

City and County of San Francisco

**Request for Proposals for
Communication Services**

RFP #TTX Communication-2021



Date issued:
Proposal due:

March 19, 2021
April 23, 2021 5 p.m. PST

Request for Proposals for The Financial Justice Project Communications 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. Agreement for Professional Services (form P-600) separate document

Request for Proposals for Communications Services

1. Introduction and Schedule

A. About the Office of the Treasurer & Tax Collector

The City and County of San Francisco's [Office of Treasurer and Tax Collector](#) (TTX) works to maximize revenue by building and executing high quality collections and compliance systems that balance equity, security and ease of use. We strive to provide high quality customer service through diverse channels that support all San Franciscans. Additionally, the Office of the Treasurer and Tax Collector also oversees two initiatives: The Office of Financial Empowerment and the Financial Justice Project.

The [Office of Financial Empowerment](#) (OFE) is a unique private-public partnership housed within the Office of the Treasurer & Tax Collector of San Francisco that convenes, innovates and advocates to strengthen the economic security and mobility of all San Franciscans. For more than a decade, under the leadership of Treasurer José Cisneros, the OFE has engaged partners inside and outside City Hall to equip San Franciscans with knowledge, skills and resources to strengthen their financial health and well-being.

The [San Francisco Financial Justice Project](#) (FJP) is the nation's first effort embedded in government to assess and reform fines, fees, and financial penalties that disproportionately impact struggling residents. Housed in the Office of the Treasurer, the Financial Justice Project has two main goals: First, to listen to community members to identify fine and fee pain points. Second, to identify and implement doable solutions for government and the courts. Over the last two years, The Financial Justice Project has worked with dozens of community partners, city departments and the courts to enact a range of reforms. Read more [here](#) about The Financial Justice Project's reforms; and [here](#) is a list of fine and fee discounts for low-income San Franciscans.

B. Introduction

The Office of the Treasurer & Tax Collector (TTX) is requesting proposals from vendors to enhance the overall communications capacity of the office. TTX seeks proposals from firms in the following two (2) Service Areas.

Service Area #1: Communications campaign management

Service Area #2: Branding, design, collateral and video Production.

Applicants may respond to one or both service areas through one application package.

Please note: applications DO NOT need to respond to ALL service areas. Some applicants may respond to one service area. Some may respond to both service areas. Please identify clearly in the cover letter which Service Area(s) you are applying for consideration.

The City intends to award one contract per service area. For each contract resulting from this RFP, the anticipated original terms shall be 3 years. In addition, the City shall have options to extend the terms up to 10 years, which the City may exercise in its sole, absolute discretion.

For each contract resulting from this RFP, the contract total compensation for the original period is expected to not exceed \$1,000,000.00. Should the contract be extended, the annual compensation may increase at a rate similar to the per year costs of the original term. Proposers may submit proposals with greater or lesser value, and cost and reasonableness of rates will be considered as part of the evaluation.

C. Schedule

The anticipated schedule for selecting a consultant is:

<u>Proposal Phase</u>	<u>Date</u>
RFP is issued by the City	March 19, 2021
Deadline for submission of written questions or requests for clarification	April 5, 2021, 5pm PST
Pre-Proposal Conference	April 12, 2021, 10am PST
Questions and Answers posted online	April 14, 2021, 5pm PST
Proposals due	April 23, 2021, 5pm PST

D. 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.

II. Scope of Work

TTX seeks proposals from firms in the following two (2) Service Areas to increase the office's overall communications capacity. Firms will work with TTX staff to reach target audiences, which may include:

- San Francisco businesses, with an emphasis on small businesses, to inform them of changes and updates to the City's business taxes and fees.
 - Low income residents and people experiencing poverty to inform and assist them in accessing financial resources and fine and fee discounts.
 - San Francisco Unified School District students and families to inform and encourage them to utilize college savings opportunities and other related resources.
-
- Service Area #1: Communications campaign management
 - Service Area #2: Branding, design, collateral and video production

Applicants may apply to be considered for one or more service area(s), depending on their interest and qualifications. Please note: applicants do not need to respond to both service areas, and may apply for one or more.

The Scope of Work is to be used as a general guide and is not intended to be a complete list of all work necessary over the term of the contract. The following are work tasks assumed necessary to aid the Office of the Treasurer and Tax Collector to expand our scope and capacity.

Service Area #1: Communications campaign management

TTX seeks to conduct targeted communications and outreach campaigns. The goals and target audiences of these campaigns will vary. For example, TTX has worked to:

- Inform San Francisco business owners and residents of tax and fee updates related to newly passed voter initiatives.
- Inform San Francisco residents, property owners and business owners of tax and fee changes related to the COVID-19 pandemic.
- Reach low-income San Franciscans to inform them about various [fine and fee discounts](#) for which they may be eligible;
- Encourage state government leaders in Sacramento to adopt reforms that will benefit low-income San Franciscans.

As directed by TTX by task order, the consultant shall provide communications campaign management services. The consultant shall plan, develop, and implement targeted outreach and awareness campaigns; design campaign-specific creative and messaging plans; purchase and

execute traditional, non-traditional, and online media; track ongoing campaign progress, provide recommendations and report findings. These activities MAY include:

- Identifying and refining target audiences, key goals, and calls to action.
- Creating compelling, creative, and culturally appropriate promotional content for all media types (including but not limited to traditional, non-traditional, online and mobile).
- Providing proficient multi-lingual outreach, including but not limited to culturally sensitive strategy and execution, as well as accurate translation at minimum of English into Chinese, Spanish and Filipino.
- Coordinating, placing and purchasing off-line media in traditional and nontraditional media vehicles including ethnic/in-language channels. Offline media vehicles include but not limited to print, radio, and spot TV.
- Coordinating, purchasing online media including but not limited to search engine marketing, Ad words, display advertising (both standard and rich media), social media marketing, cross platform ads (mobile device ads, tablet ads, portable display ads, etc.), email marketing, and in-language media.
- Public relations support to generate positive media. This can include producing and distributing press releases, organizing events, crisis communication, internal communications and organizing press conferences, including securing locations, drafting speaker talking points and providing logistical support.
- Tracking all appropriate metrics including but not limited to impressions, reach & frequency, awareness and return on investment.
- Incorporate feedback from TTX as needed.
- Ensuring on-going evaluation/analysis of tracked metrics and impacts in order to provide TTX with real-time feedback and recommendations to maximize media efficiency.

Service Area #2: Branding, design, collateral and video production

TTX seeks branding, design and collateral updates for certain programs. The goals and audiences of these programs will vary. For example, TTX and Office of Financial Empowerment and the Financial Justice Project have worked to:

- Raise awareness of the Kindergarten to College program and related incentives with San Francisco Unified School District parents and students.
- Better reach low-income San Franciscans to inform them about financial resources.
- Make application and enrollment processes for fine and fee discounts more accessible and easier to navigate.

As directed by TTX via task order, the consultant shall provide branding analysis design, and collateral and video production services. This MAY include:

- Analyzing current collateral and creating brand communications design, brand strategy, and brand storytelling.

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- Visual design including logo and brand development, campaign look & feel, illustrations, and animations.
- Developing creative communications and messaging, measurable cross-media campaigns with relevant calls-to-actions.
- Providing design services, graphic and production design for print and digital assets and brand collateral including infographics
- Creating digital experience design: campaign microsites, branded surveys, social media storytelling.
- Human-centered design including strategy development, research and development, prototyping, including recommending and deploying content strategies that target specific audience segments with measurable outcomes.
- Creating highly shareable compelling videos, including creating overall concept and script development, which may: provide overviews of programs and their accomplishments; highlight the experiences of people who have benefited certain programs; or explain how to take specific actions to utilize a program,
- Using insights from behavioral sciences to develop and improve applications, promotional materials, and enrollment processes to ensure they are accessible, easy to navigate, and reduce the administrative burden for individual applicants and departments. Examples of such processes include applications, enrollment processes, and promotional materials for low-income payment plans, and community service plans for low-income people, and application processes for various discounts provided by departments.
- Providing proficient multi-lingual collateral and videos, as well as accurate translation at minimum of English into Chinese, Spanish and Filipino.

III. Submission Requirements

A. Deadline for Submission of Proposals

Proposals must be received by **5:00 P.M. (PST) on April 23, 2021.**

B. Format of Submission Proposals

Submit an electronic proposal, quote and sample collateral to eric.manke@sfgov.org. The entire response packet should be submitted as one file attachment. If items (portfolio pictures, etc.) are too large to combine into a single file, additional compressed files containing supplemental materials may be submitted. Response packet files must be either MSWord or PDF; picture files may be png or jpeg.

C. Content

Firms interested in responding to this RFP must submit the following information, in the order specified below:

<p>Cover Letter and Executive Summary (2 pages or less per service area)</p>	<p>The cover letter should include:</p> <ul style="list-style-type: none"> - Vendor name, address, contact name, contact phone number, email address - The service area(s) for which the vendor is applying for consideration - A short summary of the proposal
<p>Minimum Qualifications (1 page)</p>	<p>Complete and include Form A: Minimum Qualifications Checklist, attached to this RFP and explained in section IV.A. below.</p>
<p>Project Approach (4 pages or less per service area)</p>	<p>The project approach should include:</p> <ul style="list-style-type: none"> - A description of your approach to performing the tasks and producing the deliverables in the scope of work above. The project approach should describe project methods, timeline, and expectations for client involvement. - Your availability to start (assuming a contract is in place 6-8 weeks after the Notice of Intent). - Describe your firm’s capacity and approach to staffing in performing for each of the service area(s) for which you are requesting consideration

	<p>Service Area 2 needs to answer the following questions:</p> <ul style="list-style-type: none"> ○ How does the firm seek to understand the underlying behavioral and psychological factors that impact people’s choices? ○ What research methodologies and strategies does the firm employ to provide insight into design work around promotional material? ○ Does the firm utilize interviews or focus groups to inform its work? ○ How does the firm test the proposed design of new materials and processes to ensure they are having the intended impact on the target audience?
<p>Your Qualifications or Your Firm’s Staff and Qualifications (4 pages or less per service area)</p>	<p>Provide information on you or your firm’s background and qualifications. This should include:</p> <ul style="list-style-type: none"> - A summary of your firm’s experience providing services comparable to the service area(s) for which your firm is applying for consideration. - A summary of your work developing messaging and collateral for low-income and multilingual communities. - A list of the individual staff you propose to assign to this project, including their qualifications, level of effort and their roles.
<p>Sample Work (10 pages or less per service area)</p>	<p>Provide samples of work for each service area for which you are applying for consideration, with a particular focus on samples that display your work intended to reach low-income communities. Sample work may be included as an attachment or as a hyperlink.</p> <p>Sample work may include:</p> <ul style="list-style-type: none"> - Service area 1: Sample strategies, collateral, and results from previous communication campaigns. - Service area 2: Sample branding, collateral, infographics and videos created by your

	firm for past or current clients.
References (1 page or less)	Provide at least 2, but no more than 3 past or current clients with a similar size or scope of project. References should include the name, address,
Fee Proposal (1 page or less per service area)	TTX is seeking proposals with hourly billing rates. Rates should not exceed \$200 per hour. Describe the proposed cost for a task and/or deliverable and the total cost, itemizing the hours proposed for each staff member, the hourly rate, and other costs.
Certification of Headquarters in Accordance with Administrative Code Chapter 12X. (1 page or less)	Proposals should contain the following statement: “I certify that my company is headquartered at the following address: “_____.” I will notify the City of my company’s headquarter moves.”
Contract Monitoring Division (CMD) Local Business Enterprise Requirements and Outreach	“Attachment 2: Requirements for Architecture, Engineering, & Professional Services Contracts”: http://www.sfgsa.org/index.aspx?page=6135 (1) Form 2A-CMD Contract Participation Form (2) Form 2B- CMD “Good Faith Outreach” Requirements Form (3) Form 3- CMD Non-Discrimination Affidavit (4) Form 4- CMD Joint Venture Form (if applicable), and (5) Form 5- CMD Employment Form

IV. Evaluation and Selection Criteria

This section describes the guidelines used for analyzing and evaluating the proposals. It is TTX's intent to select Proposer for contract negotiations that will provide the best overall service package inclusive of fee considerations. Proposers selected for contract negotiations are not guaranteed a contract. This RFP does not in any way limit the Treasurer-Tax Collector's right to solicit contracts for similar or identical services if, in the Treasurer-Tax Collector's sole and absolute discretion, it determines the proposals are inadequate to satisfy its needs.

A. Minimum Qualifications

At least three years of demonstrated experience providing the communications services outlined in the scope of work for the service area(s) for which they are applying, at least one year of demonstrated experience working with the City of San Francisco or similar government agency, experience designing a campaign for a multi-lingual audience, and experience increasing utilization of products or services.

Proposals should clearly demonstrate that the qualifications are met by filling out and submitting Form A: Minimum Qualifications Checklist and must clearly list the experience that enables them to meet the above criteria. Insufficient or incomplete information may result in a proposal being considered non-responsive and may not be eligible for award of the contract. If required information is complete, but the department determines that the proposer does not meet minimum qualifications, proposer may be deemed non-responsible.

B. Selection Criteria

The proposals may 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. Overall Evaluation Process

The evaluation process will consist of the phases specified below with the following allocation of points

Evaluation Phase	Maximum Points
Screening of Minimum Qualifications	Pass/Fail
Written Proposal	85 points
Price	15 points
TOTAL	100 points

Screening of Minimum Qualifications

Each proposal will be reviewed for initial determinations on whether Proposer meets minimum qualifications referenced in Section IV of this RFP. Proposals will not be scored during the screening of Minimum Qualifications. This screening is simply a pass or fail determination as to whether the proposer has met the minimum qualifications. A proposal that fails to meet the minimum qualifications will not be eligible for consideration in the evaluation process. The City reserves the right to request clarifications from proposers prior to rejecting a proposal for failure to meet the minimum qualifications. Clarifications are limited exchanges between the City and Proposer for the purpose of clarifying certain aspects of the proposal and will not provide a proposer the opportunity to revise or modify its proposals. Only proposals that meet the minimum qualifications can proceed to the next evaluation phases.

Written Proposal Evaluation

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.

- a. Project Approach (35 points)
 - i. Project approach demonstrates understanding of the projects and the tasks to be performed.
 - ii. Expectations of client involvement or level of effort are appropriate.
 - iii. Clarity and appropriateness of proposed staffing structure, roles and responsibilities.
 - iv. Proposer’s capacity and resources to provide the services under this RFP.
- b. Firm Qualifications & Sample Work (50 points)

- i. Proposer's experience providing services comparable to those requested in this RFP, including projects of similar size and scope
- ii. Qualifications and educational backgrounds of lead staff members proposed to perform services for the City are appropriately demonstrated in the response.
- iii. Proposer's sample collateral demonstrates ability to design and produce high quality collateral similar to that requested in the RFP to that requested in the RFP.

Price Proposal (15 points)

Cost proposal for the task and/or deliverable sufficiently detailed, reasonable and appropriate with hourly rates that do not exceed \$200/hr. Cost proposal should include estimates for translation services and print, radio, and digital media purchases.

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.

The selection process will include an initial screening of the responses based on the minimum qualifications. All qualified written responses will then be evaluated by a panel that includes TTX staff and evaluators external to TTX. The Office has the option of conducting oral interviews as part of the evaluation process. If the Office opts to conduct interviews to assess respondents' ability to provide the services, the Office may elect to interview only the most qualified respondents (based on the minimum qualifications and supplemental materials submitted), if the number of responses is high. The selection of any Proposer for contract negotiations shall not imply acceptance by the City of all terms of the Proposal, which may be subject to further negotiation and approvals before the City may be legally bound thereby.

V. Pre-proposal Conference and Contract award

A. Pre-Proposal Conference

Proposers should attend the virtual pre-proposal conference on **April 12, 2021, at 10 am PST to be held remotely**. The pre-proposal conference will address how to comply with CMD Local Business Enterprise Requirements and Outreach (referenced below in section N.), though all questions will be addressed and any available new information will be provided at that time. **To RSVP for the pre-proposal conference please email eric.manke@sfgov.org to receive an invitation.**

Question and Answer Period

Proposers shall submit all questions concerning this Request for Proposal in writing by email only during the Question and Answer Period, ending April 5, 2021, no later than 5 pm PST and directed to: eric.manke@sfgov.org. Questions and Answers, including notes from the pre-proposal conference, will be posted publicly no later than April 14, 2021.

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The Pre-Proposal Conference will begin at the time specified, and company representatives are urged to arrive on time. Topics already covered will not be repeated for the benefit of late arrivals. Failure to attend the Pre-bid Conference shall not excuse the successful Proposer from any obligations of the contract. Written Bid Addendum will execute any change or addition to the requirements contained in this RFP, as a result of the Pre-Proposal Conference. It is the responsibility of the Proposer to check for any RFP Addendums, Q&A postings, and other updates which will be posted on the City Partner website and Office of the Treasurer and Tax Collector's website:

<http://www.sftreasurer.org/about-us/request-proposals>

<https://sfcitypartner.sfgov.org/pages/Events-BS3/event-search.aspx>

B. Contract Award

The Office of the Treasurer and Tax Collector will select a proposer with whom Office of the Treasurer and 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 and 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 April 5, 2021 no later than 5 pm PST and directed to: eric.manke@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 Partner website and Office of the Treasurer and Tax Collector's website:

<http://www.sftreasurer.org/about-us/request-proposals>

<https://sfcitypartner.sfgov.org/pages/Events-BS3/event-search.aspx>

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. CMD Local Business Enterprise Requirements 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
- (2) Form 2B- CMD “Good Faith Outreach” Requirements Form
- (3) Form 3- CMD Non-Discrimination Affidavit
- (4) Form 4- CMD Joint Venture Form (if applicable), and
- (5) Form 5- CMD Employment Form

Please submit Forms 2A, 2B, 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 goal is **10%** of the total value of the goods and/or services to be procured for each service area. Sub-consulting goals can only be met with CMD-certified Small or Micro-LBEs located in San Francisco.

3. Link to LBE Sub-consultant Directory

This link takes you to a directory of current Local Business Enterprises.

http://mission.sfgov.org/hrc_certification/

4. Good Faith Outreach to Select LBE Sub-consultants

Each firm responding to this solicitation shall demonstrate in its response that it has used good-faith outreach to select LBE sub-consultants as set forth in S.F. Administrative Code §§14B.8 and 14B.9, and shall identify the particular LBE sub-consultants solicited and selected to be used in performing the contract. For each LBE identified as a subcontractor, the response must specify the value of the participation as a percentage of the total value of the goods and/or services to be procured, the type of work to be performed, and such information as may reasonably be required to determine the responsiveness of the response. LBEs identified as sub-consultants must be certified with the Contract Monitoring Division at the time the response is due, and must have been contacted by the (prime contractor) prior to listing them as subcontractors in the response. Any response that does not meet the requirements of this paragraph will be non-responsive.

5. Documentation of Good Faith Outreach Efforts

In addition to demonstrating that it will achieve the level of sub-consulting participation required by the contract, a Respondent shall also undertake and document in its submittal the good faith efforts required by Chapter 14B.8(C) & (D) and *CMD Attachment 2, Requirements for Architecture, Engineering and Professional Services Contracts*.

Responses which fail to comply with the material requirements of S.F. Administrative Code §§14B.8 and 14B.9, *CMD Attachment 2* and this solicitation will be deemed non-responsive and will be rejected. During the term of the contract, any failure to comply with the level of LBE sub-consultant participation specified in the contract shall be deemed a material breach of contract.

Note: If Respondent meets/exceeds LBE participation by 35% (i.e. 13.5% LBE participation for this contract), Good Faith Outreach documentation is not required.

6. 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. The application of the rating bonus is as follows:

- a) A 10% bonus to a Small or Micro LBE—including Non-Profit; or a joint venture between or among LBEs; or
- b) A 5% bonus to a joint venture with LBE participation that equals or exceeds 35%, but is under 40%;
- c) 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. 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) Contracts with an Estimated Cost in Excess of \$10,000 and Less Than or Equal To \$400,000. A 10% rating bonus will apply to any proposal submitted by a CMD certified Small or Micro LBE. Proposals submitted by SBA-LBEs are not eligible for a rating bonus.
- b) Contracts with an Estimated Cost in Excess of \$400,000 and Less Than or Equal To \$10,000,000. A 10% rating bonus will apply to any proposal submitted by a CMD certified Small or Micro-LBE. Pursuant to Section 14B.7(E), 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) Contracts with an Estimated Cost In Excess of \$10,000,000 and Less Than or Equal To \$20,000,000. A 2% rating bonus will apply to any proposal submitted by a Small LBE, Micro LBE and SBA-LBE.
- d) The rating bonus for a Joint Venture ("JV") with LBE participation that meets the requirements of Section 2.02 below is as follows for contracts with an estimated cost of in excess of \$10,000 and Less Than or Equal to \$10,000,000:
 - i. 10% for each JV among Small and/or Micro LBE prime proposers.
 - ii. 5% for each JV which includes at least 35% (but less than 40%) participation by Small and/or Micro-LBE prime proposers.
 - iii. 7.5% for each JV that includes 40% or more in participation by Small and/or Micro-LBE prime proposers.
 - iv. The rating bonus will be applied by adding 5%, 7.5%, or 10% (as applicable) to the score of each firm eligible for a bonus for purposes of determining the highest ranked firm. Pursuant to

Chapter 14B.7(F), SBA-LBEs are not eligible for the rating bonus when joint venturing with a non LBE firm. However, if the SBA-LBE joint ventures with a Micro-LBE or a Small-LBE, the joint venture will be entitled to the joint venture rating bonus only to the extent of the Micro-LBE or Small-LBE participation described in Section 2.01B.4b. and c. above.

- e) The rating bonus does not apply for contracts estimated by the Contract Awarding Authority to exceed \$20 million.

The rating bonus/bid discount does not apply for contracts estimated by the Contract Awarding Authority to exceed \$20 million.

8. 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 **Dalmar Ismail, the CMD Contract Compliance Officer for this solicitation at (415) 581-2322 or by e-mail at Dalmar.Ismail@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 B. 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://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 www.sfgov.org/olse/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 www.sfgov.org/olse/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. Protests must be submitted by email. Protests or notice of protests made by mail, orally (e.g., by telephone) or by FAX will not be considered. Protests must be delivered to:

Eric Manke: eric.manke@sfgov.org

Appendix A Standard Forms

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

Before the City can award a contract, all proposers must meet the minimum requirements described below. There may be additional requirements placed upon a supplier 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 complete the following steps via the City’s supplier portal located at <https://sfcitypartner.sfgov.org/>:

1. Become a Registered Bidder
2. Complete a San Francisco Business Tax Registration
3. Complete a 12B Equal Benefits Declaration

Detailed instructions on how to become an eligible to do business with the City can be found here: [A Step by Step Guide to Becoming an Approved Supplier](#)

C. Supplier Eligibility and Invoice Payment:

Suppliers must have a City-issued Supplier 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 supplier number has been assigned, an email notification will be provided by the City's Supplier Management 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. Supplemental Forms:

Form:	Required If:
Minimum Compensation Ordinance (MCO) Declaration ( MCO_Declaration_10_1_18.pdf)	You have at least \$25,000 in cumulative annual business with a City department and have more than 5 employees, including employees of any parent, subsidiaries and subcontractors.
Health Care Accountability Ordinance (HCAO) Declaration ( HCAO_Declaration_10_1_18.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

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	any parent, subsidiaries or subcontractors.
Insurance Requirements (pdf)	The solicitation requires the successful bidder to demonstrate proof of insurance.
Payment (Labor and Material) Bond (pdf)	The solicitation requires the awarded supplier to post a Payment (Labor and Material) bond.
Performance Bond (pdf)	The solicitation requires the awarded supplier 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.
Nondiscrimination in Contracts (Equal Benefits)	12B Compliance is required on nearly all City contracts. If a supplier is not compliant, the City can only do business with them if the Contract Monitoring Division grants a waiver.

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