

# City and County of San Francisco



## Office of Economic and Workforce Development

### Request for Information (RFI) #0000008748

*Development and Administration of a Portable Technology-Based System To Provide Access to Paid Sick Leave (PSL) for Domestic Workers in San Francisco*

|  |   |
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| <b>Issued by:</b>  | <b>Office of Economic and Workforce Development (OEWD)</b>  |
| <b>Date issued:</b>  | <b>Friday, October 6, 2023</b>  |
| <b>Responses due:</b>  | <b>Friday, October 27, 2023 by 5:00 P.M. PST</b><br>Complete submissions must be submitted online. You can find the online form on the RFI website at:<br><a href="https://sf.gov/information/bid-opportunities">https://sf.gov/information/bid-opportunities</a> |
| <b>Online information session (optional):</b>  | <b>Thursday October 12, 2023, 10:00 A.M. – 11:00 A.M. PST</b><br><a href="#">CLICK HERE to register for the webinar</a>   |
| <b>Deadline for submission of written questions:</b>   | <b>Due Date: Monday, October 16, 2023 at 12:00 P.M. PST</b><br>Submit questions via email to:<br><a href="mailto:owd.procurement@sfgov.org">owd.procurement@sfgov.org</a><br>For all email inquiries, please include "RFI 0000008748" in the subject line.        |
| <b>Answers to questions posted to the RFI #0000008748 website</b>  | <b>Wednesday October 18, 2023 by 5:00 P.M PST</b>   |
| Need the RFI or application materials in alternative formats for persons with disabilities?<br>Please email <a href="mailto:owd.procurement@sfgov.org">owd.procurement@sfgov.org</a> |   |

# Request for Information (RFI) #000008748

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## **I. Introduction, Overview, and Schedule**

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The City and County of San Francisco's Office of Economic and Workforce Development (OEWD) by way of this Request for Information (the "RFI"), is requesting responses from qualified firms and parties to inform an industry review regarding their experience with developing and administering existing portable benefit and other related technology-based Systems and the applicability of this experience for the development and administration of a new portable benefits System that will facilitate the calculation and recording of Paid Sick Leave (PSL) accruals for domestic workers across multiple employers and PSL payments to domestic workers by their employers in San Francisco. The development and administration of the new Portable PSL System is required under Article 33N of the San Francisco Police Code established through Ordinance 4-22 Police Code - Domestic Workers' Access to Paid Sick Leave (PSL) through a Portable System ("System").

OEWD supports the City and County of San Francisco (SF) and its economic and cultural vitality through key programs focused on community economic development, small business assistance, business recruitment and retention, housing/real estate development, and workforce development. OEWD's goal is to work continually, across industries and programs, together with diverse community stakeholders, to make San Francisco a better place to live, work, visit, and do business. OEWD seeks to support the economic and community vitality of San Francisco and to create equitable pathways for good-paying jobs so that all San Franciscans may fulfill their deepest aspirations and benefit from the economic prosperity of our City. SF's objective for this RFI is to review information from qualified firms that would be able to meet SF's requirement under Ordinance 4-22 to Develop and Administer a Portable Benefits System to Provide Access to Paid Sick Leave (PSL) for Domestic Workers. Through this RFI, SF is seeking information on full-service solution providers that can run both the financial aspects of the proposed program and the online solution. Vendors responding to this RFI should have program management, financial management/accounting/banking controls expertise & technological expertise.

This RFI is to be used solely for the purpose of an industry review by SF as it evaluates its technology plans and develops its annual budgets. The information provided in the RFI submissions will inform possible future procurements in 2023/2024 for the development and administration of the portable PSL System for domestic workers and their hiring entities. SF assumes no responsibility for any other use of this document.

As part of this industry review, SF may invite vendors to demonstrate their products and services at a later date. It is not a requirement to participate in this industry review process in order to be considered for any subsequent competitive solicitation arising out of this process. SF will independently review and evaluate any information submitted as part of this process. Participation in this industry review is strictly voluntary and SF will not reimburse participants

for any costs in connection therewith. The submission of responses to this RFI does not guarantee the respondent of any future business with SF. We encourage firms with relevant knowledge and expertise to consider participating in the RFI process in order to inform the City's industry review for the proposed System.

## Schedule

| RFI Phase   | Date  |
|---|---|
| RFI is issued by the City                         | <b>Friday, October 6, 2023</b>  |
| RFI Information Session (optional)                | <b>Thursday October 12, 2023 at 10:00 A.M. PST</b><br><a href="#">CLICK HERE to register for the webinar</a>  |
| Deadline for submission of written questions*     | <b>Due Date: Monday, October 16, 2023 at 12:00 P.M.</b><br>Submit questions via email to:<br><a href="mailto:owd.procurement@sfgov.org">owd.procurement@sfgov.org</a><br><i>For all email inquiries, please include "RFI 0000008748" in the subject line.</i> |
| Answers to questions posted online on RFI website | <b>Wednesday October 18, 2023 by 5:00 P.M</b>   |
| Deadline for RFI Responses                        | <b>Friday, October 27, 2023 by 5:00 P.M. PST</b>  |
| Invitation for Prospective Demonstrations         | By Friday, November 17, 2023  |
| Prospective Demonstrations                        | By Friday, December 15, 2023  |

Each date is subject to change. For all updates to this RFI, please review the following webpage: <https://sf.gov/information/bid-opportunities>

### RFI Information Session

An optional information session to review the scope of this RFI will be held **online** on Thursday October 12, 2023 from 10:00 A.M. to 11:00 A.M. PST. The webinar will be recorded and published to the RFI website following the event. Please [CLICK HERE to register for the Webinar](#).

## II. Scope of Work

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This RFI is to be used for the purpose of an industry review by the City and County of San Francisco (SF) as it evaluates a new technology development plan and budget for the development and administration of a new Portable Paid Sick Leave (PSL) System for Domestic Workers. Through this RFI OEWD seeks to develop a list of vendors with experience in the development and administration of technology based portable benefit or payroll Systems and OEWD seeks to understand what existing portable benefit Systems are available on the market today. Through this RFI we are also seeking information from vendors on their experience with and ability to develop and administer a Portable Paid Sick Leave (PSL) System for use by Domestic Workers and their Hiring Entities\* in SF that would include the features, functions and processes that are listed below. OEWD has issued this RFI in order to solicit statements of interest, capabilities, and Rough Order of Magnitude cost estimates from all Respondents. \*"Hiring Entity" means any person, as defined in Section 18 of the California Labor Code, including corporate officers or executives, who directly or indirectly or through an agent or any other person, including through the services of a temporary services or staffing agency or similar entity, employs, contracts with, or hires a Domestic Worker.

### **Paid Sick Leave Benefits to be Included**

San Francisco [Ordinance# 4-22](#) codified in Article 33N of San Francisco's Police Code, requires hiring entities that do not directly provide Paid Sick Leave (PSL) payments to domestic workers, to provide PSL payments to domestic workers using a portable benefits PSL System for domestic workers to be developed by SF through a 3<sup>rd</sup> party contractor.

The ordinance establishes the requirement for SF to develop and administer a portable benefits System, which will allow Domestic Workers to earn and consolidate PSL benefits from several employers and to access their PSL accrued as they move between jobs. The System would allow Hiring Entities and Domestic Workers to track PSL accruals and would facilitate the calculation and payment of PSL by the Hiring Entity to the Domestic Worker.

Employees may use PSL when they are ill, injured, or for the purpose of receiving medical care (including preventive care), treatment, diagnosis, or other medical reason, and also to aid or care for a family member or designated person when those persons are ill, injured, or receiving medical care (including preventive care), treatment, or diagnosis, or other medical reason. Employees may also use PSL for purposes related to domestic violence, sexual assault, or stalking, suffered by the employee, and for purposes related to bone marrow donation or organ donation. Further, an employee may use paid sick leave to care for or assist a Family Member or Designated Person that is donating bone marrow or an organ to another person.

### **Persons Eligible for PSL Benefits through the Portable PSL System**

Eligible Domestic Workers are individuals that work within a residence located in SF for an average of five hours or more per month. There are more than two million domestic workers in the United States, and approximately 10,000 in San Francisco, who work in the homes of their employers, cooking, cleaning; caring for children, older adults, people with disabilities, and

others; and performing other labor. For more information about the domestic worker population in SF and California please refer to the following studies:

- CUNY SF domestic workers profile: [https://academicworks.cuny.edu/cgi/viewcontent.cgi?article=1799&context=gc\\_pubs](https://academicworks.cuny.edu/cgi/viewcontent.cgi?article=1799&context=gc_pubs)
- UCLA labor center CA domestic workers profile: <https://www.labor.ucla.edu/wp-content/uploads/2020/12/Profile-of-Domestic-Workers-in-California.pdf>

### **Technological Product Requirements**

1. The product will need to meet [San Francisco's Digital Accessibility and Inclusion Standard](#).
2. It will also need to meet [San Francisco's Citywide Cybersecurity Policy](#)
3. We would also consider an API-based product that delivers information for display in SF's existing secure, accessible dot-gov web platform.

### **Solution Architecture**

1. The System will leverage a cloud-based architecture built upon well proven technologies using industry best practices in terms of security and reliability.
2. The System will be built as a secure mobile first solution easily accessible anytime anywhere by this customer base.
3. The System will be able to effectively display data across all major desktop and mobile devices (Microsoft, Mac, Android, iPhone, iPad etc.) and independent of browser used (Microsoft Edge, Firefox, Google Chrome, Safari).
4. The System will be able to integrate with multiple City's Systems by offering a standard set of Application Program Interfaces (API) as the preferred integration method.
5. The System will be able to provide high levels of reliability with minimum 99.99% uptime required.
6. The System will ensure accessibility and will be built in compliance with [San Francisco's Digital Accessibility and Inclusion Standard](#).

### **Solution Security**

1. The System will provide access through Microsoft Edge, Firefox, Chrome, and Safari web browsers but it is critical that the System should support modern browsers over HTTPS/TLS 1.2 security protocols at minimum (TLS 1.3 preferred).
2. The System will comply with all applicable City security standards to ensure protection of data as required by applicable regulatory requirements.
3. The System will be configured to support high availability. It will provide redundancy and load balancing for firewalls, intrusion prevention, and other critical security elements.

4. The System will use strong authentication methods leveraging industry best practices for password policies and will provide the ability to automatically log users off the System when there has been no activity for a pre-defined period.
5. The System will leverage Multiple Factor Authentication (MFA) strategies to offer customers the best protection. It will require use to register and login using a second authentication factor (ex. Text or email message; Authenticator app; etc.).
6. The System will provide the ability to track, audit and report changes made to the System configuration and data stored.
7. The System will adhere to industry best standards and is subject to annual audits documented in the annual System and Organization Controls (SOC) 2 Type II Report. If no SOC2, Type II is available, the third-party must pass the City's cyber risk assessment (CRA).
8. The System should be able to encrypt all sensitive data using industry standard encryption methods.
9. The System will allow only an Administrator properly permissioned to export all stored data.
10. The System will be compliant with Payment Card Industry (PCI) Data Security Standards (DSS) to ensure card information is protected as required by industry standards.

#### **Business Continuity and Disaster Recovery**

1. The System will be able to provide full recovery and daily System backup capabilities according to pre-defined timeframes.
  2. The System will provide the ability to restore all data from backups.
  3. The System will be designed to be able to be tested and be compliant with the [COIT IT Focused CCSF Disaster Preparedness, Response, Recovery and Resiliency Policy \(DPR3\) and Technology DR Standard](#).
  4. The System will be designed so that data is not lost in the event of any System failure or System component failure regardless of the cause of failure.
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### III. Submittal Process

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#### Required Format

All respondents shall submit written responses via the [ONLINE RESPONSE FORM](#) form which asks for the following information:

Section 1: Primary Response

Section 2: References

Section 3: Additional Materials (optional)

#### Section 1: Primary Response

The objective of the Primary Response is for the City and County of San Francisco to understand your firm's capabilities and technology solutions to develop and administer portable benefit Systems. Responses to the following items should be brief – please note the character limitations, which include spaces. If a question does not apply to your firm or product, please list "N/A".

The City invites submissions from U.S.-based firms that can demonstrate the capacity to deliver the product and services described herein. While respondents do not need to have developed a portable sick leave system to submit a response, the City prefers to review responses from those with past experience delivering a product of a similar scale.

#### A. Company Information

1. Provide **company name, address, contact name, title, phone number, and email address** for the primary point of contact. Please also provide contact information for the Principal (Chief Executive, President, etc) of your firm.
2. Introduction. Provide a **brief statement of introduction** with a brief description of your business including number of years in existence as a company and the number of years the company has been supporting the proposed technology solution. (2,000 character limit)

#### B. Product/Technical Information

1. Please outline at least one technological solution to the need we have described. Please be specific about messaging, record-keeping, and payment on multiple platforms. Include Features and Functions that you could include in the solution based on the Anticipated Features and Functions Table included in this RFI. (3,000 character limit)
2. If available, please share test credentials for any similar Systems you have built that you would like us to inspect to understand your capabilities. RFI respondents may be invited



to share a demonstration of their system. The system builder should be able to demonstrate through usability testing that the system works for both user populations. (3,000 characters)

3. Please describe which portions of the solution are part of your firm’s existing suite of products and which (if any) you would need to build for this solution. (3,000 characters)
4. Please describe your approach to software development and customization in general including languages, frameworks, technical practices, and typical interaction with clients. (3,000 characters)
5. Please describe your experience building Systems for broad non-technical audiences. What have you found most challenging and what is your approach to overcoming those challenges? (3,000 characters)
6. How do you test the usability of your products? (3,000 characters)
7. Are there any Government Reporting Requirements for the proposed System? Please provide Information about the content and reasons for any required local, state or federal government reporting by the portable benefit System based on your responses to the features and functions you could include in a future system in response to the anticipated requirements described in this RFI including if Paid Sick Leave payments are transmitted through the system. (3,000 characters)
8. Reporting and Key Performance Indicators (KPIs): Provide the standard and custom reporting included in your solution and the available KPIs. Include information on data input and export capabilities; security and auditing, and dashboards and metrics. (3,000 characters)

### **C. Administration of Portable Benefit Systems, Support and Maintenance**

For this section, you will be asked to select one or more of the following options in response to each of the features and functions listed in this RFI:

- **My system has this capability**
- **My system does not have this capability**
- **I can customize my system or develop a system to include this capability**

If you select “My system does not have this capability” and do not also select “I can customize my system or develop a system to include this capability”, the City will presume that you will not be able to accommodate this function or feature. To select more than one option, hold down the “Ctrl” button.

### System Features & Functions Table

This RFI seeks information from vendors on their ability and experience with building and administering a portable benefits technology-based System that includes the proposed anticipated features and functions listed in the tables below.

| <b>SYSTEM ACCESSIBILITY &amp; USABILITY</b><br><br><i>The Portable PSL System (“The System”) for Domestic Workers should be accessible in the widest manner possible to accommodate access to persons in multiple languages through both technology-based platforms and supplemented through in person and phone based personal technical support. Below are the desired Accessibility &amp; Usability Features we are seeking.</i> | My system has this capability | My system does not have this capability | I can customize my system or develop a system to include this capability |
|---|-------------------------------|---|--|
| A mobile-capable website widely accessible via smartphone (on both android and IOS (iPhone)) and computer, and through multiple channels such as apps, SMS, or other.   |                               |   |  |
| The System should be designed to be used by someone who can use video-calling and Venmo (or similar) but does not necessarily have professional technology skills.  |                               |   |  |
| The System should include the option of providing explanatory pictures/graphics for persons who do not read a written language.   |                               |   |  |
| In addition to English, The System should be accessible in as many of the following additional languages in culturally appropriate dialects (Spanish, Mandarin, Cantonese, Filipino (Tagalog), Portuguese (Brazilian Dialect), Haitian Creole, and Mayan (verbal/audio only))..   |                               |   |  |
| The System should include Blindness and Disability Access – ability to change font size, multiple access pathway, screen reader is required which translates for blind persons with image, description, and interpretation with American sign language is required.   |                               |   |  |
| The System will need to meet San Francisco’s Digital Accessibility and Inclusion Standard.  |                               |   |  |
| The System should be able to accommodate paper applications and paper timesheet submittal by users in multiple languages that could be  |                               |   |  |

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| photographed (like a check deposit) or scanned to be submitted into the System or mailed to the administrator to upload into the System. |  |  |  |
| The System should allow for SMS invites to be sent to users with activation link.  |  |  |  |

**Administration of the Portable Benefits System**

SF anticipates that the Portable Paid Sick Leave (PSL) System for Domestic Workers will be administered by a 3rd Party contractor. The next section will ask you to answer the following:

**In addition to developing the system, my firm also has the ability to administer the system, including providing user support.**

If you confirm that you do have the ability to administer the system, you will be asked to answer the following set of questions (screen 5 of the Response Form):

| <b>TECHNICAL ASSISTANCE &amp; OUTREACH</b>   |                               |   |  |
|--|-------------------------------|---|--|
| <i>The administrator of the System will need to be able to provide targeted education, outreach and training in preparation for the System launch/roll out and during the operation and administration phase. This capacity may exist in-house or could be subcontracted to one or more entities with experience with stakeholder engagement and technical assistance.</i> | My system has this capability | My system does not have this capability | I can customize my system or develop a system to include this capability |
| The System should have the capacity to provide instructions and options for trainings in multiple languages. Including an explanation/tour/demo of functions, simple/intuitive navigation, and an easily accessible FAQ or support function.   |                               |   |  |
| The System should include human based technical assistance to access and enroll in the System in person and/or via phone for users that do not have access to technological platforms or who have questions accessing the platform.  |                               |   |  |
| <u>SYSTEM ADMINISTRATOR PORTAL</u> : The System should include a System Administrator Portal to manage users (user look up, user profile, user history, PSL balance, error reporting, manual imports, etc.)  |                               |   |  |

The following questions are applicable to all respondents:

| <b>SYSTEM REGISTRATION</b>  |   |                               |   |  |
|---|---|-------------------------------|---|--|
| <i>The System should include a feature to register employees/workers &amp; should include personal information requirements for employees and employers to register to use the System</i> |   | My system has this capability | My system does not have this capability | I can customize my system or develop a system to include this capability |
| <i>Client data creation and storage attributes:</i>   | <ul style="list-style-type: none"> <li>Name</li> <li>Phone Number</li> <li>Zip Code</li> <li>Hourly/Shift Rate</li> <li>A privacy identifier: such as a pin# or password</li> <li>Notes</li> </ul>  |                               |   |  |
|   | <ul style="list-style-type: none"> <li>Social Security numbers (SSN) or individual tax identification number (ITIN) should be <u>optional or not required</u></li> </ul>  |                               |   |  |
| <i>Required System Registration Features:</i>   | Privacy protections for all user identifiers  |                               |   |  |
|   | User account registration and login feature   |                               |   |  |
|   | Feature to register an employer or multiple employers as an active and inactive employer for each domestic worker   |                               |   |  |
|   | Feature to link worker accounts to employee accounts  |                               |   |  |
|   | Feature to allow users to elect user preferences  |                               |   |  |
|   | Domestic Workers should be able to either send invitations to their clients/employers to join digitally through the System or give them an informational pamphlet during their work shift about how to register to use the System on their own.   |                               |   |  |
|   | If the employer agrees to register to use the Portable PSL System they are electing to follow San Francisco Police Code Article 33N to provide PSL to domestic workers verses following San Francisco’s Paid Sick Leave Ordinance under the SF Admin Code Section 12W which has different rules. This needs to be agreed to by the employers registering to use the System. |                               |   |  |
|   | Fee or Subscription to register & use the System: <ul style="list-style-type: none"> <li>There should be no administration or subscription fee charged to System users for the features included in this RFI</li> </ul>   |                               |   |  |

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| <i>Un-registering, De-activating, Re-Activating employers from the System:</i> | The System should allow for the categorization of the employer(s) as an active employer versus a former (inactive) employer in the System.  |  |  |  |
|  | The System should be able to register and link a Domestic workers account to their employer or multiple employers' accounts.  |  |  |  |
|  | The System should track the following to identify which employers are active in the System and which are not: <ul style="list-style-type: none"> <li>• System registration completion start date as the employment start date</li> <li>• employment end date</li> <li>• re-hire/renew date for each employer/employee relationship</li> </ul> |  |  |  |

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| <b>TIMESHEETS, PSL CALCULATION, PSL ACCRUALS</b>   |  |                               |   |  |
| The Portable PSL System for Domestic Workers should include the following features for employees to submit timesheets for approval by the employer and for the System to calculate the PSL accrued by each employee with each employer and across all employers. |  | My system has this capability | My system does not have this capability | I can customize my system or develop a system to include this capability |
| <i>System Features</i>   | Feature to document work hours   |                               |   |  |
|  | Feature to document pay rate   |                               |   |  |
|  | Feature to calculate and log PSL accrued for each employee by employer <ul style="list-style-type: none"> <li>• Calculation of PSL = one hour of sick leave per 30 hours of work (Ord 4-22)</li> </ul> |                               |   |  |
|  | The ability to make edits and correct data entries   |                               |   |  |
|  | The ability to copy data entries from past timesheets into new timesheets to make data entries easier  |                               |   |  |
|  | System data requirements for Record Keeping & Reporting  |                               |   |  |
|  | System data requirements for Account View & Time Tracking  |                               |   |  |

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| <p><i>Timesheet Submission</i></p>  | <p>The Domestic Worker and The Hiring Entity shall report the number of hours of work and net pay rate of a Domestic Worker into the PSL System.</p> <ul style="list-style-type: none"> <li>• Shift data creation &amp; storage attributes: domestic worker, time start, time end, notes</li> <li>• Shift clock (start/stop buttons) to simplify shift creation</li> </ul>  |  |  |  |
|   | <ul style="list-style-type: none"> <li>• The System should accommodate paper timesheet submittal, as well as, if requested, uploaded through a scanned document.</li> </ul>   |  |  |  |
| <p><i>Timesheet Approval</i></p>  | <p>When the employee submits the hours and shift pay information into the System the hiring entity should approve or reject the timesheet.</p>  |  |  |  |
| <p><i>Calculation of Net Pay Rate &amp; PSL Accrual Rate</i></p>                | <p>The System should provide a way to calculate the net pay rate and the PSL accrued for domestic workers that receive a set payment per shift rather than hourly payment for their work. Shift Pay or “Piece Rate Work” is payment for work for a task no matter how long it takes to complete the task.</p>   |  |  |  |
| <p><i>Minimum Hourly Pay Rate used to calculate PSL hourly payment rate</i></p> | <p>The System should reject any net pay rate entered into the System or calculated by the System based on Piece rate Work and #hours entered into the System, that is below the required annual minimum hourly rate in San Francisco, CA.</p> <ul style="list-style-type: none"> <li>• The System should provide information on the current SF hourly minimum wage to the employee and employer.</li> <li>• Annually on July 1st the SF minimum wage is adjusted, If the employee does not use the PSL for over a year the employer minimum wage hourly pay rate used to calculate the pay out of PSL may increase beyond what has been the hourly pay rate in the previous year(s).</li> <li>• If an employee incurred the PSL while making minimum wage in year 1 and they elect to withdraw the PSL accrued in year 1 during year 2, when an employee withdraws the PSL (that was accrued in year 1) in year 2 or any year after they must be paid at the current minimum wage rate during the year they withdraw the PSL.</li> <li>• There is normally an increase in the San Francisco minimum wage applicable each July 1st.</li> </ul> |  |  |  |

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| <p><i>Resolution to Timesheet Disagreements</i></p>                                   | <p>If/when there is a conflict/dispute with number of hours reported by the employee or net pay rate or shift pay reported by the employee</p> <ul style="list-style-type: none"> <li>• Employers will notify the employee through the System if the timesheet is not approved by the employer <ul style="list-style-type: none"> <li>○ In this scenario the employee and employer will need to communicate to resolve the dispute, the System should include a feature to allow for communication through the System between the employer and employee, but communication can also be conducted outside of the System</li> </ul> </li> <li>• The employee should re-submit the timesheet to the System for approval by the employer</li> <li>• The System should include training materials and education about how the PSL calculation works with rounding to a full hour on timesheets to eliminate disputes or discrepancies in hours worked or net pay rate per shift. The system should include information that if a resolution to the time sheet dispute cannot be achieved, per the ordinance, complaints for perceived timesheet violations can be sent by domestic workers to the Office of Labor Standards Enforcement (OLSE)</li> </ul> |  |  |  |
| <p><i>Managing Different Net Pay Rates in the calculation of PSL Accrual Rate</i></p> | <p>The System should calculate PSL based on different net pay rates over time.</p> <ul style="list-style-type: none"> <li>• The System should accommodate PSL calculations based on different net pay rates paid by each employer for different shifts completed by the same employee over time</li> <li>• If there are different net hourly pay rates for the same employer and employee, the System will need to calculate the average net pay rate across 30+ hours worked to determine the PSL accrual rate for each hour of PSL accrued.</li> <li>• The System should accommodate PSL calculations based on different net pay rates paid by various employers to the same employee</li> </ul>   |  |  |  |
| <p><i>Overtime Pay Rate Calculation</i></p>   | <ul style="list-style-type: none"> <li>• The System will have to include the input of regular hours and overtime hours to calculate the net pay rate. This will come into play if the worker is working over 8 hours.</li> </ul>   |  |  |  |

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|   | <ul style="list-style-type: none"> <li>There are different overtime pay rates under state and federal law depending on the job classification of the domestic worker. <ul style="list-style-type: none"> <li><a href="https://www.cadomesticworkers.org/know-your-rights/whats-my-overtime/">https://www.cadomesticworkers.org/know-your-rights/whats-my-overtime/</a></li> <li>If the domestic worker works overtime during a shift the regular pay rate calculation needs to follow CA and Federal employment labor wage and hour law.</li> </ul> </li> </ul>   |  |  |  |
| <i>Retroactive Input of Hours &amp; Payrate</i> | The System should allow for retroactive input of hours and payrate following the date the work took place.  |  |  |  |
| <i>System Reports &amp; Storage</i>             | <ul style="list-style-type: none"> <li>The System should provide the ability for employers and employees to review the PSL hours accrued to date between each employer and employee. <ul style="list-style-type: none"> <li>Additionally, the System should include the # hours needed to accrue the next 1 hour of PSL per employee by employer.</li> </ul> </li> <li>The System should provide the ability for the employee to review the total PSL accrued across all employers per employee.</li> <li>Invoice creation and storage for hiring entities attributes include: Associated shift hours, base pay rate, PSL benefits rate, paid/unpaid</li> <li>Invoice templating and ability to send to hiring entity (via SMS)</li> <li>Rendering of invoices for hiring entities and domestic workers via a permalink</li> <li>Segmented income reports based on paid invoices by domestic worker and hiring entity, weekly, monthly, annual</li> </ul> |  |  |  |

|   |  |                               |                              |  |
|---|--|-------------------------------|------------------------------|--|
| <b>PSL PAYMENTS &amp; WITHDRAWALS</b>   |  |                               |                              |  |
| <i>The Portable PSL System for Domestic Workers should provide the following features for the employee to request payment of PSL from one or multiple employers</i> |  | My system has this capability | My system does not have this | I can customize my system or develop a system to include this capability |
| <i>Employee Requests for PSL Payments</i>   | Features to allow employee to request payment of PSL funds <ul style="list-style-type: none"> <li>Under Article 33N of the Police Code there is no requirement for the domestic worker to wait 90 days before they can request of access PSL.</li> </ul> |                               |                              |  |



|  |  |  |  |  |
|--|--|--|--|--|
|  | <ul style="list-style-type: none"> <li>• The domestic worker can request access to the PSL accrued once it is accrued.</li> <li>• Upon receipt of a request through the System for payment of accrued PSL, the hiring entity is obligated to pay the requested PSL to the domestic worker whether they are an active employee or a former employee</li> <li>• When the employee requests the PSL be paid, depending on the amount requested, it should be paid out in order by the date the PSL hours were accrued across multiple employers. Therefore, the System may need to notify multiple employers of the amount due. <ul style="list-style-type: none"> <li>○ Per the ordinance, the PSL funds are supposed to be paid on a first in first out basis “in the order the right to PSL funds accrued.”</li> <li>○ Upon request to access PSL by the employee, the System will notify the employer or multiple employers in the order the PSL is accrued per employee that the employee has requested a payment of PSL from the employer or from multiple employers and the amount being requested by the employee from each employer</li> </ul> </li> </ul> |  |  |  |
| <i>Requests for PSL Payments Outside of the System</i> | <p>Feature to select to receive payments of PSL outside of the System</p> <ul style="list-style-type: none"> <li>• This feature would allow employers to deposit PSL funds outside of the System directly into the employee’s preferred account or by paying the employee directly <ul style="list-style-type: none"> <li>○ This feature needs to inform employees when they can withdraw PSL funds from their selected method outside of the System through for example: preferred bank account, check, cash, or by other means</li> </ul> </li> <li>• This feature could be set up at registration but would also be used to request PSL payments over time</li> </ul>   |  |  |  |

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| <i>Requests for PSL Payments Through the System</i> | <p>Feature to select to receive payments of PSL through the System itself</p> <ul style="list-style-type: none"> <li>• This feature will require the developer and administrator for the System to meet all regulatory requirements for transmission of funds</li> <li>• This feature will require an explanation of what documentation employers and employees would be required to submit to the System administrator or to any government agency if funds were to be deposited into the System by employers, held by the System or withdrawn from the System by domestic workers</li> <li>• This feature could be set up at registration but would also be used to request PSL payments over time</li> <li>• Employers should be able to make payments into one or more employee accounts and receive refunds for overpayments</li> <li>• The System should be able to make PSL payments via credit/debit card, EFT and digital payments</li> </ul> |                               |                    |  |
| <i>Reports</i>                                      | <p>The System PSL Accrual Report should reflect when a PSL payment has been made and the PSL accrual balance has changed</p>   |                               |                    |  |
| <i>Confirmation of PSL Payments</i>                 | <p>There should be Push notifications when PSL funds are requested/fulfilled</p> <ul style="list-style-type: none"> <li>• Upon payment of PSL (either outside of the System or through the System) the employee would need to attest they received the PSL and that it was used for an allowed purpose. The Employee will need to fill in an attestation that they used the funds for San Francisco’s Paid Sick Leave Admin Code 12W.4. Allowed purposes and the attestation should include the list of qualified reasons under the SF Admin Code.</li> <li>• A feature for employers to confirm they made the payment either outside or inside the System should also be included</li> </ul>  |                               |                    |  |
| <b>EXPIRATION &amp; LIMITS ON PSL ACCRUAL</b>       | <ul style="list-style-type: none"> <li>• Per the Ordinance: Employees have the right to access their PSL contributions from year to year (whether calendar year or fiscal year), as the PSL accrued by each employee does not expire.</li> </ul>   | My system has this capability | My system does not | I can customize my system or develop a custom to |

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|--|--|--|--|--|
|  | <ul style="list-style-type: none"> <li>A single Hiring Entity may cap accrual of the PSL contributions for a Domestic Worker at 40 hours of PSL</li> </ul> |  |  |  |
|--|--|--|--|--|

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| <p><b>INFORMATION &amp; NOTICES FOR SYSTEM USERS</b></p> <p>The system should have the capacity to distribute updates and notices to the users such as changes in the local, state or federal minimum wage and paid sick leave laws.</p> | My system has this capability | My system does not have this capability | I can customize my system or develop a system to include this capability |
|--|-------------------------------|---|--|

**D. Pricing Structure**

Please provide Rough Order of Magnitude (ROM) cost estimates for the proposed solution containing your firm’s proposed reimbursement rate or fee schedule. *Please note that the City prefers to reimburse based on a blended hourly rate, accounting for all projected costs (including time, materials, travel, equipment, and any other reasonable and necessary costs).* If your system requires a **user fee** please include what the fee is and how it contributes to the administration of the System. Please share any additional costs like user fees that your System charges. Costs passed on to users of your system (3,000 characters)

**E. Project Timeline** Outline key benchmarks deliverables and timeline estimated to develop the proposed System taking into account among other things previous portable benefit System development projects, if any, from start to launch. (3,000 characters)

**Section 2: References**

Provide References, preferably at least three (3), that demonstrate your firm’s expertise developing and administering portable benefits Systems or comparable Systems of a similar scope and scale

Please include:

- Name
- Contact information (name, address, phone, email)
- Dates of engagement
- Project name

**Section 3: Additional Optional Information**

Optional, The City is interested in reviewing existing contracts. Vendors may optionally choose to submit up to two contracts from within the last 3 years. Additionally, vendors may submit additional information such as specification sheets, product brochures, letters of support,

examples of past projects or sample deliverables etc. Please provide documentation relevant to your company's response, and the nature of this RFI and this project.

If you plan to submit Optional additional information, include all requested files as attachments with your response submission; these attachments will not be accepted after the deadline.

Upon successful submission, you will receive an e-mail response to confirm your submission was received by the deadline. Save this information for future reference.

All questions, requests for clarification, and requests for additional information regarding this RFI must be submitted to [owd.procurement@sfgov.org](mailto:owd.procurement@sfgov.org). All such questions and requests must be submitted by e-mail. Responses to such questions and requests shall be at the City's sole discretion and nothing in this RFI shall create an obligation by the City to provide any response to the submitting party. Responses may, at the City's sole discretion, be posted as addenda to this RFI on the City's website.

If you discover an error in your submission and need to submit a revised response, follow the same steps as outlined above, and ensure that the revised submission is submitted before the deadline. Please also contact [owd.procurement@sfgov.org](mailto:owd.procurement@sfgov.org) and confirm when that you are replacing your prior submission so that OEWD is able to identify the correct submission that the Review Committee receives.

If you have any questions about the response requirements, please contact the Contracts and Grants Division at [owd.procurement@sfgov.org](mailto:owd.procurement@sfgov.org). The team will assist with technical issues until the submission deadline.

## **IV. Additional Reference Materials**

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The following documents are for reference only.

- A. [Ordinance 4-22 Police Code - Domestic Workers' Access to Paid Sick Leave Through a Portable System](#)
- B. [Office of Labor Standards Enforcement Paid Sick Leave Ordinance Website](#)
- C. [San Francisco's Digital Accessibility and Inclusion Standard.](#)
- D. [San Francisco's Citywide Cybersecurity Policy](#)

## **V. Terms and Conditions of this RFI**

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Responses to this RFI become the exclusive property of the City and subject to the California Public Records Act and the City's Sunshine Ordinance. Please be aware that any information submitted, even personal identifying information may be disclosed to the public.

The Respondent shall be solely and fully responsible for all costs associated with the development, preparation, transmittal, and submission of any material in response to this RFI. The City may, in its sole discretion, ask selected Respondents to present their material in person to City's representatives at the City's offices, and the costs of such presentations shall be solely the responsibility of the Respondent.

The City assumes no contractual or other obligations as a result of the issuance of this RFI, the preparation or submission of materials by a Respondent, the evaluation of materials, the Respondent's conducting of presentations, or the selection of any Respondent for further negotiations. There may be no claims whatsoever for reimbursement from the City for such costs.

RFI responses are subject to public inspection and copying under California Public Records Act (Cal. Govt. Code Section 7920.000 et seq) and San Francisco Administrative Code Chapter 67 unless exempt from disclosure under federal, state or local law, including laws protecting trade secrets. Therefore, it is important for respondents to clearly identify in their responses those records or other information that the respondent in good faith determines to be a trade secret or confidential proprietary information protected from disclosure under applicable law. To the extent permitted by law, the City will attempt to reasonably maintain the confidentiality of such information.

The submittal of a response to this RFI does not guarantee use of the information provided. **This is not a Request for Proposals (RFP).** The City, at its sole discretion, will determine if a RFP or other competitive solicitation may be issued at a later date. Any RFP issued by the City may

differ significantly in content from the applications and services described in this RFI. This RFI is to be used solely for the purpose of this industry review and the City assumes no responsibility for any other use of this document. It is not a requirement to participate in this industry review process in order to be considered by any competitive solicitation arising out of this process. Participation in this industry review is strictly voluntary and the City will not reimburse participants for any costs in connection therewith. Submission of the RFI does not guarantee any future business with the City. The issuance of this RFI does not constitute agreement by the City that any contract will actually be entered into by the City. The City expressly reserves the rights to:

1. Waive or correct any defect or informality in any proposal, response or response procedure;
2. Reject any or all responses and re-issue a new RFI;
3. Prior to submission deadline for responses, modify all or any portion of the schedule for receiving responses;
4. Procure any materials, equipment, products or services specified in this RFI by any other means; or
5. Determine that no project will be pursued.

Please contact [owd.procurement@sfgov.org](mailto:owd.procurement@sfgov.org) with any questions regarding this RFI.