

City and County of San Francisco
Sourcing Event ID 0000008637

Request for Proposals for:
Reentry Transitional Housing and Supportive Services

This Solicitation can be viewed on the City's Supplier Portal at: <https://sfcitypartner.sfgov.org/pages/index.aspx>



Proposal Phase	Tentative Date
Request for Proposals Issued	September 13, 2023
Pre-Proposal Conference	September 29, 2023 @12:00pm Via Microsoft Teams: Click here to join the meeting Meeting ID: 212 755 868 289 Passcode: 2TDpzW
Written Questions and Proposed Changes to City's Grant Terms Due Date	October 13, 2023
Answers to Written Questions Published	October 18, 2023
Proposal Due Date	October 27, 2023
Notice of Intent to Award	November 27, 2023
Period for Protesting Notice of Intent to Award	Within three (3) business days of the City's issuance of a Notice of Intent to Award.
Grant Administrator:	David Agam, Fiscal and Contracts Compliance Officer San Francisco Adult Probation Department 945 Bryant Street, San Francisco, CA 94103 Phone: (628) 652-2326 Email: david.agam@sfgov.org

Attachments

- Attachment 1: City's Grant Terms
- Attachment 2: Application and Minimum Qualifications
- Attachment 3: Omitted (CMD LBE Forms)
- Attachment 4: Written Proposal
- Attachment 5: Budget Proposal
- Attachment 6: HCAO and MCO Declaration Forms
- Attachment 7: First Source Hiring Form

**MANDATORY SUBMISSION
REQUIREMENT
DOCUMENTATION**

Proposers must submit with their proposal documents in support of each Submission Requirement listed below. A proposal that fails to provide the following complete documentation may not be eligible for further consideration.

Description
Completed Attachment 1, City's Grant Terms
Completed Attachment 2, Application and Minimum Qualifications
Completed Attachment 4, Written Proposal
Completed Attachment 5, Budget Proposal

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I. INTRODUCTION AND SOLICITATION SCHEDULE

A. Introduction

1. General

This Request for Proposals (hereinafter “RFP” or “Solicitation”) is being issued by Adult Probation Department (hereinafter, “APD” or “City”). APD, on behalf of all City Departments, is seeking qualified suppliers (“Proposers”) to provide proposals (“Proposal”) for ***Reentry Transitional Housing and Supportive Services to individuals under SFAPD supervision and other justice-involved San Francisco residents.***

The City has approximately 65 departments, ranging from small to very large. Some departments maintain facilities located outside of the geographic limits of the City. APD shall order goods and/or services covered by the awarded Grant(s) through the issuance of individual Purchase Orders and/or Task Orders which shall be released against the awarded grant(s) during the grant term.

When applicable and practical, Proposers are encouraged to engage granting teams that reflect the diversity of the City and include participation of businesses and residents from the City’s most disadvantaged communities including, but not limited to the Bayview/Hunters Point, Chinatown, Mission, South of Market, Tenderloin, Visitacion Valley and Western Addition neighborhoods.

2. Selection Overview

The City shall award grants to the Proposers that meet the Minimum Qualifications of this Solicitation and obtain the highest-ranking scores. Responsive Proposals will be evaluated by a panel (“Evaluation Panel”) consisting of one or more parties with expertise related to goods and/or services being procured through this Solicitation. The Evaluation Panel may include staff from various City departments. Proposals will be evaluated based on the criteria outlined herein.

The City reserves the right to award a grant for any portion of services proposed in the Proposer’s application.

B. Anticipated Grant Term

A grant awarded pursuant to this Solicitation shall be non-exclusive with an original term of three years. The City at its sole, absolute discretion, shall have the option to extend the term for two additional years for a total of five years.

C. Anticipated Grant Not to Exceed Amount

Grants awarded pursuant to this Solicitation shall approximate a combined total amount of \$15 million annually. This amount is based on City’s estimated spending over the advertised initial Grant term. Should City’s actual spending exceed its estimated spending for the initial term, City may in its sole discretion increase the funding for the initial term. Should City exercise its options to extend any Grant agreements beyond their initial term, City may also elect to increase their funding accordingly.

D. Reserved (Indefinite Quantity, As-Needed Contract).

E. Cooperative Agreement

Any other City department, public entity or non-profit made up of multiple public entities, may use the results of this Solicitation to obtain some or all of the commodities or services to be provided by Proposer under the same terms and conditions of any Grant awarded pursuant to this Solicitation.

F. Solicitation Schedule

The anticipated schedule for this Solicitation is set forth below. These dates are tentative and subject to change. It is the responsibility of the Proposer to check for any Addenda to this Solicitation or other published pertinent information.

Proposal Phase	Tentative Date
Request for Proposals Issued	September 13, 2023
Pre-Proposal Conference	September 29, 2023 @12:00pm Via Microsoft Teams: Click here to join the meeting Meeting ID: 212 755 868 289 Passcode: 2TDpzW
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Notice of Intent to Award	November 27, 2023
Period for Protesting Notice of Intent to Award	Within three (3) business days of the City's issuance of a Notice of Intent to Award.
Pre-Proposal Conference Details The Pre-Proposal Conference will begin at the time specified. Proposers' 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-Proposal Conference shall not excuse the awarded Proposer from any obligations of a Grant awarded pursuant to this Solicitation. Any change or addition to the requirements contained in this Solicitation as a result of the Pre-Proposal Conference will be executed by a written Addendum to this Solicitation. It is the responsibility of the Proposer to check for any Addendum to this Solicitation or other published pertinent information.	

G. Grant Terms and Negotiations

The successful Proposer will be required to enter into a Grant substantially in the form attached hereto as *Attachment 1, City's Grant Terms*. **If Proposer is unable to accept City's Grant Terms substantially in the form presented, Proposer shall include a revised copy of City's Grant Terms with its Proposal.** The revised copy of City's Grant Terms must clearly:

- (1) Mark those sections to which it objects;
- (2) Set forth Proposer's alternative terms with respect to each such section; and
- (3) Explain the basis for each proposed change.

If a satisfactory Grant(s) cannot be negotiated in a reasonable time, the City, in its sole discretion, may terminate negotiations. Upon termination of negotiations, City may begin negotiation with the Proposer that meets the Minimum Qualifications of this Solicitation whose Proposal receives the next highest-ranking score.

II. GOODS AND SERVICES REQUESTED

A. Scope of Work

The scope of work described below is intended as a general guide to the work SFAPD expects to be performed, and is not a complete listing of all services that may be required or desired.

To minimize duplication of effort and to allow the City to coordinate data requests and data available for previous and future survey projects, the selected Proposer's findings

and data gathered may be shared by the City with other City grantees or contractors, as deemed appropriate by the City.

SFAPD seeks Responses from nonprofit organizations with expertise in providing: ***Reentry Transitional Housing and Supportive Services to individuals under SFAPD supervision and other justice-involved San Francisco residents.***

B. Description of Services

1. Target Population

Individuals under SFAPD supervision, and other justice-involved individuals, ages 18 and older, who are San Francisco residents.

Specialized justice involved populations may include:

- Transitional Age Young Adults (TAYA)
- Female Clients
- Transgender and Gender Non-Conforming (TGNC) Clients
- Clients with Substance Use Disorder
- Pretrial Diversion Clients
- 290 Registrants (Sex-Offenders)
- Participants with Mental Health Issues or Co-Occurring Disorders
- Collaborative Court Clients

2. Program Requirements

- a) Preferably, the Proposer shall have site control of a building that they own or that has a current master lease or block rental agreement at the time of this response. SFAPD may consider applications from agencies without a block rental or master lease, but the applicant must demonstrate a clear pathway to securing a dedicated site.
- b) Provide housing and supportive services to individuals under SFAPD supervision and other justice-involved individuals, ages 18 and older, who are San Francisco residents for a period ranging from 3 to 24 months, or longer contingent on a participant's progress and needs.
- c) Housing and supportive services for justice-involved participants may include clean and sober transitional housing or other innovative housing services for justice-involved adults.
- d) Provide each program participant with an intake and assessment of participant needs.
- e) Provide on-site case management services, which help participants, achieve a number of reentry related goals. The goals shall be based upon the individual needs of each participant (as identified in their initial intake and assessment) and will form the basis of the participant's Reentry Case Plan. Reentry Case Plan goals should be related to successfully reentering our community, including, but not limited to:
 - Recovery from drugs and alcohol use/misuse/dependence
 - Obtaining identification documents
 - Obtaining permanent/stable housing
 - Mental health and medical care and stabilization
 - Education
 - Employment
 - Family reunification
 - Healthy relationship building

- Developing prosocial behaviors
 - Enrolling in benefits
 - Adhering to any court stipulations
 - Healthy leisure activities
- f) Provide safe and clean, interior and exterior areas, which include access to kitchen facilities, common rooms, linens, dresser, closet, bathroom/shower facilities, and laundry facilities.
 - g) Collaborate with the CASC's service provider and work closely with the participant's outside case manager (if present) and DPO (if relevant) to address the criminogenic needs of participants, which potentially includes random drug testing for any participants in SFAPD-funded housing.
 - h) Ensure and track that participants participate in at least 2 reentry/rehabilitation related groups each week. Groups can be either provided onsite or in the community.
 - i) Assist all new participants in completing a coordinated entry assessment.
 - j) Ensure participants enroll in benefits programs such as County Adult Assistance Program (CAAP), Personal Assisted Employment Services (PAES), CalFresh, Medi-Cal, etc.
 - k) Assist participants with permanent housing search, completing housing applications, and tracking all submitted housing applications, and placement into permanent housing.
 - l) Have a 24 hour a day, 7 day a week facility manager or other program staff that is available to respond to a facility emergency and participant needs.
 - m) If feasible, have the ability to implement a participant savings program.
 - n) Comply with all applicable local, state and federal building, sanitation, health, safety and fire codes, as well as City and County zoning and use ordinances.
 - o) Commit to being part of the [City and County of San Francisco's racial equity goals](#) by including information in your Proposal on how your proposed work meets the needs of vulnerable populations in San Francisco and helps to advance racial equity.

3. Outcome and Objectives

- 1) Reduce Homelessness
- 2) Program occupancy shall not drop below 80%.
- 3) Exit to permanent/stable housing.
- 4) Program participants attend at least 2 reentry/rehabilitation related groups weekly, either provided by the provider onsite or provided in the community.

4. Allowable Expenses

Subject to SFAPD's approval, and contingent on funding availability, the agreement(s) awarded under this RFP may fund the following allowable expenses: personnel costs, fringe, operating costs, rent or Master Lease costs, utilities, Information Technology (IT) for staff and possibly to keep participants connected to services virtually. Please see *RFP Attachment 4: Written Proposal* and *RFP Attachment 5: Budget Proposal* for more details

on narrative and budget requirements. The scope and cost of proposed services will be determined and negotiated by SFAPD.

C. Additional As-Needed Services

Subject to SFAPD's approval, the agreement(s) awarded under this RFP may be amended in accordance with City requirements to include SFAPD-requested as-needed assistance from the Grantee that is related to the services described in this RFP. The scope and cost of as- needed services will be determined and negotiated by SFAPD.

- D. Reserved (Regulatory and Compliance Requirements Specific to the Goods/Services Solicited)**
- E. Reserved (Green Purchasing Requirements)**
- F. Reserved (Alternates and Samples)**
- G. Reserved (Freight on Board and Shipping Costs)**

III. LOCAL BUSINESS ENTERPRISE (LBE) PROGRAM REQUIREMENTS

- A. Reserved (CMD Compliance Officer)**
- B. Reserved (Application of LBE Rating Bonuses)**
- C. Reserved (LBE Subcontracting Participation Requirements)**
- D. Reserved (CMD LBE Forms)**
- E. Reserved (LBE Payment and Utilization Tracking)**

IV. PROPOSAL EVALUATION CRITERIA

Evaluation Phase	Maximum Points
Submission Requirement Documentation and Minimum Qualifications	Pass/Fail
Budget Proposal	10 Points
Written Proposal	90 Points
TOTAL	100 Points

V. MINIMUM QUALIFICATIONS DOCUMENTATION REQUIRED WITH PROPOSAL (PASS/FAIL)

Proposers must provide documentation that clearly demonstrates each Minimum Qualification (MQ) listed below has been met. Minimum Qualification documentation should be clearly marked as "MQ1", MQ2", etc.... to indicate which MQ it supports. Each Proposal will be reviewed for initial determination on whether Proposer meets the MQs referenced in this section. **This screening is a pass or fail determination and a Proposal that fails to meet the Minimum Qualifications will not be eligible for further 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.

MQ #	Description
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MQ # 1	Applicant must be a Supplier with the City and County of San Francisco or expresses the ability to become a Supplier within ten (10) days after receiving a Notice of Intent to Award.
MQ # 2	Evidence that Proposer provided at least 3 consecutive years of services similar to those requested by this Solicitation within the last 5 years.

VI. WRITTEN PROPOSAL (90 POINTS)

In addition to submitting documents supporting each Minimum Qualification as required by this Solicitation, Proposers shall also submit a complete Proposal consisting of each item set forth in *Attachment 4, Written Proposal*.

VII. BUDGET PROPOSAL (10 POINTS)

A. Budget Proposal Format and Allocation of Points

In addition to submitting documents supporting each Minimum Qualification as required by this Solicitation, Proposers shall also submit a complete Budget Proposal consisting of each item set forth in *Attachment 5, Budget Proposal*.

B. Budget Proposal Evaluation Period

The City will attempt to evaluate Budget Proposals within one-hundred eighty (180) days after receipt of Proposals. If City requires additional evaluation time, all Proposers will be notified in writing of the new expected award date.

C. Reserved (Price Discrepancies)

D. Reserved (Proposing on Separate Items or in Aggregate(s))

E. Reserved (Application of Discounts for Evaluating Lowest Responsive Proposer)

VIII. RESERVED (ORAL INTERVIEWS)

IX. SUPPORTING DOCUMENTATION REQUIRED PRIOR TO GRANT EXECUTION

Proposers must provide each Required Supporting Documentation (“RSD”) identified below prior to Award. Failure to do so may result in the Proposal being deemed Non-Responsive.

RSD # 1	Evidence that Proposer is 12B compliant or likely to become compliant within 30 calendar days of the Proposal Due Date.
RSD # 2	Evidence that Proposer is active and in good standing as recorded by the California Secretary of State or likely to be so within 30 calendar days of the Proposal Due Date.
RSD # 3	Evidence that Proposer is compliant with the California Attorney General’s charitable trust registration and reporting requirements or likely to become compliant within 30 calendar days of the Proposal Due Date.
RSD # 4	Completed Proposal Attachments: <i>Attachment 6: HCAO and MCO Declaration Forms</i> <i>Attachment 7: First Source Hiring Form</i>
RSD # 5	Evidence of insurance in accordance with Article 5 of <i>Attachment 1, City’s Grant Terms</i> .

RSD # 6	<p>Non-Profit Entities: If Proposer is a non-profit organization and receives a cumulative total per year of at least \$250,000 in City funds or City-administered funds:</p> <p>(1) a statement describing Proposer’s efforts to comply with the Chapter 12L provisions regarding public access to Proposer’s meetings and records, and</p> <p>(2) a summary and disposition 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. If no such complaints were filed, the Proposer shall include a statement to that effect.</p> <p><i>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.</i></p>
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X. FAILURE TO PROVIDE INSURANCE AND/OR BONDS

Unless otherwise stated, within ten business days of the receipt of a notice of award of a Grant, the Proposer to whom the Grant is awarded shall deliver the specified bond documents and/or insurance certificates and policy endorsements to City. If the Proposer fails or refuses to furnish the required bond and/or insurance within ten days after receiving notice to award a Grant, City may, at its option, determine that the Proposer has abandoned its Proposal. Thereupon the tentative award of said contract to this Proposer shall be canceled and City shall notify the Proposer’s surety and collect on the Proposer’s bond (or the check accompanying its Proposal shall be deposited with the Treasurer of the City and County of San Francisco for collection). The proceeds thereof shall be retained by City as partial liquidated damages for failure of such Proposer to properly file the bonds and insurance herein required. The foregoing in no way limits the damages which are recoverable by City whether or not defined elsewhere in the Grant documents.

XI. CITY’S SOCIAL AND ECONOMIC POLICY REQUIREMENTS

The San Francisco Municipal Code establishes a number of requirements for people seeking to do business with the City (“Social and Economic Policy Requirements”). These Social and Economic Policy Requirements can be found in *Attachment 1, City’s Grant Terms*, which Proposers are encouraged to carefully review. The Social and Economic Policy Requirements set forth below are not intended to be a complete list of all Social Policy Requirements applicable to this Solicitation and any Grants awarded from it.

A. Proposers Unable to do Business with the City

1. Generally

Proposers that do not comply with laws set forth in San Francisco’s Municipal Codes may be unable to enter into a Grant with the City. Laws applicable to this Solicitation are set forth below and in *Attachment 1, City’s Grant Terms*.

2. Reserved (Contractor Vaccination Policy Attestation Form)

3. Reserved (Administrative Code Chapter 12X)

4. Administrative Code Chapter 12B

A Proposer selected pursuant to this Solicitation may not, during the term of the Grant, in any of its operations in San Francisco, on real property owned by San Francisco, or where work is being performed for the City elsewhere in the United States, discriminate in the provision of bereavement leave, family medical leave, health benefits, membership or membership discounts, moving expenses, pension and retirement benefits or travel benefits, as well as any benefits other

than the benefits specified above, between employees with domestic partners and employees with spouses, and/or between the domestic partners and spouses of such employees, where the domestic partnership has been registered with a governmental entity pursuant to state or local law authorizing such registration, subject to the conditions set forth in §12B.2(b) of the San Francisco Administrative Code *Refer to Attachment 1, City's Grant Terms for additional details related to the application of this Ordinance to a Grant awarded pursuant to this Solicitation.*

B. Reserved (Prevailing Wage Ordinance)

C. Health Care Accountability Ordinance

Where applicable, a Proposer selected pursuant to this Solicitation shall comply with the requirements of Chapter 12Q. For each covered employee who is not subject to Prevailing Wage, an awarded Proposer shall provide the appropriate health benefit set forth in Section 12Q.3 of the Health Care Accountability Ordinance (HCAO). If a Proposer selected pursuant to this Solicitation chooses to offer the health plan option, such health plan shall meet the minimum standards set forth by the San Francisco Health Commission. Information about and the text of the Chapter 12Q and the Health Commission's minimum standards are available at <http://sfgov.org/olse/hcao>. Any Subcontract entered into by Proposer shall also be required to comply with the requirements of the HCAO and shall contain contractual obligations substantially the same as those set forth in this section. *Refer to Attachment 1, City's Grant Terms for additional details related to the application of this Policy to a Grant awarded pursuant to this Solicitation.*

D. Minimum Compensation Ordinance

Where applicable, a Proposer selected pursuant to this Solicitation shall comply with Administrative Code Chapter 12P. A Proposer selected pursuant to this Solicitation shall pay covered employees who are not subject to Prevailing Wage no less than the minimum compensation required by San Francisco Administrative Code Chapter 12P, including a minimum hourly gross compensation, compensated time off, and uncompensated time off. A Proposer selected pursuant to this Solicitation is subject to the enforcement and penalty provisions in Chapter 12P. Information about and the text of the Chapter 12P is available on the web at <http://sfgov.org/olse/mco> *Refer to Attachment 1, City's Grant Terms for additional details related to the application of this Policy to a Grant awarded pursuant to this Solicitation.*

E. First Source Hiring Program

A Proposer selected pursuant to this Solicitation shall comply with all of the applicable provisions of the First Source Hiring Program, Chapter 83 of the San Francisco Administrative Code. *Refer to Attachment 1, City's Grant Terms for additional details related to the application of this Policy to a Grant awarded pursuant to this Solicitation.*

F. Reserved (Sweatfree Procurement)

G. Non-Profit Entities

To receive a Grant under this Solicitation, any nonprofit Proposer must be in good standing with the California Attorney General's Registry of Charitable Trusts by the time of Grant execution and must remain in good standing during the term of the agreement. Upon request, Proposer must provide documentation to the City demonstrating its good standing with applicable legal requirements. If Proposer will use any nonprofit subgrantees to perform the agreement, Proposer will be responsible for ensuring they are also in compliance with all requirements of the Attorney General's Registry of Charitable Trusts at the time of Grant execution and for the duration of the agreement.

H. Reserved (Other Social Policy Provisions)

XII. TERMS AND CONDITIONS FOR RECEIPT OF PROPOSALS

A. How to Register as a City Supplier

The following requirements pertain only to Proposers not currently registered with the City as a Supplier.

Step 1: Register as a BIDDER at City's Supplier Portal:

<https://sfcitypartner.sfgov.org/pages/index.aspx>

Step 2: Follow instructions for converting your BIDDER ID to a SUPPLIER ID. This will require you to register with the City Tax Collector's Office and submit Chapter 12B and 12C forms through the Supplier portal. Once these forms have been completed, submitted, and processed, you will be notified via email with your organization's new Supplier ID. That email will also provide instructions for completing your Supplier registration.

- **City Business Tax Registration Inquiries:** For questions regarding business tax registration procedures and requirements, contact the Tax Collector's Office at (415) 554-4400 or, if calling from within the City and County of San Francisco, 311.
- **Chapter 12(B) and 12(C) Inquiries:** For questions concerning the City's Chapter 12(B) and 12(C) Equal Benefits and Non-Discrimination in Contracting requirements, go to: www.sfgov.org/cmd.

B. Proposal Questions and Submissions

1. Proposer Questions and Requests for Clarification

Proposers shall address any questions regarding this Solicitation to the Grant Administrator whose name and contact information appears on the cover page of this Solicitation. Proposers who fail to submit questions concerning this Solicitation and its requirements will waive all further rights to protest based on the specifications and conditions herein. **Questions must be submitted by email to APD-Contracting@sfgov.org no later than Written Questions Due Date.** A written Addendum will be executed addressing each question and answer and posted publicly. It is the responsibility of the Proposer to check for any Addenda and other updates that may be posted on the City's Supplier Portal: <https://sfcitypartner.sfgov.org/pages/Events-BS3/event-search.aspx>.

2. Proposal Format

Proposals must be created using a word processing software (e.g. Microsoft Word or Excel) and typed in a serif font (e.g.-Times New Roman). The document must have page margins of at least .5" on all sides. Information must be provided at a level of detail that enables effective evaluation and comparison between Proposals. Failure to follow formatting, submission, or content requirements, as well as page limit restrictions (if any), may negatively impact the evaluation of your Proposal.

3. Time and Place for Submission of Proposals

Prior to the Proposal submission deadline, Proposers must email their complete Proposals to APD-Contracting@sfgov.org. Each original Proposal received will be screened to ensure that all content required by this Solicitation is included. Partial or complete omission of any required content may disqualify Proposals from further consideration. Late Proposal submissions will not be considered and failure to adhere to the above requirements may result in the complete rejection of your Proposal.

Proposers are encouraged to email their Proposals to APD-Contracting@sfgov.org as early as possible to address any technical issues that may arise during the submission process.

C. RFP Addenda

The City may modify this Solicitation, prior to the Proposal Due Date, by issuing an Addendum to the Solicitation, which will be posted on the San Francisco Supplier Portal. Every Addendum will create a new version of the Sourcing Event and Proposers must monitor the event for new versions. **The Proposer shall be responsible for ensuring that its Proposal reflects any and all Addenda issued by the City 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 Solicitation Addenda. It is the responsibility of the Proposer to check for any Addenda, Questions and Answers documents, and updates, which may be posted to the subject Solicitation.

THE SUBMITTAL OF A RESPONSE TO THIS SOLICITATION SHALL EXPLICITLY STIPULATE ACCEPTANCE BY PROPOSERS OF THE TERMS FOUND IN THIS SOLICITATION, ANY AND ALL ADDENDA ISSUED TO THIS SOLICITATION, AND THE PROPOSED GRANT TERMS.

D. Public Disclosure

All documents under this solicitation process are subject to public disclosure per the California Public Records Act (California Government Code Section §6250 et. Seq) and the San Francisco Sunshine Ordinance (San Francisco Administrative Code Chapter 67). Grants, Proposals, responses, and all other records of communications between the City and Proposers shall be open to inspection immediately after a Grant has been awarded. Nothing in this Administrative Code provision requires the disclosure of a private person's or organization's net worth or other proprietary financial data submitted for qualification for a Grant or other benefit until and unless that person or organization is awarded the Grant or benefit.

If the City receives a Public Records Request ("Request") pertaining to this solicitation, City will use its best efforts to notify the affected Proposer(s) of the Request and to provide the Proposer with a description of the material that the City deems responsive and the due date for disclosure ("Response Date"). If the Proposer asserts that some or all of the material requested contains or reveals valuable trade secret or other information belonging to the Proposer that is exempt from disclosure and directs the City in writing to withhold such material from production ("Withholding Directive"), then the City will comply with the Withholding Directive on the condition that the Proposer seeks judicial relief on or before the Response Date. Should Proposer fail to seek judicial relief on or before the Response Date, the City shall proceed with the disclosure of responsive documents.

E. Limitation on Communications During Solicitation

From the date this Solicitation is issued until the date the competitive process of this Solicitation is completed (either by cancelation or final Award), Proposers and their subgrantees, vendors, representatives and/or other parties under Proposer's control, shall communicate solely with the Grant Administrator whose name appears in this Solicitation. Any attempt to communicate with any party other than the Grant Administrator whose name appears in this Solicitation – including any City official, representative or employee – is strictly prohibited. Failure to comply with this communications protocol may, at the sole discretion of City, result in the disqualification of the Proposer or potential Proposer from the competitive process. This

protocol does not apply to communications with the City regarding business not related to this Solicitation.

F. Proposal Selection Shall not Imply Acceptance

The acceptance and/or selection of any Proposal(s) shall not imply acceptance by the City of all terms of the Proposal(s), which may be subject to further approvals before the City may be legally bound thereby.

G. Cybersecurity Risk Assessment

As part of City's evaluation process, City may engage in Cybersecurity Risk Assessment (CRA). CRA may be performed for each entity manufacturing the product, performing technical functions related to the product's performance, and/or accessing City's networks and systems. Where a prime contractor or reseller plays an active role in each of these activities, CRA may also be required for the prime contractor or reseller.

To conduct a CRA, City may collect as part of this Solicitation process one of the following two reports:

- **SOC-2 Type 2 Report:** Report on Controls at a Service Organization Relevant to Security, Availability, Processing Integrity, Confidentiality or Privacy; or
- **City's Cyber Risk Assessment Questionnaire:** Proposer's responses to a City's Cyber Risk Assessment Questionnaire.

The above reports may be requested at such time City has selected or is considering a potential Proposer. The reports will be evaluated by the soliciting Department and the City's Department of Technology to identify existing or potential cyber risks to City. Should such risks be identified, City may shall afford a potential Proposer an opportunity to cure such risk within a period of time deemed reasonable to City. Such remediation and continuing compliance shall be subject to City's on-going review and audit through industry-standard methodologies, including but not limited to: on-site visits, review of the entities' cybersecurity program, penetration testing, and/or code reviews.

H. Solicitation Errors and Omissions

Proposers are responsible for reviewing all portions of this Solicitation. Proposers are to promptly notify the City, in writing and to the Solicitation contact person if the Proposer discovers any ambiguity, discrepancy, omission, or other error in the Solicitation. Any such notification should be directed to the City promptly after discovery, but in no event later than the deadline for questions. Modifications and clarifications will be made by Addenda as provided below.

I. Objections to Solicitation Terms

Should a Proposer object on any ground to any provision or legal requirement set forth in this Solicitation, the Proposer must, no later than the deadline for questions, provide written notice to the City 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.

J. Protest Procedures

1. Protest of Non-Responsiveness Determination

Within three (3) business days of the City's issuance of a Notice of Non-Responsiveness, a Proposer may submit a written Notice of Protest 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 Notice of Protest must be signed by an individual authorized to represent the Proposer, and must cite the law, rule, local ordinance, procedure or Solicitation provision on which the protest is based. In addition, the Notice of Protest must specify facts and evidence sufficient for the City to determine the validity of the protest.

2. Protest of Non-Responsible Determination

Within three (3) business days of the City's issuance of a Notice of Non-Responsibility, a Proposer may submit a written Notice of Protest 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 Notice of Protest must be signed by an individual authorized to represent the Proposer, and must cite the law, rule, local ordinance, procedure or Solicitation provision on which the protest is based. In addition, the Notice of Protest must specify facts and evidence sufficient for the City to determine the validity of the protest.

3. Protest of Grant Award

Within three (3) business days of the City's issuance of a Notice of Intent to Award, a Proposer may submit a written Notice of Protest of Grant 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 Notice of Protest must be signed by an individual authorized to represent the Proposer, and must cite the law, rule, local ordinance, procedure or Solicitation provision on which the protest is based. In addition, the Notice of Protest must specify facts and evidence sufficient for the City to determine the validity of the protest.

4. Delivery of Protests

A Notice of Protest must be written. Protests made orally (e.g., by telephone) will not be considered. A Notice of Protest must be delivered by mail or email to the Grant Administrator whose name and contact information appears on the cover page to this Solicitation and received by the due dates stated above. A Notice of Protest shall be transmitted by a means that will objectively establish the date the City received the Notice of Protest. If a Notice of Protest is mailed, the protestor bears the risk of non-delivery within the deadlines specified herein.

K. Proposal Term

Submission of a Proposal signifies that the proposed products, 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.

L. Revision to 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 City may require a Proposer to provide oral or written clarification of its Proposal. The City reserves the right to make an award without further clarifications of Proposals received.

M. Proposal Errors and Omissions

Failure by the City to object to an error, omission, or deviation in the Proposal will in no way modify the Solicitation or excuse the Proposer from full compliance with the specifications of this Solicitation or any Grant awarded pursuant to this Solicitation.

N. Financial Responsibility

The City accepts no financial responsibility for any costs incurred by a Proposer in responding to this Solicitation. Proposers acknowledge and agree that their submissions in response to this Solicitation will become the property of the City and may be used by the City in any way deemed appropriate.

O. Proposer's Obligations under the Campaign Reform Ordinance

If a Grant awarded pursuant to this Solicitation has (A) a value of \$100,000 or more in a fiscal year and (B) requires the approval of an elected City official, Proposers are hereby advised:

1. Submission of a Proposal in response to this Solicitation may subject the Proposers to restrictions under Campaign and Governmental Conduct Code Section 1.126, which prohibits City Grantors, Proposers, and their affiliates from making political contributions to certain City elective officers and candidates; and
2. Before submitting a Proposal in response to this Solicitation, Proposers are required to notify their affiliates and subgrantees listed in the awarded Grant or Proposal of the political contribution restrictions set forth in Campaign and Governmental Conduct Code section 1.126.

This restriction applies to the party seeking the Grant, the party's board of directors, chairperson, chief executive officer, chief financial officer, chief operating officer, any person with an ownership interest greater than ten percent, and any political committees controlled or sponsored by the party, as well as any subgrantees listed in the awarded Grant or Proposal. The law both prohibits the donor from giving contributions and prohibits the elected official from soliciting or accepting them.

The people and entities listed in the preceding paragraph may not make a campaign contribution to the elected official at any time from the submission of a Proposal for a Grant until either: (1) negotiations are terminated and no Grant is awarded; or (12) twelve months have elapsed since the award of the Grant.

A violation of Section 1.126 may result in criminal, civil, or administrative penalties. For further information, Proposers should contact the San Francisco Ethics Commission at [\(415\) 252-3100](tel:415-252-3100) or go to <https://sfethics.org/compliance/city-officers/city-contracts/city-departments/notifying-bidders-and-potential-bidders>.

P. Reservations of Rights by the City

The issuance of this Solicitation does not constitute a guarantee by the City that a Grant will be awarded or executed 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 the Solicitation;
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 Solicitation, or the requirements for contents or format of the Proposals;
5. Procure any materials, equipment or services specified in this Solicitation by any other means; or
6. Determine that the subject goods or services are no longer necessary.

Q. No Waiver

No waiver by the City of any provision of this Solicitation shall be implied from the City's failure to recognize or take action on account of a Proposer's failure to comply with this Solicitation.

R. Other

1. The City may make such investigation, as it deems necessary, prior to the award of this Grant to determine the conditions under which the goods are to be delivered or the work is to be performed. Factors considered by the City shall include, but not be limited to:
 - a. Any condition set forth in this Solicitation;
 - b. Adequacy of Proposer's plant facilities and/or equipment, location and personnel location to properly perform all services called for under the Purchase Order; and
 - c. Delivery time(s).
2. City reserves the right to inspect an awarded Proposer's place of business prior to award of and/or at any time during the Grant term (or any extension thereof) to aid City in determining an awarded Proposer's capabilities and qualifications.
3. Failure to timely execute a Grant, or to furnish any and all insurance certificates and policy endorsements, surety bonds or other materials required in the Grant, shall be deemed an abandonment of a Grant offer. The City, in its sole discretion, may select another Proposer and may proceed against the original selectee for damages.
4. City reserves the right to reject any Proposal on which the information submitted by Proposer fails to satisfy City and/or if Proposer is unable to supply the information and documentation required by this Solicitation within the period of time requested.
5. Any false statements made by a Proposer or any related communication/clarification may result in the disqualification of its Proposal from receiving further evaluation and a Grant award.