

City and County of San Francisco
Office of the Treasurer & Tax Collector

Request for Proposals for
Online Payment Gateway Services

RFP#TTX2017-08



Date issued:
Proposal due:

August 8, 2017
September 12, 2017, 5:00PM PST

RFP#TTX2017-08 Online Payment Gateway Services

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Appendices:

- A. Standard Forms: Listing and Internet addresses of Forms related to Taxpayer Identification Number and Certification, to Business Tax Declaration, and to Chapters 12B and 12C, and 14B of the S.F. Administrative Code.
- B. Minimum Requirements and Requirements from Section IV (separate document)
- C. Agreement for SaaS Services (form P-548, separate document)
- D. Price Proposal Form (separate document)

**Office of the Treasurer & Tax Collector
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I. Introduction and Schedule

A. General

1. San Francisco is the fourth largest city in California and serves as a center for business, commerce and culture for the West Coast. The City was established by City Charter in 1850. It is a legal subdivision of the State of California with the governmental powers of both a City and a County under California law. The City's powers are exercised through a Board of Supervisors serving as the legislative authority, and a Mayor and other independent elected officials serving as the executive authority.

The services provided by the City include public protection, public transportation, construction and maintenance of all public facilities, water, parks, public health systems, social services, planning, tax collection, and many others.

Statistics (Fiscal Year 2016):

Population: 864,816

Number of Employees: 26,207

of Departments / Agency: Approximately 60

of Enterprise Agencies: 6 (Airport, Public Utilities Commission, Municipal Transportation Agency, San Francisco General Hospital, Port, Laguna Honda)

Major Agency Funds: 2 (Health Service, Retirement System)

The assets and deferred outflows of resources of the City exceeded its liabilities and deferred outflows at the end of the fiscal year by approximately \$6.57 billion (net position). Of this balance, \$7.52 billion represents the City's net investment in capital assets, \$1.40 billion represents restricted net position, and unrestricted net position has a deficit of \$2.36 billion.

Go to the link below for City and County of San Francisco financial and budget information, such as the Comprehensive Financial Reports (CAFRs).

<http://www.sfcontroller.org/index.aspx?page=275>

2. The Office of the Treasurer & Tax Collector ("TTX") leads this RFP and is the primary fiduciary and contractor for bank and non-bank financial service agreements. All City bank accounts are opened and overseen by TTX and TTX will be the Contractor's primary or secondary point of contact during the term of all agreements ("Agreement") resulting from this RFP. TTX, in coordination with the Office of the Controller, establishes and publishes Citywide banking, cash management and payments policies. TTX oversees and manages balance levels at City operating banks, invests excess cash, and acquires cash management and payment services on behalf of other City departments.

To read more about the functions and duties of the TTX, please refer to the following link:

<http://www.sftreasurer.org/>.

3. The City seeks proposals from firms demonstrating successful experience providing online payment gateway services. Respondents, also referred to in this document as Proposers, must have experience delivering PCI compliant, high-volume gateway payment services as described later in this document. These services will be used to assist City departments and agencies with Online payment acceptance through the Web, accepting in-person transactions through a PC or other physical machine that connects to your Gateway, or via a Customer Service Representative interface (“CSR”). In addition, certain City departments engaged in unique service and payment processing may utilize the services of the selected vendor for customized services and payment portals. The Office of the Treasurer & Tax Collector (“TTX”) leads this RFP and intends to identify the most responsive and qualified Respondent(s) to negotiate contract(s) described within this RFP. Respondents are not guaranteed a contract.

The City seeks a vendor that can provide online payment gateway services to primarily support TTX payment needs. Proposals should only be submitted where the Proposer is the Merchant of Record. Additionally, TTX also wishes Respondents to provide gateway services for other City departments that have payment categories relating to:

- a. Bills
- b. Fees
- c. Fines
- d. Permits
- e. Reservations
- f. Insurance premiums (such as monthly health, dental, vision)
- g. Donations
- h. Garnishments
- i. Recurring payments

Below is a brief description of TTX payment categories and other departments’ payment activities. The number of transactions and City departments that offer payor-not present payments are expected to increase.

Payment Category	Transaction Volume
Business License	1,793
Business Taxes	98,972
Property Taxes	85,180
Delinquent Revenue	3,857
Other	3,719
TOTAL (2016)	193,521

The anticipated contract term will be for five years, with two additional 2 year options to extend the term of the agreement for 4 additional years at the sole and absolute discretion of the City. The actual contract term may vary depending upon service and project needs at the City’s sole, absolute discretion.

B. Schedule

The anticipated schedule for selecting a gateway service provider is:

<u>Proposal Phase</u>	<u>Date</u>
RFP is issued by the City	August 8, 2017
Deadline for submission of written questions or requests for clarification	August 22, 2017
Publication of the City's response to questions or request for clarification	September 1, 2017
Proposal due	September 12, 2017
Oral interviews for finalists	September 26, 2017
Notice of selected respondent	October 2017

C. Contractors Unable to do Business with the City

1. Generally

Contractors that do not comply with laws set forth in San Francisco's Municipal Codes may be unable to enter into a contract with the City. Some of the laws are included in this RFP, or in the sample terms and conditions attached.

2. Companies Headquartered in Certain States

This Contract is subject to the requirements of Administrative Code Chapter 12X, which prohibits the City from entering into contracts with companies headquartered in states with laws that perpetuate discrimination against LGBT populations or where any or all of the work on the contract will be performed in any of those states. Proposers are hereby advised that Proposers which have their United States headquarters in a state on the Covered State List, as that term is defined in Administrative Code Section 12X.3, or where any or all of the work on the contract will be performed in a state on the Covered State List may not enter into contracts with the City. A list of states on the Covered State List is available at the website of the City Administrator (<http://sfgov.org/oca/qualify-do-business>)

II. Scope of Work

The following is to be used as a general guide and is not intended to be a complete list of all work necessary. The main functionalities needed for the online payment gateway service include:

- 24 x 7 x 365 per year gateway services via a secure environment
- Accept card brands Visa, MasterCard, Discover, American Express
- Accept pin-less Debit cards and E-Checks
- Reporting capabilities via a web portal or dashboard
- Batch settlements that do not combine debits and credits in the same batch
- Ability to identify the obligation paid by a unique index or settle code
- Dedicated customer service support for CCSF.
- Payment processing via API, Web Services, or Form Submission
- Accept an XML Post or HTTPS Form Post from City web application to Proposer's payment page
- Support Section 508 accessibility standards. The accessibility standard is located at <http://sfgov.org/web-accessibility-standards-and-guidelines>

III. Submission Requirements

A. Format

1. Hardcopy

Place proposals in three-ring binders for the review panel. Please use three-hole recycled paper, print double-sided to the maximum extent practical, use recycled paper that is comprised of minimum of 30% post-consumer materials, and bind the proposal with a binder clip, rubber band, or single staple, or submit it in a three-ring binder. Please do not bind your proposal with a spiral binding, glued binding, or anything similar. You may use tabs or other separators within the document.

For word processing documents, the department prefers that text be unjustified (i.e., with a ragged-right margin) and use a serif font (e.g., Times Roman, and not Arial), and that pages have margins of at least 1" on all sides (excluding headers and footers).

Please include a Table of Contents.

2. Electronic

Submit an electronic version of the proposal on a USB stick.

B. Time and Place for Submission of Proposals

Proposals must be received by 5:00 p.m., on September 12, 2017. Postmarks will not be considered in judging the timeliness of submissions. Proposals may be delivered in person and left with Reception Desk at City Hall, Room 140, or mailed to:

William Milny
Banking Services and Treasury Accounting
Office of the Treasurer and Tax Collector
City and County of San Francisco
City Hall, Room 140
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4638

For hardcopy deliveries, Proposers shall submit five (5) copies of the proposal and two copies, separately bound, of required CMD Forms in a sealed envelope clearly marked RFP#TTX2017-08 Online Payment Gateway Services RFP to the above location. Proposals that are submitted by fax or email will not be accepted. Late submissions will not be considered.

IV. Selection and Evaluation Criteria

Overall Selection & Evaluation Process: The selection and evaluation process will consist of the criteria listed below with the following allocation of points:

Criteria	Maximum Points
Requirements	35
Price Proposal	25
Written Proposal	15
Presentation/Oral Interview	25
TOTAL	100

The proposals will be evaluated by a selection committee comprised of parties with expertise in online payment gateway Services. The City intends to evaluate the proposals generally in accordance with the criteria itemized below. Up to five (5) of the firms with the highest scoring proposals will be interviewed by the committee to make the final selection.

A. Minimum Qualifications (0 Points)

1) Is your firm Level 1 PCI compliant?	<input type="checkbox"/> Yes <input type="checkbox"/> No
2) Does your firm have a minimum of 3-years of experience providing online payment gateway service?	<input type="checkbox"/> Yes <input type="checkbox"/> No
3) Does your firm accept the following payment types: electronic checks, VISA, MasterCard, Discover, and American Express, and debit cards?	<input type="checkbox"/> Yes <input type="checkbox"/> No
4) Can your firm support the City's participation in Visa's and MasterCard's Bill Pay, Government Tax Payments and any other special pricing programs for which the City is or may be eligible?	<input type="checkbox"/> Yes <input type="checkbox"/> No
5) Can your firm host a shopping cart experience allowing the payer to pay multiple obligations in a single transaction, and settle the funds to multiple Merchant IDs?	<input type="checkbox"/> Yes <input type="checkbox"/> No
6) Can your firm direct E-Check entries to the City's contracted Automated Clearinghouse ("ACH") Originating Depository Financial Institution ("ODFI") which is Bank of America?	<input type="checkbox"/> Yes <input type="checkbox"/> No
7) Can your firm support form posts, APIs and web calls back and forth between your applications and City's subsidiary systems?	<input type="checkbox"/> Yes <input type="checkbox"/> No
8) Can your firm support Section 508 accessibility standards? The accessibility standard is located at: http://sfgov.org/web-accessibility-standards-and-guidelines	<input type="checkbox"/> Yes <input type="checkbox"/> No
9) Can your firm settle funds in USD?	<input type="checkbox"/> Yes <input type="checkbox"/> No
10) As the Merchant of Record, can your firm settle all funds the next business day into the City's bank accounts?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Any proposal that does not demonstrate that the Proposer meets these Minimum Qualifications by the deadline for submittal will be considered non-responsive and will not be eligible for award of the contract.

B. Requirements: Yes/No and Essay Questions (35 Points)Yes/No questions or statements

The following 20 questions and statements can only be answered with yes or no responses. The responses in this section will be scored in a weighted value. The points obtained in this section will count towards the grading of the Requirements section.

1) Gateway will be available to accept payment from City payee's 24 X 7 X 365/366 per year with a minimum uptime of 99.9%?	<input type="checkbox"/> Yes <input type="checkbox"/> No
2) The City and County of San Francisco will be able to define the settlement cut-off time?	<input type="checkbox"/> Yes <input type="checkbox"/> No
3) Does your firm provide a white label option, where the City and County of San Francisco can insert our URL, Logos, Template?	<input type="checkbox"/> Yes <input type="checkbox"/> No
4) Does your firm provide a hosted option (SaaS-Software as a Service)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
5) Does your firm have an API?	<input type="checkbox"/> Yes <input type="checkbox"/> No
6) Does your firm support HTTPS POST and GET methods?	<input type="checkbox"/> Yes <input type="checkbox"/> No
7) Does your firm provide a flat payment file?	<input type="checkbox"/> Yes <input type="checkbox"/> No
8) Does your current application support WebHooks?	<input type="checkbox"/> Yes <input type="checkbox"/> No
9) Can your firm initiate an e-mail or text notification to the payor to confirm a payment has been accepted and processed?	<input type="checkbox"/> Yes <input type="checkbox"/> No
10) Can your firm initiate an e-mail or text notification to the payor if a payment is returned or declined?	<input type="checkbox"/> Yes <input type="checkbox"/> No
11) Can your firm enforce payment rules including exact payment only, overpayments but not partial payments and/or partial payments but not overpayments?	<input type="checkbox"/> Yes <input type="checkbox"/> No
12) Does your firm support recurring payments?	<input type="checkbox"/> Yes <input type="checkbox"/> No
13) Does your firm have a solution enabling the City to access the Gateway for in person transactions?	<input type="checkbox"/> Yes <input type="checkbox"/> No
14) Does your firm have a mobile application for Apple and Android products?	<input type="checkbox"/> Yes <input type="checkbox"/> No
15) Does your product support responsive design to facilitate use on mobile products and tablets?	<input type="checkbox"/> Yes <input type="checkbox"/> No
16) The Gateway will calculate and process flat rate Service Fees.	<input type="checkbox"/> Yes <input type="checkbox"/> No
17) The Gateway will calculate and process percentage based Service Fees.	<input type="checkbox"/> Yes <input type="checkbox"/> No
18) The Gateway will process a separate Service Fee transaction associated with the payer's credit card.	<input type="checkbox"/> Yes <input type="checkbox"/> No
19) Can your firm validate bank routing and transit numbers for WEB & TEL automated clearing house payments instructions?	<input type="checkbox"/> Yes <input type="checkbox"/> No
20) Can your firm validate checking account numbers or guarantee funding on check processing?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Any NO answers to the above 20 Yes/No questions/statements **will not** disqualify you for further consideration.

Essay Questions

Answers need to be typed and attached, preferably with unjustified text (i.e., with a ragged-right margin); use a serif font (e.g., Times Roman, and not Arial); and, have pages with margins of at least 1” on all sides (excluding headers and footers). The total Essay response cannot exceed a total of 15 pages.

Please place the corresponding question number next to the written response. The responses in this section will be scored in a weighted value. The points obtained in this section will count towards the grading of the Requirements section.

- 1) Describe the customer flow for both your white label and hosted options. Provide screen captures or product images. Include a complete list of browsers and versions currently supported and indicate any differences, if any, between the browser types.
- 2) Payment information must be able to flow between TTX and the web gateway provider (both directions) using APIs and web service calls. This is needed to update a payor’s account and TTX tax tables. Please explain how your firm can support data exchange relying on APIs, form posts and/or web service calls in both directions.
- 3) List and describe all integration that are supported by your product (Please include: DocuSign, Salesforce, and Drupal).
- 4) Describe the flow if payments fail or if customers cancel/reverse a charge. Response should include the following but is not limited to:
 - a. Communications with CCSF
 - b. Communication or alerts to payers
 - c. Timing of data exchanges of negative payment
 - d. Format of negative payments
 - e. Description of how reversals are expected to appear on the bank statement
- 5) Describe the Dashboard and Reporting capabilities of your product. Response should include the following but is not limited to:
 - a. Screen captures or product images
 - b. Description of user account set up and maintenance
 - c. Maximum number of users supported
 - d. Data retention policy
 - e. Description of pre-configured reports or data queries
 - f. Export options

- 6) In situations where the City is required to pay the Respondent for gateway and merchant card processing fees, the City must be invoiced in a manner that separates interchange fees from the Respondent's processing fees as well as separate invoices for each participating agency. Describe the way in which your firm will invoice the City for the fees.
- 7) A certain subset of payment transactions will be recurring for fixed amounts. For example, a payor may owe \$1,200 and enroll in a payment plan that requires payment of \$100 for twelve (12) successive months. Can your firm support this requirement by providing an enrollment process and authorization page to the payor and retain the payment instruction (credit card number or checking account details) to enable fixed amount recurring payments? Please illustrate, in detail, exactly how you perform these functions.
- 8) Describe your implementation and approach to onboarding a project of this scope and size. Include in your response:
 - a. Estimated number of resources
 - b. Description of implementation processes including:
 - i. Schedule Sample
 - ii. Project Management Methodology
 - iii. Testing Approach
 - c. Describe support provided during a typical implementation including:
 - i. Technical assistance
 - ii. User manuals
 - iii. Instructional and/or educational materials
 - iv. On-site visits, and/or other assistance
- 9) Describe the procedures established for disaster recovery in the event of a systems failure or other disaster at your primary processing site. Include in your response:
 - a. Frequency procedures are tested
 - b. Date plan was last updated
 - c. Describe, if it exists, a "hot" backup processing site
 - d. Describe any alternate back up processing sites
- 10) Describe your firm's Service Level Agreement (SLA) for uptime. Explain how major maintenance affects performance and if at any time downtime will be required.

- 11) Describe your customer service organization. Describe your approach to assigning customer service resource(s) to our account. Include in your response:
 - a. Assignment of a dedicated customer service representative for TTX's business
 - b. Volume of accounts assigned to TTX's primary contact
 - c. Ensuring continuity of service when the primary customer service representative is unavailable
 - d. Description of the responsibilities of customer service personnel
 - e. Chain of command and escalation procedures for problem resolution
 - f. Customer service performance measures (please note if these are published or otherwise made readily available)

- 12) Describe the type of fraud prevention and security tools employed by your firm.

- 13) Explain how your firm maintains compliance with electronic payment processing and data security guidelines and regulations.

- 14) Describe other payment channels you support including accepting payments via in-person transactions through a PC or other physical machine that connects to your Gateway, or via a Customer Service Representative ("CSR"). Please include:
 - a. Customer flow
 - b. Technical requirements including any hardware needed
 - c. Level of customization and settlement in relationship to Online services

- 15) Describe how your product supports City Software engineers in providing them the ability to do a full-scale customization. Please provide the following details:
 - a. Mobile Software Development Kit ("SDK"), JavaScript SDK, JavaScript Libraries, Java SDK, and Java Libraries that will be provided to the City Software Engineer
 - b. Technical support documents/call centers that will be provided to the City Software Engineer
 - c. Test accounts/testing environments that will be provided

C. Price Proposal (25 points)

The City intends to award this contract to the firm that it considers will provide the best overall services. The City reserves the right to accept other than the lowest priced offer and to reject any proposals that are not responsive to this request. Please fill out the attached price proposal form and include it with your submitted proposal.

D. Written Proposal Evaluation (15 Points)

The proposals will be evaluated by a selection committee comprised of parties with expertise in the needed services. The City intends to evaluate the proposals generally in accordance with the criteria itemized below.

1. Project Approach (5 points)
 - a. Understanding of the project and the tasks to be performed, etc.
 - b. Reasonableness of work schedule and project approach

2. Assigned Project Staff (5 points)
 - a. Recent experience of staff assigned to the project and a description of the tasks to be performed by each staff person
 - b. Professional qualifications and education
 - c. Workload, staff availability and accessibility

3. Experience of Firm and Sub-consultants (5 points)
 - a. Expertise of the firm and sub-consultants in the fields necessary to complete the tasks
 - b. Quality of recently completed projects, including adherence to schedules, deadlines and budgets
 - c. Experience with similar projects
 - d. Result of reference checks review

E. Presentation/Oral Interview (25 points)

Following the evaluation of the requirements, price proposals and written proposals, scores will be tabulated and Proposers will be ranked. The three (3) Proposers receiving the highest scores will be invited to a presentation and oral interview.

The City will determine the format and the scoring criteria to be used during the interview. The interview will consist of standard questions asked of each of the Proposers, and may include questions of clarification for specific proposals.

All Proposers selected for the oral interview/presentation phase will be given detailed requirements for testing at the start of the phase. Instructions for demonstrating proof of concept will be provided in writing at that time. The City will provide a contact to address any questions relating to the proof of concept. Contact information can be found in Submission Requirements, Section III (B), and in the Terms and Conditions for Receipt of Proposals, Section VI (B), of this document.

Included below is a list of the topics, that will be covered during the demonstration as well as the time allotment provided to the presenters:

Process	Maximum Time
Reporting/Reporting Configurations	10 Minutes
Shopping Cart	10 Minutes
Setup of Recurring payments	10 Minutes
Sample Notifications of Email/Text	10 Minutes
Processing a Return	10 Minutes
Dashboard	20 Minutes
User Interface Customization(s) available	30 Minutes
Integration with Various products	20 Minutes

The selection panel will evaluate each Proposer based on their presentation and/or responses. After the oral interview, the City will combine all scores, rank the Proposers, and select the highest ranked Proposer to negotiate an agreement with.

F. Content

Firms interested in responding to this RFP must submit the following information, in the order specified below: Your proposal shall not exceed **50** pages.

1. Introduction and Executive Summary (up to 2 pages)

Submit a letter of introduction and executive summary of the proposal. The letter must be signed by a person authorized by your firm to obligate your firm to perform the commitments contained in the proposal. Submission of the letter will constitute a representation by your firm that your firm is willing and able to perform the commitments contained in the proposal.

2. Project Approach (up to 5 pages)

Describe the services and activities that your firm proposes to provide to the City. Please include the following information:

- a. Overall scope and scheduling of work tasks
- b. Assignment of work within your firm's work team
- c. Compliance with industry payment standards
- d. Methodology for data transfers between gateway and various sub-systems via API, form posts, WebHooks, etc.

3. Firm Qualifications (up to 5 pages)

Provide information on your firm's background and qualifications which addresses the following:

- a. Please provide the name, address, and telephone number of a contact person.
- b. Describe your business. What is the primary focus of your business? What products do you offer that are relevant to this RFP? What is your primary "value proposition" and how does it differ from your competitors?
- c. Please provide a minimum of three (3) relevant references (preferably a substantial municipal government), including the name of the reference, a brief statement describing the relationship between the Proposer and the reference, and the name, title and telephone number of a contact person at the reference. Please obtain prior approval for TTX to contact the references.
- d. Describe your firm's capacity to integrate the RFP services into its organization.
- e. Please demonstrate your firm's organizational (i.e. technical, managerial and financial) capability to provide the services described in this RFP.
- f. Describe any partnerships, joint ventures or subcontracting relationships that will be used to deliver the services required by the City. Who are your partners or subcontractors and what are the individual services and functions delivered by them? Will you guarantee the performance of your partners or subcontractors?
- g. Identify your key target customer categories and explain your competitive advantage to your key customers. Is the government sector considered a strategic customer vertical for your business?

4. Team Qualifications (up to 4 pages)

- a. Provide a list identifying and describing:
 - i. Each key person on the project team including the project manager
 - ii. The role each will play in the project
 - iii. Written assurance that the key individuals listed and identified will be performing the work and will not be substituted with other personnel or reassigned to another project without the City's prior approval

- iv. The experience and qualifications of the project team members

(a) Include brief resumes if necessary

5. Requirements (up to 27 pages)

- a. Using Appendix B, copy and paste the Minimum Qualification and Yes/No question/statement tables, and the Essay Questions listed in Section IV into your reply. Please ensure your content answers the requirements in the following order:
 - i. Minimum qualifications.
 - ii. Yes/No questions or statements.
 - iii. Essay questions.

6. Price Proposal (up to 3 pages)

The City intends to award this contract to the firm that it considers will provide the best overall program services. The City reserves the right to accept other than the lowest priced offer and to reject any proposals that are not responsive to this request.

Using the Price Proposal Form, Appendix D, please provide a fee proposal that includes the following:

- a. The total fee for each of the deliverables identified in the Scope of Work including a not-to-exceed figure.
- b. The hourly rates for all team members. Hourly rates and itemized costs may be used to negotiate changes in the Scope of Work if necessary.

7. References (up to 3 pages)

Provide references for the projects that comprise your minimum qualifications. Proposer's references will be used to confirm and verify that Proposer has met the minimum qualifications. The references should include the name, address and telephone number of at least 4 but no more than 10 recent clients (preferably other public agencies).

By including these references, Proposers are representing that the references are familiar with Proposer's work and experience, and references will be truthful in any representations.

8. Certification of Headquarters in Accordance with Administrative Code Chapter 12X (up to 1 page)

Proposals should contain the following statement:

“I certify that my company is headquartered at the following address _____
_____. I will notify the City if my company's
headquarters moves.”

V. Contract award

A. Contract Award

The Office of the Treasurer & Tax Collector will select a Proposer with whom Office of the Treasurer & Tax Collector staff shall commence contract negotiations. The selection of any proposal shall not imply acceptance by the City of all terms of the proposal, which may be subject to further negotiations and approvals before the City may be legally bound thereby. If a satisfactory contract cannot be negotiated in a reasonable time, the Office of the Treasurer & Tax Collector, in its sole discretion, may terminate negotiations with the highest ranked Proposer and begin contract negotiations with the next highest ranked Proposer.

VI. Terms and Conditions for Receipt of Proposals

A. Errors and Omissions in RFP

Proposers are responsible for reviewing all portions of this RFP. Proposers are to promptly notify the Department, in writing, if the Proposer discovers any ambiguity, discrepancy, omission, or other error in the RFP. Any such notification should be directed to the Department promptly after discovery, but in no event later than 72 hours prior to the date that proposals are due. Modifications and clarifications will be made by addenda as provided below.

B. Inquiries Regarding RFP

Proposers shall submit all questions concerning this Contract Proposal, scope of services or requirements in writing by email only during the Question and Answer Period, ending **August 22, 2017**, no later than **5pm PST**, and directed to: tx.rfp@sfgov.org. All Proposer questions concerning the bid process shall be submitted no later than 72 hours prior to the bid deadline. Proposers who fail to do so will waive all further rights to protest, based on these specifications and conditions.

C. Objections to RFP Terms

Should a Proposer object on any ground to any provision or legal requirement set forth in this RFP, the Proposer must, not less than 72 hours prior to the RFP deadline, provide written notice to the Department setting forth with specificity the grounds for the objection. The failure of a Proposer to object in the manner set forth in this paragraph shall constitute a complete and irrevocable waiver of any such objection.

D. Change Notices

The Department may modify the RFP, prior to the proposal due date, by issuing an Addendum to the RFP, which will be posted on the website. The Proposer shall be responsible for ensuring that its proposal reflects any and all Bid Addendum(s) issued by the Department prior to the proposal due date regardless of when the proposal is submitted. Therefore, the City recommends that the Proposer consult the website frequently, including shortly before the proposal due date, to determine if the Proposer has downloaded all Bid Addendum(s). It is the responsibility of the Proposer to check for any Addendum, Questions and Answers, and updates, which will be posted on the City's Bid and Contracts website:
<http://sftreasurer.org/requests-proposal>

E. Term of Proposal

Submission of a proposal signifies that the proposed services and prices are valid for 180 calendar days from the proposal due date and that the quoted prices are genuine and not the result of collusion or any other anti-competitive activity. At Proposer's election, the proposal may remain valid beyond the 180 day period in the circumstance of extended negotiations.

F. Revision of Proposal

A Proposer may revise a proposal on the Proposer's own initiative at any time before the deadline for submission of proposals. The Proposer must submit the revised proposal in the same manner as the original. A revised proposal must be received on or before, but no later than the proposal due date and time.

In no case will a statement of intent to submit a revised proposal, or commencement of a revision process, extend the proposal due date for any Proposer.

At any time during the proposal evaluation process, the Department may require a Proposer to provide oral or written clarification of its proposal. The Department reserves the right to make an award without further clarifications of proposals received.

G. Errors and Omissions in Proposal

Failure by the Department to object to an error, omission, or deviation in the proposal will in no way modify the RFP or excuse the vendor from full compliance with the specifications of the RFP or any contract awarded pursuant to the RFP.

H. Financial Responsibility

The City accepts no financial responsibility for any costs incurred by a firm in responding to this RFP. Submissions of the RFP will become the property of the City and may be used by the City in any way deemed appropriate.

I. Proposer's Obligations under the Campaign Reform Ordinance

Proposers must comply with Section 1.126 of the S.F. Campaign and Governmental Conduct Code, which states:

No person who contracts with the City and County of San Francisco for the rendition of personal services, for the furnishing of any material, supplies or equipment to the City, or for selling any land or building to the City, whenever such transaction would require approval by a City elective officer, or the board on which that City elective officer serves, shall make any

contribution to such an officer, or candidates for such an office, or committee controlled by such officer or candidate at any time between commencement of negotiations and the later of either (1) the termination of negotiations for such contract, or (2) three months have elapsed from the date the contract is approved by the City elective officer or the board on which that City elective officer serves.

If a Proposer is negotiating for a contract that must be approved by an elected local officer or the board on which that officer serves, during the negotiation period the Proposer is prohibited from making contributions to:

- the officer's re-election campaign
- a candidate for that officer's office
- a committee controlled by the officer or candidate.

The negotiation period begins with the first point of contact, either by telephone, in person, or in writing, when a contractor approaches any City officer or employee about a particular contract, or a City officer or employee initiates communication with a potential contractor about a contract. The negotiation period ends when a contract is awarded or not awarded to the contractor. Examples of initial contacts include: (1) a vendor contacts a City officer or employee to promote himself or herself as a candidate for a contract; and (2) a City officer or employee contacts a contractor to propose that the contractor apply for a contract. Inquiries for information about a particular contract, requests for documents relating to a Request for Proposal, and requests to be placed on a mailing list do not constitute negotiations.

Violation of Section 1.126 may result in the following criminal, civil, or administrative penalties:

1. **Criminal.** Any person who knowingly or willfully violates section 1.126 is subject to a fine of up to \$5,000 and a jail term of not more than six months, or both.
2. **Civil.** Any person who intentionally or negligently violates section 1.126 may be held liable in a civil action brought by the civil prosecutor for an amount up to \$5,000.
3. **Administrative.** Any person who intentionally or negligently violates section 1.126 may be held liable in an administrative proceeding before the Ethics Commission held pursuant to the Charter for an amount up to \$5,000 for each violation.

For further information, Proposers should contact the San Francisco Ethics Commission at (415) 581-2300.

J. Sunshine Ordinance

In accordance with S.F. Administrative Code Section 67.24(e), contractors' bids, responses to RFPs and all other records of communications between the City and persons or firms seeking contracts shall be open to inspection immediately after a contract has been awarded. Nothing in this provision requires the disclosure of a private person's or organization's net worth or other proprietary financial data submitted for qualification for a contract or other benefits until and unless that person or organization is awarded the contract or benefit. Information provided which is covered by this paragraph will be made available to the public upon request.

K. Public Access to Meetings and Records

If a Proposer is a non-profit entity that receives a cumulative total per year of at least \$250,000 in City funds or City-administered funds and is a non-profit organization as defined in Chapter 12L of the S.F. Administrative Code, the Proposer must comply with Chapter 12L. The Proposer must include in its proposal (1) a statement describing its efforts to comply with the Chapter 12L provisions regarding public access to Proposer's meetings and records, and (2) a summary of all complaints concerning the Proposer's compliance with Chapter 12L that were filed with the City in the last two years and deemed by the City to be substantiated. The summary shall also describe the disposition of each complaint. If no such complaints were filed, the Proposer shall include a statement to that effect. Failure to comply with the reporting requirements of Chapter 12L or material misrepresentation in Proposer's Chapter 12L submissions shall be grounds for rejection of the proposal and/or termination of any subsequent Agreement reached on the basis of the proposal.

L. Reservations of Rights by the City

The issuance of this RFP does not constitute an agreement by the City that any contract will actually be entered into by the City. The City expressly reserves the right at any time to:

1. Waive or correct any defect or informality in any response, proposal, or proposal procedure;
2. Reject any or all proposals;
3. Reissue a Request for Proposals;
4. Prior to submission deadline for proposals, modify all or any portion of the selection procedures, including deadlines for accepting responses, the specifications or requirements for any materials, equipment or services to be provided under this RFP, or the requirements for contents or format of the proposals;
5. Procure any materials, equipment or services specified in this RFP by any other means; or
6. Determine that no project will be pursued.

M. No Waiver

No waiver by the City of any provision of this RFP shall be implied from any failure by the City to recognize or take action on account of any failure by a Proposer to observe any provision of this RFP.

N. Local Business Enterprise Goals and Outreach

The requirements of the Local Business Enterprise and Non-Discrimination in Contracting Ordinance set forth in Chapter 14B of the San Francisco Administrative Code as it now exists or as it may be amended in the future (collectively the "LBE Ordinance") shall apply to this RFP.

Each solicitation process requires a new submittal of CMD Attachment 2 forms at the following link, located under the heading “Attachment 2: Requirements for Architecture, Engineering, & Professional Services Contracts”:

<http://www.sfgsa.org/index.aspx?page=6135>

- (1) Form 2A-CMD Contract Participation Form (Only if claiming LBE rating Bonus)
- (2) Form 3- CMD Non-Discrimination Affidavit
- (3) Form 4- CMD Joint Venture Form (if applicable), and
- (4) Form 5- CMD Employment Form

Please submit Forms 2A (if applicable), 3 and 5 (and Form 4 if Joint Venture response) with your Response Package. The forms should be part of the “Original” of your response. The forms should have original signatures.

If these forms are not returned with the response, the response may be determined to be non-responsive and may be rejected.

1. Local Business Enterprise Goals and Outreach

The requirements of the Local Business Enterprise (LBE) and Non-Discrimination in Contracting Ordinance set forth in Chapter 14B of the S.F. Administrative Code as it now exists or as it may be amended in the future (collectively the “LBE Ordinance”) shall apply to this solicitation. More information regarding these requirements can be found at:

<http://www.sfgov.org/cmd>

2. LBE Sub-consultant Participation Requirement

Please refer to San Francisco Administrative Code Chapter 14B and *CMD Attachment 2* for information concerning the City's LBE program.

The LBE sub-consulting requirement and Good Faith Outreach Efforts have been waived by CMD.

3. LBE Participation and Rating Bonuses

The City strongly encourages responses from qualified LBEs. Pursuant to Chapter 14B, the following rating bonuses will be in effect for the award of this project for any Respondents who are certified as a Small or Micro-LBE, or joint ventures where the joint venture partners are in the same discipline and have the specific levels of participation as identified below. Certification applications may be obtained by calling (415) 581-2310. The rating bonus applies at each phase of the selection process.

4. Application of the Rating bonus:

The following rating bonus shall apply at each stage of the selection process, i.e., qualifications, proposals, and interviews:

- a) A 10% rating bonus will apply to any proposal submitted by a CMD certified Small or Micro LBE.
- b) A 5% rating bonus will be applied to any proposal from an SBA-LBE, except that the 5% rating bonus shall not be applied at any stage if it would adversely affect a Small or Micro-LBE Proposer or a JV with LBE participation.
- c) A 10% bonus to a Small or Micro LBE—including Non-Profit; or a joint venture between or among LBEs; or

- d) A 5% bonus to a joint venture with LBE participation that equals or exceeds 35%, but is under 40%;
- e) A 7.5% bonus to a joint venture with LBE participation that equals or exceeds 40%;

Joint Venture Rating Bonus If applying for a rating bonus as a joint venture, the LBE must be an active partner in the joint venture and perform work, manage the job and take financial risks in proportion to the required level of participation stated in the response, and must be responsible for a clearly defined portion of the work to be performed and share in the ownership, control, management responsibilities, risks, and profits of the joint venture. The portion of the LBE joint venture's work shall be set forth in detail separately from the work to be performed by the non-LBE joint venture partner. The LBE joint venture's portion of the contract must be assigned a commercially useful function.

7. CMD Contact

If you have any questions concerning the CMD Forms and to ensure that your response is not rejected for failing to comply with S.F. Administrative Code Chapter 14B requirements, please call Lupe Arreola, the CMD Contract Compliance Officer for this solicitation at (415) 558-4059 or by e-mail at lupe.arreola@sfgov.org; or the main CMD phone number (415) 581-2310. The forms will be reviewed prior to the evaluation process.

VII. Contract Requirements

A. Standard Contract Provisions

The successful Proposer will be required to enter into a contract substantially in the form of the Agreement for Professional Services, attached hereto as Appendix C. Failure to timely execute the contract, or to furnish any and all insurance certificates and policy endorsement, surety bonds or other materials required in the contract, shall be deemed an abandonment of a contract offer. The City, in its sole discretion, may select another firm and may proceed against the original selectee for damages.

B. Nondiscrimination in Contracts and Benefits

The successful Proposer will be required to agree to comply fully with and be bound by the provisions of Chapters 12B and 12C of the San Francisco Administrative Code. Generally, Chapter 12B prohibits the City and County of San Francisco from entering into contracts or leases with any entity that discriminates in the provision of benefits between employees with domestic partners and employees with spouses, and/or between the domestic partners and spouses of employees. The Chapter 12C requires nondiscrimination in contracts in public accommodation. Additional information on Chapters 12B and 12C is available on the CMD's website at <http://www.sfgov.org/cmd>.

C. Minimum Compensation Ordinance (MCO)

The successful Proposer will be required to agree to comply fully with and be bound by the provisions of the Minimum Compensation Ordinance (MCO), as set forth in S.F. Administrative Code Chapter 12P. Generally, this Ordinance requires contractors to provide employees covered by the Ordinance who do work funded under the contract with hourly gross compensation and paid and unpaid time off that meet certain minimum requirements. For the

amount of hourly gross compensation currently required under the MCO, see www.sfgov.org/olse/mco. Note that this hourly rate may increase on January 1 of each year and that contractors will be required to pay any such increases to covered employees during the term of the contract.

Additional information regarding the MCO is available on the web at <http://sfgov.org/olse/minimum-compensation-ordinance-mco>.

D. Health Care Accountability Ordinance (HCAO)

The successful Proposer will be required to agree to comply fully with and be bound by the provisions of the Health Care Accountability Ordinance (HCAO), as set forth in S.F. Administrative Code Chapter 12Q. Contractors should consult the San Francisco Administrative Code to determine their compliance obligations under this chapter. Additional information regarding the HCAO is available on the web at <http://sfgov.org/olse/health-care-accountability-ordinance-hcao>.

E. First Source Hiring Program (FSHP)

If the contract is for more than \$50,000, then the First Source Hiring Program (Admin. Code Chapter 83) may apply. Generally, this ordinance requires contractors to notify the First Source Hiring Program of available entry-level jobs and provide the Workforce Development System with the first opportunity to refer qualified individuals for employment.

Contractors should consult the San Francisco Administrative Code to determine their compliance obligations under this chapter. Additional information regarding the FSHP is available on the web at <http://oewd.org/first-source> and from the First Source Hiring Administrator, (415) 701-4848.

F. Conflicts of Interest

The successful Proposer will be required to agree to comply fully with and be bound by the applicable provisions of state and local laws related to conflicts of interest, including Section 15.103 of the City's Charter, Article III, Chapter 2 of City's Campaign and Governmental Conduct Code, and Section 87100 et seq. and Section 1090 et seq. of the Government Code of the State of California. The successful Proposer will be required to acknowledge that it is familiar with these laws; certify that it does not know of any facts that constitute a violation of said provisions; and agree to immediately notify the City if it becomes aware of any such fact during the term of the Agreement.

Individuals who will perform work for the City on behalf of the successful Proposer might be deemed consultants under state and local conflict of interest laws. If so, such individuals will be required to submit a Statement of Economic Interests, California Fair Political Practices Commission Form 700, to the City within ten calendar days of the City notifying the successful Proposer that the City has selected the Proposer.

VIII. Protest Procedures

A. Protest of Non-Responsiveness Determination

Within five working days of the City's issuance of a notice of non-responsiveness, any firm that has submitted a proposal and believes that the City has incorrectly determined that its proposal is non-responsive may submit a written notice of protest. Such notice of protest must

be received by the City on or before the fifth working day following the City's issuance of the notice of non-responsiveness. The notice of protest must include a written statement specifying in detail each and every one of the grounds asserted for the protest. The protest must be signed by an individual authorized to represent the Proposer, and must cite the law, rule, local ordinance, procedure or RFP provision on which the protest is based. In addition, the protestor must specify facts and evidence sufficient for the City to determine the validity of the protest.

B. Protest of Non-Responsible Determination

Within five working days of the City's issuance of a notice of a determination of non-responsibility, a vendor that would otherwise be the lowest responsive Proposer may submit a written notice of protest. The vendor will be notified of any evidence reflecting upon their responsibility received from others or adduced as a result of independent investigation. The vendor will be afforded an opportunity to rebut such adverse evidence, and will be permitted to present evidence that they are qualified to perform the contract. Such notice of protest must be received by the City on or before the fifth working day following the City's issuance of the notice of non-responsibility. The notice of protest must include a written statement specifying in detail each and every one of the grounds asserted for the protest. The protest must be signed by an individual authorized to represent the Proposer, and must cite the law, rule, local ordinance, procedure or RFP provision on which the protest is based. In addition, the protestor must specify facts and evidence sufficient for the City to determine the validity of the protest.

C. Protest of Contract Award

Within five working days of the City's issuance of a notice of intent to award the contract, any firm that has submitted a responsive proposal and believes that the City has incorrectly selected another Proposer for award may submit a written notice of protest. Such notice of protest must be received by the City on or before the fifth working day after the City's issuance of the notice of intent to award.

The notice of protest must include a written statement specifying in detail each and every one of the grounds asserted for the protest. The protest must be signed by an individual authorized to represent the Proposer, and must cite the law, rule, local ordinance, procedure or RFP provision on which the protest is based. In addition, the protestor must specify facts and evidence sufficient for the City to determine the validity of the protest.

D. Delivery of Protests

All protests must be received by the due date. If a protest is mailed, the protestor bears the risk of non-delivery within the deadlines specified herein. Protests should be transmitted by a means that will objectively establish the date the City received the protest. Protests or notice of protests made orally (e.g., by telephone) will not be considered. Protests must be delivered to:

E-mail: ttx.rfp@sfgov.org

Mail: 2017-08 Online Payment Gateway Services RFP
ATTN: William Milny
Office of the Treasurer & Tax Collector
City & County of San Francisco
City Hall - Room 140
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Appendix A

Standard Forms

A. How to become Eligible to Do Business with the City:

Before the City can award any award any contract to a contractor, all vendors must meet the minimum requirements described below. There may be additional requirements placed upon a vendor depending on the type of good or service to be purchased.

B. Mandatory Forms:

At a minimum, in order to become eligible to do business with the City, a vendor must submit the following documents to the Vendor Support Division via the City's supplier portal located at <https://sfcitypartner.sfgov.org/> :

1. [Vendor Application Packet](#) (includes *New Vendor Number Request Form* and *IRS Form W-9*)
2. [CCSF Vendor - Business Registration \(Electronic Submission - you must have a vendor number to complete\)](#)
3. [CMD 12B-101 Declaration](#) of Nondiscrimination in Contracts and Benefits

C. Vendor Eligibility and Invoice Payment:



Vendors must have a City-issued vendor number, have all compliance paperwork submitted and approved by the City, and have an executed contract or purchase order before payments can be made. Once a vendor number has been assigned, an email notification will be provided by the City's Vendor File Support Division. This notification will include instructions on how to sign up to receive payments through the City's supplier portal located at <https://sfcitypartner.sfgov.org/> .

D. Vendor Eligibility Forms:

<u>Form</u>	<u>Purpose/Info</u>	<u>Routing</u>
CCSF Vendor - Business Registration (Electronic Submission - you must have a vendor number to complete)	This declaration is required for City vendors to determine if you are required to obtain a Business Registration Certificate.	https://sfcitypartner.sfgov.org/
Declaration of Nondiscrimination in Contracts and Benefits <i>with supporting</i>	This Declaration is used by the City's Contract Monitoring Division to determine if a vendor offers benefits to employees. When a vendor offers benefits, it must be verified that all	https://sfcitypartner.sfgov.org/

<i>documentation</i> (Form CMD-12B-101)	benefits, including insurance plans and leaves, are offered equally to employees with spouses and employees with domestic partners. For more information and assistance, please visit the City Administrator's Contract Monitoring Division Equal Benefits web page.	
Vendor Profile Application	Includes New Vendor Number Request Form and IRS Form W-9.	https://sfcitypartner.sfgov.org/

E. Supplemental Forms:

Form:	Required If:
Minimum Compensation Ordinance (MCO) Declaration ( pdf)	You have at least \$25,000 (\$50,000 for non-profit organizations) in cumulative annual business with a City department or departments and have more than 5 employees, including employees of any parent, subsidiaries and subcontractors.
Health Care Accountability Ordinance (HCAO) Declaration ( pdf)	You have at least \$25,000 (\$50,000 for non-profit organizations) in cumulative annual business with a City department or departments and have more than 20 employees (more than 50 employees for nonprofit organizations), including employees of any parent, subsidiaries or subcontractors.
Insurance Requirements (pdf)	The solicitation requires the successful Proposer to demonstrate proof of insurance.
Payment (Labor and Material) Bond (pdf)	The solicitation requires the awarded vendor to post a Payment (Labor and Material) bond.
Performance Bond (pdf)	The solicitation requires the awarded vendor to post a Performance bond.
Local Business Enterprise Program Application (Contract Monitoring Division)	You desire to participate in the City's Local Business Enterprise Program which helps certain financially disadvantaged businesses increase their ability to compete effectively for City contracts

For further guidance, refer to the City's supplier training videos that are located Online at: <https://sfcitypartner.sfgov.org/> .