

City and County of San Francisco
Sourcing Event ID 000008512
Department Procurement ID: OEWD RFQ 227

Formal Request for Qualifications for:
Office of Economic and Workforce Development
Small Business Consulting and Training Services
through the Small Business Development Center (SBDC)

This RFQ can be viewed at <https://sf.gov/information/bid-opportunities>
and on the City's Supplier Portal at: <https://sfcitypartner.sfgov.org/pages/index.aspx>



Request for Qualifications Issuance	Monday, August 7, 2023
Optional Technical Assistance Conference	Tuesday, August 15, 2023 at 12:00 PM (Noon) Location: Zoom Meeting Zoom Webinar Link: Register here Zoom Meeting ID: 846 3546 2978 If you require an accommodation due to a disability, please contact 415-701-4848 or TDD 800-735-2929 (CRS), or email owd.procurement@sfgov.org at least 3 business days prior to the meeting to ensure availability.
Deadline to Submit Written Substantive Questions	Wednesday, August 23, 2023 at 12:00 PM (Noon); technical questions may be submitted until the submission deadline.
Deadline to Submit Proposals	Thursday, August 31, 2023 at 12:00 PM (Noon)
Notice of Intent to Establish Prequalified Pool	Tuesday, October 10, 2023
Period for Protesting Notice of Intent to Establish Prequalified Pool	Within three (3) business days of the City's issuance of a Notice of Intent to Award.
Anticipated Program Start Date	January 1, 2024 or later
Pool Administrator:	Jenny Collins Contracts Manager, Office of Economic and Workforce Development 1 South Van Ness Avenue, Fifth Floor, San Francisco, CA, 94103 Email: owd.procurement@sfgov.org

Appendices

- Appendix A: Application Questions
- Appendix B: SBDC Federal/State Funding Pass-through Terms
- Appendix C: P-600 City Contract Terms
- Appendix D: Supplier Registration Instructions

MANDATORY MINIMUM QUALIFICATION DOCUMENTATION DUE WITH EACH PROPOSAL

PROPOSERS MUST SUBMIT WITH THEIR PROPOSAL DOCUMENTS IN SUPPORT OF EACH MINIMUM QUALIFICATION LISTED BELOW. A PROPOSAL THAT FAILS TO PROVIDE THE FOLLOWING DOCUMENTATION WILL NOT BE ELIGIBLE FOR FURTHER CONSIDERATION.

MQ #	Description
MQ #1	Submitted online application , as referenced in Appendix 1 - Application Questions
MQ #2	Uploaded resume documenting that Proposer has at least three (3) years of experience providing business consulting and training services to small business clients.
MQ #3	Entered client list of a minimum of ten (10) small businesses which Proposer has consulted or trained. Identify which sub-areas were part of the support provided to each client.
MQ #4	Entered reference contact information for three (3) small businesses Proposer has consulted or trained. Upon request, successful proposers may also be required to submit a letter of reference from each reference listed within five (5) days of notification. Failure to do so may result in rejection of proposal. Information requested includes: <ul style="list-style-type: none"> • Name of Company • Business address and website (if applicable) • Reference point of contact name, email, phone number • Number of hours Proposer provided services to this company • Type of service Proposer provided to this company <p>Proposer will be asked to sign a separate Release of Liability for References in the online application.</p>

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I. INTRODUCTION

A. General

The Office of Economic and Workforce Development’s mission is to advance equitable and shared prosperity for San Franciscans. We support businesses of all sizes, create great places to live and work, and help everyone achieve economic self-sufficiency. Learn more about our work at the following website:<https://sf.gov/departments/office-economic-and-workforce-development>.

This Request for Qualifications (hereinafter “RFQ” or “Solicitation”) is being issued by the Office of Economic and Workforce Development (hereinafter, “OEWD” or “City”). OEWD, on behalf of all City Departments, and in partnership with the San Francisco Small Business Development Center (SBDC), a program within OEWD, is seeking qualified suppliers (“Proposers”) to provide proposals (“Proposal”) for business consultants to provide business counseling and training services to new and existing entrepreneurs in San Francisco. The total amount of funding anticipated for initial as-needed contract awards is **\$1.5 Million**.

The City shall evaluate Proposals to create a Prequalified Pool of Proposers (“Prequalified Pool”). Proposers prequalified under this RFQ are not guaranteed a contract. The City may use the Prequalified Pool, at its sole and absolute discretion, on an as-needed basis.

Historically, available funding has included Federal, State, and local funding, including, but not limited to:

- U.S. Department of Housing and Urban Development Community Development Block Grant Program (CDBG),
- U.S. Economic Development Administration (EDA),
- California Governor’s Office of Business and Economic Development (GO-Biz),
- U.S. Small Business Administration (SBA), and
- Local General Funds.

B. Creation and Duration of the Prequalified Pool

Proposers meeting the Minimum Qualifications shall be added to the Prequalified Pool and be eligible for potential contract negotiations (“Resulting Contract”) with the City, on an as-needed basis. A Prequalified Pool list is valid for 2 years, but may be extended for up to 2 additional years if re-opened by City in accordance with Section 21.4 of the San Francisco Administrative Code. Responsive Proposals will be evaluated by a panel (“Evaluation Panel”) consisting of parties with expertise related to goods and/or services being procured through this RFQ. The Evaluation Panel may include staff from various City departments. Proposals will be evaluated based on the criteria outlined herein.

C. Resulting Contracts Awarded to Contractors Selected from the Prequalified Pool

1. Selection of Contractors from the Prequalified Pool

Pursuant to Section 21.4 of the San Francisco Administrative Code, City shall select contractors from the Prequalified Pool for Resulting Contracts pursuant to three options, as described below. Selections must be made prior to Pool expiration.

- a. City may select the highest available ranked contractor from the Prequalified Pool (if a ranking was done when the pool was created); OR
- b. City may request quotes or proposals from Prequalified Pool from which to select. Where applicable, the Department shall apply Chapter 14B LBE Rating Bonuses or Bid Discounts

when evaluating quotes and proposals received from the Prequalified Pool. The request for quotes or proposals may also include an LBE Participation Requirement.

- c. For Resulting Contracts that are less than the Minimum Competitive Amount in effect when the selections is being made, City may select a contractor from the Prequalified Pool without any further solicitation. In choosing this option, City shall notify the Prequalified Pool of its selection. The Notice shall specify the commodities and/or services awarded; their cost; and the selected Contractor's unique qualifications for having been selected without a further solicitation.

2. Notice of Intent to Award a Resulting Contract to the Prequalified Pool

Except where a contractor was selected without a further solicitation for a contract amount equal to or less than the Minimum Competitive Amount, City shall not issue a Notice of Intent to Award when awarding a Resulting Contract to a contractor from the Prequalified Pool. The City's award of a Resulting Contract to a contractor from the Prequalified Pool is final and not subject to further review.

3. Anticipated Term of Resulting Contracts

A Resulting Contract awarded to the Prequalified Pool shall be non-exclusive, with an original term to be determined at the time of Contract award based on the awarding Department's business needs, but shall not exceed ten (10) years. Contracts are expected to begin January 1, 2024 or later.

4. Anticipated Not to Exceed Amount of Resulting Contracts

The Not-to-Exceed (NTE) amount of a Resulting Contract awarded to the Prequalified Pool shall be determined at the time of Contract award based on the awarding Department's business needs and funding availability through OEWD or any other City department. The hourly rate listed in this RFQ is the current rate, and may increase based on Federal and State funding updates. Actual awards will be determined by the number of responsive proposals that meet OEWD strategies and objectives, and funding may be less or more. Should higher hourly rates become available, award amounts may be increased significantly beyond the originally anticipated amount at a level commensurate to the amount detailed in the RFQ. If a significant amount of additional funding is identified to support the programs in this RFQ, applicants to this RFQ may be invited to submit an additional proposal or rate statement in order to increase the size of a contract award.

D. Cooperative Agreement

Any other City department, public entity or non-profit made up of multiple public entities, may use the results of this RFQ to select Contractors from the Prequalified Pool under the same terms and conditions of this RFQ.

E. RFQ Schedule

The anticipated schedule for this RFQ 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 RFQ or other pertinent information posted at <https://sf.gov/information/bid-opportunities>.

Proposal Phase	Tentative Date
Request for Qualifications Issued	Monday, August 7, 2023
Optional Technical Assistance Conference	Tuesday, August 15, 2023 at 12:00 PM (Noon) Location: Zoom Meeting Zoom Webinar Link: Register here Zoom Meeting ID: 846 3546 2978
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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.
Anticipated Program Start Date	January 1, 2024 or later
<p>The Optional Technical Assistance Conference Details: The Technical Assistance Conference will be conducted remotely, in accordance with public health and accessibility guidelines. While not required, interested parties are encouraged to attend the Technical Assistance Conference to hear key information about this RFQ and City contracting requirements. The event will include captioning. A recording of the meeting and all presentation materials will be posted to the OEWD website following the event at: https://sf.gov/information/bid-opportunities. Any change or addition to the requirements contained in this RFQ as a result of the Technical Assistance Conference will be posted on the RFQ 227 website. It is the responsibility of the Proposer to check for any pertinent information posted on the RFQ 227 website at https://sf.gov/information/bid-opportunities.</p> <p>If you require an accommodation due to a disability, please contact 415-701-4848 or TDD 800-735-2929 (CRS), or email oewd.procurement@sfgov.org at least 3 business days prior to the meeting to ensure availability.</p>	

II. GOODS AND SERVICES REQUESTED

A. Goods and/or Services Requested

This RFQ is being issued to create a Prequalified Pool of suppliers for the Office of Economic and Workforce Development (OEWD), in partnership with the San Francisco Small Business Development Center (SBDC), a program within OEWD, for business consultants to provide business counseling and training services to new and existing entrepreneurs in San Francisco.

Specifically, the department is seeking consultants with expertise in one or more of the following areas, as they relate to small business operations:

1. Financial Management
 - a. Loan Packaging
 - b. Financial Analysis
 - c. Grant Writing
 - d. Profitability Tactics
 - e. Seed Funding

- f. Venture Capital
- 2. Marketing & Sales
 - a. Advertisement
 - b. Marketing Strategy
 - c. E-Commerce
 - d. Web & Graphic Design
 - e. Visual Merchandising
 - f. Social Media
- 3. Legal Support
 - a. Commercial Lease Negotiations
 - b. Small business establishment and formation
 - c. Franchising
 - d. Human Resources
- 4. Accounting
 - a. Accounting Bookkeeping
 - b. Business Taxes
- 5. Procurement
 - a. Government Contracting
 - b. Corporate Contracting
 - c. Certifications
- 6. Management & Operations
 - a. Restaurant Management
 - b. Retail Management
 - c. Brick-and-mortar
- 7. Manufacturing
 - a. Consumer Packaged Goods
- 8. Childcare
- 9. Startups/Tech
 - a. Technology
 - b. Climate/clean tech
 - c. Life sciences
 - d. Intellectual Property
 - e. Product Development/Prototype
 - f. Fundraising (Venture Capital, Angel Investors, Seed)
- 10. Import & Export
- 11. Architecture
 - a. Renderings

Activities under this section may include:

- Developing and conducting training programs for small businesses in 1:1 and/or group settings.
- Directing small business clients to appropriate business resources for their needs
- Coordinating and maintaining regular contact with OEWD staff and SBDC Director
- Developing scopes of work for clients
- Tracking and reporting on economic impact achieved while working with the client

Additional information for this Section:

- We are looking for advisors that can provide services in a variety of languages including, but not limited to:
 - Spanish
 - Mandarin
 - Cantonese
 - Tagalog
 - Vietnamese
 - French
 - Portuguese
 - Japanese
- The consultant rate is \$75 hourly (CPAs, architects, and attorneys may be paid up to \$100 per hour). The hourly rate may change based on Federal and State funding changes.
 - B. Reserved. (Regulatory and Compliance Requirements Specific to the Goods/Services Solicited)**
 - C. Reserved. (Green Purchasing Requirements)**

III. LOCAL BUSINESS ENTERPRISE (LBE) PROGRAM REQUIREMENTS

A. CMD Compliance Officer

The CMD Compliance Officer (CCO) for this Solicitation and any Contract awarded to a Contractor selected from the resulting Prequalified Pool is:

Selormey Dzikunu
Contract Monitoring Division
City and County of San Francisco
Tel: 415.581.2310
Email: selormey.dzikunu@sfdpw.org
Website: www.sfgov.org/cmd

B. Reserved. (Application of LBE Rating Bonuses and/or Bid Discounts)

- 1. Reserved. (Commodities)**
- 2. Reserved. (General and Professional Services)**
- 3. Reserved. (Professional Services by Joint Ventures)**

C. LBE Subcontracting Participation Requirements

There shall be no LBE Subcontracting Requirement for any Contract awarded to a Contractor selected from the Prequalified Pool because the funding for this contract prohibits application of local preferences when evaluating an Award.

IV. PROPOSAL EVALUATION CRITERIA

Evaluation Phase	Evaluation Criteria
Minimum Qualifications Documentation	Pass/Fail
Written Proposal	Pass/Fail

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

Proposers must provide documentation as part of the online Proposal submission that clearly demonstrates each Minimum Qualification (MQ) listed below has been met. 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
MQ #1	Submitted online application , as referenced in Appendix 1 - Application Questions.
MQ #2	Uploaded resume documenting that Proposer has at least three (3) years of experience providing business consulting and training services to small business clients.
MQ #3	Entered client list of a minimum of ten (10) small businesses which Proposer has consulted or trained. Identify which sub-areas were part of the support provided to each client.
MQ #4	Entered reference contact information for three (3) small businesses Proposer has consulted or trained. Upon request, successful proposers may also be required to submit a letter of reference from each reference listed within five (5) days of notification. Failure to do so may result in rejection of proposal. Information requested includes: <ul style="list-style-type: none">• Name of Company• Business address and website (if applicable)• Reference point of contact name, email, phone number• Number of hours Proposer provided services to this company• Type of service Proposer provided to this company

VI. WRITTEN PROPOSAL EVALUATION CRITERIA (PASS/FAIL)

In addition to submitting documents supporting each Minimum Qualification as required by this Solicitation, Proposers shall also submit the online application referenced in **Appendix 1, Application Questions**.

VII. RESERVED. (PRICE PROPOSAL EVALUATION CRITERIA)

VIII. RESERVED. (SUPPORTING DOCUMENTATION REQUIRED PRIOR TO CONTRACT EXECUTION)

IX. 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”). 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 contracts 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 contract with the City.

2. Reserved. (Contractor Vaccination Policy Attestation Form)

3. Reserved. (Administrative Code Chapter 12X)

4. Administrative Code Chapter 12B

If awarded a Resulting Contract when selected from the Prequalified Pool, Proposer may not, during the term of the Contract, 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.

B. Reserved. (Prevailing Wage Ordinance)

C. Health Care Accountability Ordinance

If awarded a Resulting Contract when selected from the Prequalified Pool, Proposer may be required to comply with the requirements of Chapter 12Q. Generally, this Ordinance requires contractors to provide employees covered by the Ordinance who do work funded under the contract with health plan benefits that meet certain minimum requirements. Alternatively, contractors may elect to make payments to the City for use by the Department of Public Health. For more information, visit: <http://sfgov.org/olse/hcao>.

D. Minimum Compensation Ordinance

If awarded a Resulting Contract when selected from the Prequalified Pool, Proposer may be required to comply with 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 more information, visit: <http://sfgov.org/olse/mco>.

E. First Source Hiring Program

If awarded a Resulting Contract when selected from the Prequalified Pool, Proposer may be required to comply with all of the applicable provisions of the First Source Hiring Program, Chapter 83 of the San Francisco Administrative Code. 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. For more information, visit <https://oewd.org/first-source>

F. Reserved. (Sweatfree Procurement)

G. Non-Profit Entities

If awarded a Resulting Contract 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 contract 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 subcontractors 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 Contract execution and for the duration of the agreement.

X. 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 oewd.procurement@sfgov.org. 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. **Substantive Questions must be submitted by email to oewd.procurement@sfgov.org no later than Written Substantive Questions Due Date.**

Substantive questions are questions that seek to clarify expectations about the RFQ or administrative processes. However, you may continue to submit technical questions (e.g. "How do I complete the application?") to owd.procurement@sfgov.org until the submission deadline and we will respond as soon as possible. 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 posted at <https://sf.gov/information/bid-opportunities>.

2. Proposal Format

Proposals must be submitted via the online application, which can be accessed at <https://sf.gov/information/bid-opportunities>. 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 submit the online application, which can be accessed at <https://sf.gov/information/bid-opportunities>. Late submissions will not be considered. Proposals will not be accepted in any other format. 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.

C. Proposal 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 RFQ 227 website at <https://sf.gov/information/bid-opportunities>. **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 CONTRACT 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). Contracts, Proposals, responses, and all other records of communications between the City and Proposers shall be open to inspection immediately after a contract 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 contract or other benefit until and unless that person or organization is awarded the contract 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 subcontractors, vendors, representatives and/or other parties under Proposer’s control, shall communicate solely with the Contract Administrator whose name appears in this Solicitation. Any attempt to communicate with any party other than the Contract 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. **Receipt of a notification letter confirming the respondent met the minimum qualifications as set forth in the RFQ is not a promise to contract for services.** Proposers receiving prequalification letters may be subsequently contacted by the department to discuss specific opportunities that coincide with the Proposer’s qualifications when and if they arise.

G. Reserved. (Cybersecurity Risk Assessment)

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 written substantive 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 written substantive 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 Prequalified Pool Creation

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 Contract 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 email to oe wd.procurement@sfgov.org 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. All protest determinations made by the Executive Director of OEWD are final.

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. This RFQ procurement process, and the submissions received as a result of it, may be used to justify contract or grant funding decisions for consultant services, and the Not-to-Exceed (NTE) amount of a Resulting Contract awarded to the Prequalified Pool shall be determined at the time of Contract award based on the awarding Department's business needs and funding availability through OEWD or any other City department.

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 contract 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 Resulting Contract awarded to a Contractor from the Prequalified Pool 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 contractors, 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 subcontractors listed in the awarded contract 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 contract, 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 subcontractors listed in the awarded contract 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 contract until either: (1) negotiations are terminated and no contract is awarded; or (2) twelve months have elapsed since the award of the contract.

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 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 contract 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 contract 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 contract term (or any extension thereof) to aid City in determining an awarded Proposer's capabilities and qualifications.
3. Failure to timely execute a contract, or to furnish any and all insurance certificates and policy endorsements, 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 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 contract award.