Yes     No

If **Yes**, explain on Attachment B the circumstances surrounding each instance.

9. In the past five years, has your firm been denied an award of a contract based on a finding by a governmental entity that your company was not a responsible bidder or contractor?

Yes     No

If **Yes**, explain on Attachment B the circumstances surrounding each instance.

**F. DISPUTES**

10. In the past five years, has your firm been a defendant in any employment-related litigation brought by an employee, which has been adjudicated in favor of the employee(s)?

Yes     No

If **Yes**, explain the circumstances surrounding each instance on Attachment B. You must include the following in your response: the name of the plaintiffs in each court case, the specific causes of action in each case; the date each case was filed; and the disposition/current status of each case.

11. In the past five years, has your firm been assessed liquidated damages on any contract?

**Yes**     **No**

If **Yes**, explain on Attachment B the circumstances surrounding each instance and identify all such projects, the amount assessed and paid, and the name and address of the project owner.

**G. COMPLIANCE**

12. In the past five years, has your firm or any of its owners, or partners been cited, assessed any penalties, or been found to have violated any laws, rules, or regulations enforced or administered, by any of the governmental entities listed on Attachment C (Page 9)? For this question, the term “owner” does not include owners of stock in your firm if your firm is a publicly traded corporation.

**Yes**     **No**

If **Yes**, explain on Attachment B the circumstances surrounding each instance, including the entity that was involved, the dates of such instances, and the outcome.

13. In the past five years, has your firm, any of its owners, partners, or officers, ever been penalized or given a letter of warning by the City of Los Angeles for failing to obtain authorization from the City for the substitution of a Minority-owned (MBE), Women-owned (WBE), or Other (OBE) business enterprise?

**Yes**     **No**

If **Yes**, explain on Attachment B the circumstances surrounding each instance in the last five years.

**H. BUSINESS INTEGRITY**

14. For questions (a), (b), and (c) below, check **Yes** if the situation applies to your firm. For these questions, the term “your firm” includes any owners, or partners in the firm. The term “owner” does not include owners of stock in your firm if your firm is a publicly traded corporation. If you check **Yes** to any of the three questions below, explain on Attachment B the circumstances surrounding each instance.

(a) Is a governmental entity or public utility currently investigating your firm for making (a) false claim(s) or material misrepresentation(s)?

**Yes**    **No**

(b) In the past five years, has a governmental entity or public utility alleged or determined that your firm made (a) false claim(s) or material misrepresentation(s)?

**Yes**    **No**

(c) In the past five years, has your firm convicted of, or found liable in a civil suit for, making (a) false claim(s) or material misrepresentation(s) to any governmental entity or public utility?

**Yes**    **No**

15. In the past five years, has your firm or any of its owners been convicted of a crime or been found liable in a civil suit involving the bidding of a government contract, the awarding of a government contract, the performance of a government contract, or the crime of theft, fraud, embezzlement, perjury, or bribery? For this question, the term “owner” does not include those who own stock in a publicly traded corporation.

**Yes**     **No**

If **Yes**, explain on Attachment B the circumstances surrounding each instance.

**CERTIFICATION UNDER PENALTY OF PERJURY**

I certify under penalty of perjury under the laws of the State of California that I have read and understand the questions contained in this questionnaire and the responses contained on all Attachments. I further certify that I have provided full and complete answers to each question, and that all information provided in response to this Questionnaire is true and accurate to the best of my knowledge and belief.

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Print Name, Title

Signature

Date

**ATTACHMENT A FOR SECTIONS A THROUGH C**

Where additional information or an explanation is required, use the space below to provide the information or explanation. Information submitted on this sheet must be typewritten. Indicate the question for which you are submitting additional information.

Page \_\_\_\_\_

**ATTACHMENT B FOR SECTIONS D THROUGH H**

Where additional information or an explanation is required, use the space below to provide the information or explanation. Information submitted on this sheet must be typewritten. Indicate the question for which you are submitting additional information.

Page \_\_\_\_\_

**ATTACHMENT C: GOVERNMENTAL ENTITIES FOR SECTION G, QUESTION NO. 12**

Check **Yes** in response to Question No. 1 in Section G if your firm or any of its owners or partners have ever been cited, assessed any penalties, or found to have violated any laws, rules, or regulations enforced or administered, by any of the governmental entities listed below (or any of its subdivisions), including but not limited to those examples specified below. The term “owner” does not include owners of stock in your firm if your firm is a publicly traded corporation. If you answered **Yes**, provide an explanation on Attachment B of the circumstances surrounding each instance, including the entity involved, the dates of such instances, and the outcome.

**FEDERAL ENTITIES****Federal Department of Labor**

- American with Disabilities Act
- Immigration Reform and Control Act
- Family Medical Leave Act
- Fair Labor Standards Act
- Davis-Bacon and laws covering wage requirements for federal government contract workers
- Migrant and Seasonal Agricultural Workers Protection Act
- Immigration and Naturalization Act
- Occupational Safety and Health Act
- anti-discrimination provisions applicable to government contractors and subcontractors
- whistleblower protection laws

**Federal Department of Justice**

- Civil Rights Act
- American with Disabilities Act
- Immigration Reform and Control Act of 1986
- bankruptcy fraud and abuse

**Federal Department of Housing and Urban Development (HUD)**

- anti-discrimination provisions in federally subsidized/assisted/sponsored housing programs
- prevailing wage requirements applicable to HUD related programs

**Federal Environmental Protection Agency**

- Environmental Protection Act

**National Labor Relations Board**

- National Labor Relations Act

**Federal Equal Employment Opportunity Commission**

- Civil Rights Act
- Equal Pay Act
- Age Discrimination in Employment Act
- Rehabilitation Act
- Americans with Disabilities Act

**STATE ENTITIES****California's Department of Industrial Relations**

- wage and labor standards, and licensing and registration
- occupational safety and health standards
- workers' compensation self insurance plans
- Workers' Compensation Act
- wage, hour, and working standards for apprentices
- any provision of the California Labor Code

**California's Department of Fair Employment and Housing**

- California Fair Employment and Housing Act
- Unruh Civil Rights Act
- Ralph Civil Rights Act

**California Department of Consumer Affairs**

- licensing, registration, and certification requirements
- occupational licensing requirements administered and/or enforced by any of the Department's boards, including the Contractors' State Licensing Board

**California's Department of Justice****LOCAL ENTITIES**

**City of Los Angeles** or any of its subdivisions for violations of any law, ordinance, code, rule, or regulation administered and/or enforced by the City, including any letters of warning or sanctions issued by the City of Los Angeles for an unauthorized substitution of subcontractors, or unauthorized reductions in dollar amounts subcontracted.

**OTHERS**

**Any other federal, state, local governmental entity** for violation of any other federal, state, or local law or regulation relating to wages, labor, or other terms and conditions of employment.