

## **Contractor Non-Responsibility**

A responsible Contractor is a Contractor who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity and experience to satisfactorily perform the contract. It is the County's policy to conduct business only with responsible Contractors.

Contractors are hereby notified that, in accordance with Chapter 2.202 of the County Code, the County may determine whether the Contractor is responsible based on a review of the Contractor's performance on any contracts, including but not limited to County contracts. Particular attention will be given to violations of labor laws related to employee compensation and benefits, and evidence of false claims made by the Contractor against public entities. Labor law violations which are the fault of the subcontractors and of which the Contractor had no knowledge shall not be the basis of a determination that the Contractor is not responsible.

The County may declare a Contractor to be non-responsible for purposes of this contract if the Board of Supervisors, in its discretion, finds that the Contractor has done any of the following: (1) violated a term of a contract with the County or a nonprofit corporation created by the County; (2) committed an act or omission which negatively reflects on the Contractor's quality, fitness or capacity to perform a contract with the County, any other public entity, or a nonprofit corporation created by the County, or engaged in a pattern or practice which negatively reflects on same; (3) committed an act or omission which indicates a lack of business integrity or business honesty; or (4) made or submitted a false claim against the County or any other public entity.

If there is evidence that the apparent highest ranked Contractor may not be responsible, the Department shall notify the Contractor in writing of the evidence relating to the Contractor's responsibility, and its intention to recommend to the Board of Supervisors that the Contractor be found not responsible. The Department shall provide the Contractor and/or the Contractor's representative with an opportunity to present evidence as to why the Contractor should be found to be responsible and to rebut evidence which is the basis for the Department's recommendation.

If the Contractor presents evidence in rebuttal to the Department, the Department shall evaluate the merits of such evidence, and based on that evaluation, make a recommendation to the Board of Supervisors. The final decision concerning the responsibility of the Contractor shall reside with the Board of Supervisors.

These terms shall also apply to proposed subcontractors of Contractors on County contracts.

[Implementation Instructions Procedures for Determinations of Contractor Non-Responsibility and Contractor Debarment](#)

[Listing of Contractors Debarred in Los Angeles County](#)