

CITY AND COUNTY OF SAN FRANCISCO

DEPARTMENT OF BUILDING INSPECTION

AND

PLANNING DEPARTMENT



Request for Proposals for

Permit and Project Tracking System

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| Date Issued: | January 14, 2011 |
| Mandatory Pre-proposal Conference: | January 26, 2011 1:00 PM, PST |
| Proposal Due: | March 2, 2011 2:00 PM, PST |

Request for Proposals for Permit and Project Tracking System San Francisco Department of Building Inspection and Planning Department

Table of Contents

| | | |
|-------|---|----|
| I. | Introduction and Schedule | 4 |
| II. | Scope of Work | 11 |
| III. | Submission Requirements..... | 13 |
| IV. | Evaluation and Selection Criteria | 15 |
| V. | Pre-proposal conference and Contract award | 19 |
| VI. | Terms and Conditions for Receipt of Proposals | 20 |
| VII. | Contract Requirements..... | 25 |
| VIII. | Protest Procedures..... | 27 |

Attachments:

- A. Proposal Summary Template
- B. Functional and Technical Requirements
- C. Pricing Template
- D. ASP Template
- E. HRC Attachment 2: Requirements for Architecture, Engineering, & Professional Services, Contracts, PROPOSERS must submit the following forms.
 - E-1 Form 2A HRC Contract Participation
 - E-2 Form 3 HRC Non-discrimination Affidavit
 - E-3 Form 4 - HRC Joint Venture Form (if applicable)
 - E-4 Chapters 12B and 12C, and 14B of the S.F. Administrative Code
 - E-5 Form 5 HRC Employment form HRC/Local Business Enterprise Forms
- F. Standard Forms
 - F-1 First Source Hiring Program Certification Form
 - F-2 Taxpayer Identification Number and Certification
 - F-3 Business Tax Registration Declaration
 - F-4 Minimum Compensation Ordinance
 - F-5 Health Care Accountability Ordinance
- G. Sample – Agreement for Professional Services P-500
- H. Sample – Software License Agreement P-545
- I. Sample – Software Maintenance Attachment P-540
- J. Current DBI Application and IT environment

Request for Proposals for Permit and Project Tracking System

San Francisco Department of Building Inspection and Planning Department

- K. Current Planning Application and IT environment
- L. Current City Wide Network Requirements
- M. DBI Business Process Reengineering
 - M-1 DBI Business Process Review Executive Summary
 - M-2 DBI Business Process Review Staff Report
- N. Planning Process Maps and Tasks
- O. Planning Action Plan 2010
- P. DBI Organization Chart
- Q. Planning Organization Chart
- R. DBI Frequently Asked Questions

Request for Proposals for Permit and Project Tracking System

San Francisco Department of Building Inspection and Planning Department

I. Introduction and Schedule

A. General

This Request for Proposal (RFP) is a re-issuance of RFP issued on January 13th, 2009. **Please read this document carefully. The content has changed from the 2009 issue.**

The City and County of San Francisco (hereinafter known as either “CCSF” or the “City”), Department of Building Inspection (DBI) and San Francisco Planning Department (Planning) are inviting qualified companies to submit proposals to implement a Commercial off the Shelf (COTS) solution to establish a Permit and Project Tracking System (PPTS) that has the capability of processing and tracking all permit and project transactions seamlessly across CCSF department boundaries. CCSF is considering both hosted (ASP) and non-hosted solutions.

The strategy for achieving this goal is first to implement an integrated system for DBI and Planning, then to begin to integrate other CCSF departments. An open system architecture will be established whereby dynamic interfaces to other departments, e.g. Fire, Health, Environment, Public Works, etc. involved in permit and inspection processes can be attained. CCSF also wants to streamline processes to improve performance metrics while providing accurate data on all permit and entitlement transactions, track revenue recovery, reduce operating costs, improve data quality, ensure performance accountability, and reduce processing times.

CCSF desires full implementation within twenty four (24) months of the effective date of the contract, issued as a result of this RFP, but CCSF reserves the right to accept proposals that fall outside of this estimated length of implementation.

The contract shall have an original term of three (3) years. In addition, the City shall have two (2) options to extend the contract term for a period of three (3) years each, which the City may exercise in its sole and absolute discretion.

Any Joint Venture responding to this RFP must clearly identify the roles, responsibilities and experience of each member of the Joint Venture. All Proposers must have the relevant expertise to successfully perform the scope of services described in this RFP. Both Proposers and Joint Ventures will be referred to as PROPOSERS in this RFP.

B. Schedule

| Proposal Phase | Date |
|--|-------------|
| RFP issued by the City | 1/14/2011 |
| Mandatory pre-proposal conference | 1/26/2011 |
| Deadline for submission of written questions or clarification requests | 2/1/2011 |
| CCSF responses posted and/or final change notices issued | 2/14/2011 |
| Proposals due by 2:00 | 3/2/2011 |
| Product demonstration (estimated week beginning) | 3/28/2011 |
| Presentation to Steering Committee (estimated week beginning) | 4/11/2011 |

Request for Proposals for Permit and Project Tracking System

San Francisco Department of Building Inspection and Planning Department

C. Background

The estimated population of CCSF is 821,790 and there are approximately 200,000 parcels of land. While DBI and Planning are the primary participants in this RFP, it is envisioned that PPTS will be used City wide.

DBI consists of approximately 205 staff who focus on processing over 58,000 construction permits per year, comprised of approximately 23,000 building inspection, 13,000 electrical inspection, 15,000 plumbing and mechanical, and 7,000 miscellaneous permits. Planning consists of approximately 160 who focus on entitlement processing, environmental review, and long range planning which often results in Planning Code and General Plan changes. In addition to maintaining the General Plan, the Planning Department processes approximately 2,000 entitlements and reviews 8,000 permits annually. The permits handled by Planning are a subset of the permits processed by DBI. The entitlements processed at Planning are independent of but complementary to the projects reviewed at DBI. DBI and Planning are supported by systems that the business has outgrown. The systems are not integrated and do not provide the departments the opportunity to streamline business processes.

CCSF uses several automated systems (Attachments J, K and L) to support its city planning, permitting, inspection, and accounting processes. In general, the automated systems do not meet current requirements for planning, permitting, inspection, and accounting processes. Some of the major departments involved in these processes include:

1. DBI
2. Planning
3. Dept of Public Works (DPW)
4. San Francisco Fire Dept (SFFD)
5. Department of the Environment (DOE)
6. Mayor's Office on Disability (MOD)
7. Dept of Public Health (DPH)
8. San Francisco Public Utilities Commission (SFPUC)
9. Treasurer and Tax Collector (TTX),
10. Assessor's Office (ASR), and
11. Municipal Transportation Agency (MTA).

DBI completed a Business Process Reengineering (BPR) review in late 2007; one that focused on the Permit and Inspection processes (application through certification of completion) and use of automation and matrixes to be used in evaluating DBI's performance. The summary and staff reports are found in Attachment M-1 and M-2 respectively. The full report is found at <http://www.sfdbi.org>. The BPR involved an in-depth analysis of existing processes and developed a series of specific recommendations for CCSF departments involved in the permit review and inspection process.

Planning completed an Action Plan study in 2008 where 30 recommendations for improvement were identified and reviewed/updated in 2010 (Attachment O). Both the process flows and process analysis were refined and are found in Attachment N.

Request for Proposals for Permit and Project Tracking System

San Francisco Department of Building Inspection and Planning Department

D. DBI and Planning Business Operations

The following provides an overview of the existing business operations of the DBI and Planning. The goal of the RFP is to make these operations more effective and transparent. This overview is not intended to serve as the Technical and Functional Requirements.

1. DBI

a. Permit Processing

(1) Customer Information - Customers are routed within San Francisco Permit Center for services provided by CCSF via a customer queuing system (implementation January 2011)

(2) Application Review

- (a) Permit applications are accepted for the various trades, review for accuracy and completeness
- (b) Address data is verified and cross checked against comprehensive property profiles containing historical and current information regarding all aspects of the property including, but not limited to, data from DBI, Planning, DPW, SFFD, DOE, MOD, DPH, PUC, TTX, ASR and MTA.
- (c) Property data is reviewed for any property issues that may affect permit issuance (i.e. hazards, complaints/code enforcement, tax, fire, health, etc.)
- (d) Contractor data is verified including but not limited to State licensure, CCSF business licensure
- (e) Preliminary review of application is performed based on an established list of mandatory code requirements and State and local legislation
- (f) Applications are routed to reviewing agencies based on an established workflow
- (g) Data is retained in the existing Permit Tracking System

(3) Plan Review

- (a) Plans are reviewed via two non exclusive paths:
 - 1. Over-the-Counter Review Process (with or without plans): involves projects that can be reviewed within a one-hour examination period per reviewing agency/station
 - 2. Submittal of Plans: involves routing to reviewing agencies for code requirements, may involve multiple stages such as site permits, addenda, revisions, etc.
- (b) Performance statistics are tracked for adherence to pre-determined Service Level Objectives based on the application criteria
- (c) Applications are tracked based on pre-determined criteria to provide customers the ability to easily determine review status and application disposition
- (d) Notification is provided to customers upon completion of plan review process

(3) Permit Issuance

- (a) Permit Issuance

Request for Proposals for Permit and Project Tracking System

San Francisco Department of Building Inspection and Planning Department

1. Documentation is generated as required by type of application including but not limited to 15 day notices, job cards, permit documents
2. Permit data is stored including but not limited to permit expirations, renewals, project holds etc.

(b) Fees

1. Comprehensive list of fees is generated using multiple formulas/algorithms (i.e. fees by the hour, fees by the inspection, fees by square footage, fees by valuation, etc.) based on code requirements of various agencies/departments
2. Fee data is integrated in existing Permit Tracking System to provide transactional data to confirm payment. Holds are placed based on failure to pay/collect fees (e.g. bounced checks)

b. Inspection and Certificate Issuance

- (1) Inspections are scheduled during the various stages in the construction process to ensure compliance with State and local codes in person or via phone (Interactive Voice Response (IVR) or operator)
- (2) Inspection results are obtained in person or via phone (Interactive Voice Response (IVR) or operator)
- (3) Performance statistics are tracked for adherence to pre-determined Service Level Objectives including time between request and inspections, response time to complaints, abatement of notices of violations and other types of request based on the permit criteria
- (4) Inspection data is shared between other City Departments to ensure code compliance
- (5) Resources are managed by district, inspector, and location
- (6) Inspection approvals are withheld until all conditions of approval, impose by all inspection agencies, are met and all holds are released
- (7) Certificate of Occupancy documents and final approval are issued after inspections and clearances have been completed

c. Code Enforcement and Complaint Tracking

- (1) Code enforcement cases are tracked, managed and processed including, but not limited to generation of notices of violations (NOV) of Building, Electrical, Housing and Plumbing codes
- (2) Enforcement actions are tracked, managed and processed including but not limited to rescissions, inspections, corrections, and appeals, and application of any necessary enforcement actions such as liens, holds on permits, Stop Work Orders, etc.
- (3) Complaint/Code Enforcement data is provided to other City Departments involved in the process

d. Records Management

Request for Proposals for Permit and Project Tracking System

San Francisco Department of Building Inspection and Planning Department

2. Planning – Application Processes

The processing of a development project can be thought of as a set of modules for evaluating or approving various aspects of the project—such as evaluating the environmental impact of a project or approving a variance on the amount of required parking. The COTS solution must accommodate invoking these modules in a variety of combinations and in different orders. Along with the workflow and time tracking mechanisms described in DBI's business operations, Planning seeks to interface with Graphical Information System (GIS) to and incorporate the tools into its development project analyses. Planning staff needs access to the layers of special use districts and geographically based regulations to facilitate application review. It also seeks to facilitate generation of decision documents through the use of templates.

The following chart provides an overview of Planning Department applications types. Each of the application types is associated with distilled process maps, as shown in Attachment N. A single process map, for example, Generic Hearing, can apply to multiple application types. For one application type, Code Amendments, more than one process map can apply. The tasks and workflow steps shown in the process maps are listed.

| Business Application Type | Description | Process Map |
|------------------------------------|--|--------------------------------|
| Zoning Letter of Determination | Prospective applicants, for a fee, may request a letter from the Zoning Administrator answering zoning and policy questions concerning a property. | Letter of Determination |
| Project Review Meetings | Project review for policy and code review and interpretation for prospective projects for which an application has not been filed | Project Review Meeting |
| Preliminary Project Assessments | More formal version of a project review meeting, required of projects that would add more than 10,000 sq.ft. of building area. | Preliminary Project Assessment |
| Shadow Analysis | Determination of Shadow impact on Recreation and Park Department open space. | Shadow Analysis |
| Categorical Exemption | Application receives a stamp or certificate stating that the project is exempt from more extensive environmental review. | Categorical Exemption |
| Negative Declaration/Initial Study | Environmental evaluation but less extensive than an Environmental Impact Report pursuant to the California Environmental Quality Act (CEQA). | Negative Declaration |

Request for Proposals for Permit and Project Tracking System

San Francisco Department of Building Inspection and Planning Department

| Business Application Type | Description | Process Map |
|------------------------------------|--|---|
| Environmental Impact Report | Full-scale environmental evaluation of a project | Environmental Impact Report |
| Community Plan Exemption | A process for incorporating an areawide environmental impact report in the environmental review of a project, similar to a categorical exemption. | Community Plan Exemption |
| General Plan Amendment | Amendment of the city's General Plan (addresses land use, circulation, housing, conservation, open space, noise and safety as a basis for land use decisions). | Generic Hearing Given an "M" suffix. |
| Code Amendments | Changes to the Planning and Administrative Codes | Planning Code Amendment-External; Planning Code Amendment-Internal; given a "T" suffix. |
| Zoning Reclassifications; Setbacks | Changes to the zoning map | Planning Code Amendment-External; Planning Code Amendment-Internal; given a "Z" suffix. |
| Annual Limit Allocation | Section 321 of Planning Code imposes an annual limit on office space and requires that developments compete for the allocation. | Generic Hearing, given a "B" suffix. |
| Downtown Controls and Exceptions | Section 309 of Planning Code describes under what conditions exceptions to the Downtown Plan can be granted. | Generic Hearing |
| Conditional Use | Certain property uses and features can be allowed if approved by the Planning Commission. This is described in Section 303 of the Planning Code | Generic Hearing, given a "C" suffix. |
| Discretionary Review | Includes mandatory, staff initiated, public requests and dwelling unit mergers and residential demolition | Discretionary Review |
| Preservation Applications | Includes Certificate of Appropriateness, Landmark Designation, Permit to Alter, Mills Act | Certificate of Appropriateness |
| Institutional Master Plan | Long-range plan hospitals and post-secondary institutions publish these plans, which give government and the public an early idea of development plans. | Institutional Master Plan |

Request for Proposals for Permit and Project Tracking System

San Francisco Department of Building Inspection and Planning Department

| Business Application Type | Description | Process Map |
|---|---|------------------------------|
| Transfer of Development Rights (TDR) Statement of Eligibility | Before TDR can be sold, the Zoning Administrator must certify the amount of TDR that is available to a lot. | TDR Statement of Eligibility |
| TDR Certificate of Transfer | Transfer of ownership of any blocks of TDR must be certified by the Zoning Administrator | TDR Certificate of Transfer |
| TDR Notice of Use | The Zoning Administrator must approve the application of any blocks of TDR to a project. The project itself must still be approved the Planning Commission. | TDR Notice of Use |
| Variance | Zoning Administrator can allow an applicant to exceed or fall short of certain quantitative standards in the Planning Code, such as rear yard. | Generic Hearing-Variance |
| Coastal Zone Permits | Planning approval is required of any development in the designated coastal zone. | Generic Hearing |
| Condominiums | DPW refers to Planning proposed new condominiums and conversion of rental units to condo | Condos and Subdivisions |
| Land Subdivisions | DPW refers to Planning proposed mergers and subdivisions of land. | Condos and Subdivisions |
| General Plan Referral | Other city departments are obliged to refer their projects on public land to Planning for evaluation against the General Plan. | General Plan Referral |
| Miscellaneous Permits | Police, Health Department, Entertainment Commission referrals | Miscellaneous Permits |
| Planning Code Enforcement | Includes violations of Planning Code provisions governing General Advertising Signs | Code Enforcement |

3. Integration between DBI and Planning

DBI and Planning will implement a single system. While the two departments operate independently to carry out their respective missions, special attention must be paid to specific functions shared between the two departments. The points are enumerated below.

- (a) Permit and Project Tracking – Project activities need to be effectively identified by the location, specifically block/lot/ address, and by a unique project number that follows the development project between DBI and Planning. The system should provide the ability to track all entitlements and permits on a project by project basis.

Request for Proposals for Permit and Project Tracking System

San Francisco Department of Building Inspection and Planning Department

- (b) Conditions of Approval – Conditions of approval and adherence to applicable codes and fees must be tracked and confirmed at the appropriate stages of each project's development. The system must allow for withholding permits and issuance of any temporary and/or final certificates of occupancies until compliance is achieved.
- (c) Plan Review and Approval – Project plan review, from pre-application to the appeals stage, must be fully coordinated and tracked between DBI and Planning. The entire plan review process should be subject to standard plan review and approval processes and agreed upon performance standards.
- (d) Code Enforcement – Tracking of complaints and code enforcement activities will be tracked by block/lot/address and with the use of common identification numbers to eliminate duplicative complaint tracking systems.
- (e) Permit Fees – The collection of all permit, entitlement, impact fees and payments for notices of violations should be coordinated with the objective of developing common accounting practices and collection points. Subject to agreed upon compensation, DBI shall collect all impact fees, which are normally collected during the building permit process, and track conditions of approval mandated at the point of fee collection.

II. Scope of Work

The Scope of Work is to be used as a general guide and is not intended to be a complete list of all work necessary to complete the project. Responses should include suggestions for incorporating best practice into the scope. The format for responding to the RFP is found in Attachment A.

A. Software

CCSF is seeking a proven COTS solution that is pre-configured and modifiable. All specific requirements must be met through vendor-supplied configuration tools. CCSF is prepared to modify policies, procedures, and processes to incorporate best practices embedded within the COTS solution, to the extent that the changes meet DBI and Planning's requirements and legislative guidelines. The selected product/solution will be expected to support Federal, State, CCSF, and DBI and Planning's rules, policies, ordinances, building codes and other regulations where required.

B. Implementation

The following provides a high level outline of the project implementation requirements. PROPOSER'S information provided in Attachments A and B will be used for the evaluation of the proposals.

The scope of the project includes, but is not limited to professional services to install, configure, and implement the COTS system as follows:

1. A comprehensive hardware, software, network and architectural design that delivers the core system which meets the requirements of this RFP
2. The business and technical best practice design solution based on review of the existing process flow analysis for each department

Request for Proposals for Permit and Project Tracking System

San Francisco Department of Building Inspection and Planning Department

3. A sound implementation strategy that ensures a smooth transition from the current system to the new system without interruption of business operations, loss of revenue, loss or duplication of data, and interruption of transaction flow during the cutover. The plan should describe the transition method (100% cutover, phased, parallel run, or others), and address all the stages of the implementation from the planning, through system setup, data import, and go-live stages.
4. Design and configure the COTS software to deliver the full set of functionalities described in this RFP
5. Convert data from existing databases and assist CCSF in data cleanup
6. Create interfaces enabling PPTS to interact with other software
7. Unit testing, integration testing, system testing, and 90-day parallel testing all of which will occur in QA or Test Environments. Include stress/volume, performance, regression and acceptance, preparation of test script/plans and preparation of test data
8. Change control during all phases of product implementation
9. Ninety (90) days post go-live support as part of the project activities and prior to the maintenance agreement start date
10. A Project Management Office that defines and maintains project standards including project management policies, processes, templates, methods
11. Business operations change management facilitation, with CCSF as the lead, to increase buy-in by departments
12. Knowledge transfer to DBI and Planning MIS staff during implementation and post go live
13. Training of DBI and Planning staff in using and administering the new system
14. Annual production support and maintenance that includes trouble-shooting, upgrades and enhancements
15. A Contingency/Fall-back plan that defines processes and procedures to cover the possibility of unexpected failure where the new system proves to be unusable after deployment. The fall-back goal is to restore the old system environment with minimum interference to the day-to-day business activities.
16. Disaster recovery process, policies, and procedures for recovering the system (infrastructure and application) in the event of a catastrophe.
17. Project documents, including but not limited to system administration, user and training manuals, etc

C. Functional/Technical

Meet the technical and functional requirements as identified in Attachment B.

Request for Proposals for Permit and Project Tracking System

San Francisco Department of Building Inspection and Planning Department

III. Submission Requirements

A. Time and Place for Submission of Proposals

Proposals must be **received** by 2:00 pm PST on March 2, 2011. Postmarks will not be considered in judging the timeliness of submissions. Proposals may be delivered in person and left with or mailed to:

Ms. Pamela Levin
Deputy Director, Administrative Services
City and County of San Francisco
Department of Building Inspection
1660 Mission, 6th floor
San Francisco, CA 94103

PROPOSERS shall submit 3 copies of the proposal and two copies, separately bound, of required HRC Forms in a sealed envelope clearly marked "Permit and Project Tracking System" to the above location. Proposals that are submitted by fax will not be accepted. Late submissions will not be considered.

B. Format

1. Submit (3) copies of the basic proposal package (one 3-ring bound, one unbound for photocopying, one CD with proposal documents in read-only format in MS Word 2003 or higher or as an Adobe PDF).

This must include the following documents:

- (a) Proposal Summary Template (Attachment A)
- (b) Functional and Technical Requirements (Attachment B)

2. Fee Proposal and ASP/Hosted Option

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

One copy of the Pricing Template and one copy of the Hosted/ASP Option (see Attachments C and D respectively) must be provided together in one sealed envelope labeled "Permit and Project Tracking System Fee Proposal and ASP/Hosted Option by [PROPOSERS' Name]".

3. HRC Forms

- (a) HRC/Local Business Enterprise (LBE) Forms: Please submit two (2) CD copies of HRC Attachment Two (Attachments E-1, E-2, E-3) in a separate sealed envelope labeled "HRC/LBE Forms – Permit and Project Tracking System by [PROPOSERS' Name]" (See VI. Terms and Conditions for Receipt of Proposals)

Request for Proposals for Permit and Project Tracking System

San Francisco Department of Building Inspection and Planning Department

- (b) HRC Form 12B & 12C and Form 14B: One (1) original and one (1) copy of HRC Form No. 12B-101 (see Attachments E-4) in a separate sealed envelope labeled “HR Forms 12B&12C and Form14B – Permit and Project Tracking System by [PROPOSERS’ Name]” (See VI. Terms and Conditions for Receipt of Proposals)

4. Other Required City Forms

One (1) original and one (1) copy of the following forms must be submitted in a separate sealed envelope labeled “Permit and Project Tracking System by [PROPOSERS’ Name] – Other Required City Forms”

- (a) First Source Hiring Program Certification Form Attachment F-1)
- (b) Taxpayer Identification Number and Certification (Attachment F-2)
- (c) Business Tax Registration Declaration (Attachment F-3)
- (d) Minimum Compensation Ordinance (Attachment F-4)
- (e) Health Care Accountability Ordinance (Attachment F-5)

D. Communications with City

Interested parties, including PROPOSERS, are directed NOT to contact any employees or officials of the City other than those specifically designated in the RFP and its Attachments. Unauthorized contact may be cause for rejection of proposals at the City’s sole and absolute discretion.

E. Questions

All questions related to this Request for Proposal are to be directed, in writing, to

Ms. Pamela Levin
Deputy Director, Administrative Services
City and County of San Francisco
Department of Building Inspection
1660 Mission, 6th floor
San Francisco, CA 94103
Pamela.levin@sfgov.org

Reponses to questions will be posted at

http://www.sfgov.org/site/dbi_index.asp. Click on Permit and Project Tracking System, Request For Proposal.

Request for Proposals for Permit and Project Tracking System San Francisco Department of Building Inspection and Planning Department

IV. Evaluation and Selection Criteria

A. Process Overview

The evaluation and selection will be performed in four phases:

Phase 1 - Initial Screening for Minimum Qualifications

Phase 2 - Evaluation of Written Proposals

Phase 3 - Demonstration

Phase 4 - Presentation to PPTS Steering Committee (Committee)

The numerical scoring will reset at each phase. All PROPOSERS that meet the minimum qualifications will advance to the Evaluation of Written Proposals phase. The Selection Panel will be comprised of individuals who are knowledgeable on the subject matter including DBI and Planning staff and other City agencies.

The top three (3) PROPOSERS that scored seventy (70) or more points on the written evaluation will be invited to give a demonstration to a Selection Panel comprised of individuals who are knowledgeable on the subject matter including DBI and Planning staff and other City agencies.

The two (2) top scoring PROPOSERS, based on the results of the Demonstration, will be invited to do a presentation to the PPTS Steering Committee (Committee). The Committee is comprised of representatives from DBI, Planning, Department of Technology, Controller's Office and Mayor's Office. Among other criteria, the Committee will evaluate the price based on adding the onetime costs to 5 years of on-going costs of the enterprise license and maintenance and support. Based on the decision of the Committee, a PROPOSER will be selected to proceed with contract negotiations with CCSF.

B. Initial Screening for Minimum Qualifications

City staff will review each proposal to determine if they are responsive. Proposals will be reviewed for completeness, format requirements, and if the PROPOSER meets the minimum qualifications. Only those proposals that are properly completed, and meet the minimum format and content requirements will be considered in the evaluation process.

The Minimum Qualifications are used by the City to determine whether the PROPOSER has experience on projects comparable to the services that the City is requesting. **Any quote that does not demonstrate that the PROPOSER meets all these minimum qualifications by the proposal due date shall be considered non-responsive and will not be evaluated or eligible for award of any subsequent contract(s).**

1. The PROPOSER must have implemented a Construction Permit Tracking and City Planning Project Tracking System COTS solution in a prime vendor capacity. The detailed descriptions of the implementations, found in Attachment A Section IV.A.1 Proposal Summary Template, will be used to evaluate whether the PROPOSER meets the minimum qualifications.

The following requirements must be met:

- a) The customized solutions must be implemented in at least three (3) municipalities with
 - populations not less than 250,000, or
 - permits processed of no less than 20,000 per year.

Request for Proposals for Permit and Project Tracking System

San Francisco Department of Building Inspection and Planning Department

- b) At least one (1) solution out of the three must have been implemented in the last five (5) years from the RFP submission date.
- c) All three solutions must be currently operating in production for at least one (1) year from the RFP submission date.

Verification checks, including, but not limited to, prior clients may be used to determine the applicability of PROPOSER'S experience to the services the City is requesting and the quality of services and staffing provided to prior clients, as well as adherence to schedules/budgets and PROPOSER'S problem-solving, project management and communication abilities, as well as performance on deliverables and outcomes, and effectiveness in meeting or exceeding project objectives. The City reserves the right to perform reference checks at any time during the selection process.

- 2. PROPOSERS must offer a proven, integrated COTS solution that is pre-configurable and modifiable (using the Vendor System's inherent configuration tool) to meet CCSF's requirements.
- 3. A statement from the PROPOSER in the Letter of Introduction to CCSF that the PROPOSER will submit documentation validating that it has complied with all of CCSF's Human Rights Commission (HRC) and Office of Contract Administration (OCA) requirements by the time of contract award. See Attachments E and F for requirements.
- 4. PROPOSERS must offer an Enterprise License Agreement (ELA) on the software products(s) that applies to the entire CCSF organization, encompassing all or a combination of departments that allows users to work on the same software product with one annual payment. The contract will also allow CCSF to forgo the need to register the software each time it is installed on another computer.

C. Evaluation of Written Proposal (100 points)

The proposals will be evaluated by a Selection Panel comprised of individuals who are knowledgeable on the subject matter including DBI and Planning staff and other City agencies.

The Human Rights Commission (HRC) Contract Compliance Officer will assign a rating bonus to the Written Proposal Score if applicable. The written proposal scores or HRC-adjusted written proposal scores (if applicable) will then be tabulated and PROPOSERS will be ranked starting with the PROPOSER receiving the highest score, then continuing with the PROPOSER receiving the second highest score, and so on.

- 1. Evaluation Rating – the written proposals will be scored as follows.

| | Point(s) |
|---------------------------------------|-----------------|
| Experience and Expertise | 20 |
| Functional and Technical Requirements | 40 |
| System Integration and Architecture | 20 |
| Project Execution | <u>20</u> |
| Total | 100 |

Request for Proposals for Permit and Project Tracking System

San Francisco Department of Building Inspection and Planning Department

The top three (3) PROPOSERS who receive seventy (70) points or more will be short listed to continue with the evaluation process.

2. Evaluation Criteria – All the information that will be used for the evaluation is found in Attachment A. Proposal Summary Template unless otherwise specified.

The written proposals will be evaluated based on the following criteria

- a. Experience and expertise (20 points)
 - (1) Depth of experience the PROPOSER has with COTS project installations
 - (2) Degree of experience and expertise the PROPOSER'S project staff has in the fields necessary to complete the tasks
- b. Functional and Technical Requirements (40 points)
 - (1) Ability of the COTS product to meet the functional and technical requirements delineated in Attachment B: Functional and Technical Template
 - (2) Degree to which business best practice solutions are incorporated into the COTS product
- c. System Integration and Architecture (20 points)
 - (1) Degree to which the COTS system can interface and/or integrate with external applications e.g. legacy and client server based systems.
 - (2) Degree to which the PROPOSER uses Service Oriented Architecture products in the COTS system
 - (3) Degree of knowledge and experience the PROPOSER has in delivering secure, scalable, reliable, and dependable products
 - (4) Level of demonstrated expertise the PROPOSER has in implementing an industry standard enterprise databases
 - (5) Degree of the PROPOSER'S use of consistent certified standards across all platforms and applications
- d. Project Execution (20 points)
 - (1) Feasibility and comprehensiveness of the proposed implementation strategy and timeline estimation
 - (2) Degree to which the proposal demonstrates the use of quality management and control
 - (3) Degree to which the approach to migration to the proposed system is comprehensive

Request for Proposals for Permit and Project Tracking System

San Francisco Department of Building Inspection and Planning Department

D. Demonstration (100 points)

Following the evaluation of the written bids, the top three (3) PROPOSERS that scored seventy (70) or more points on the written evaluation will be notified via email and invited to give a demonstration. The date and time will be scheduled approximately two weeks from the notification date.

The purpose of the demonstration is to show how the COTS solution can deal with various business processes and technical requirements. The format of the demonstration will be provided when the PROPOSER is notified of the date and time of the demonstration. PROPOSER's teams who participate in the demonstration should include technical and business leads.

The Selection Panel will be comprised of individuals who are knowledgeable on the subject matter including DBI, and Planning staff along with other City agencies. The demonstration will consist of two parts - technical and functional. Each part will be worth 50 points.

| | Point(s) |
|------------|-----------------|
| Functional | 50 |
| Technical | 50 |
| Total | 100 |

Upon completion of the Demonstration, the scores will be totaled. HRC may adjust scores (if applicable).

E. Presentation to PPTS Steering Committee

The two (2) top scoring vendors, based on the results of the Demonstration, will be invited to provide a presentation to the Permit and Project Tracking Steering Committee (Committee). The date and time will be scheduled approximately two weeks from the notification date. The Committee is comprised of representatives from DBI, Planning, Department of Technology, Controller's Office and Mayor's Office.

A total of 100 points will be given based on a presentation by the vendor (85 points), price submission (10 points) and Hosted/ASP strategy and pricing (5 points).

| | Point(s) |
|---------------------------------|-----------------|
| Presentation | 85 |
| Price | 10 |
| Hosted/ASP Strategy and Pricing | 5 |
| Total | 100 |

PROPOSERS must address the following subjects in their presentations. The presentation should be given by both technical and business experts.

1. Description of firm and personnel qualifications, firm background and history, business plan/approach, current and long term projects and ability to meet project timeline given current resources

Request for Proposals for Permit and Project Tracking System

San Francisco Department of Building Inspection and Planning Department

2. Description of the PROPOSER's experience and expertise in implementing the proposed COTS solution in a variety of permit issuing and processing departments including but not limited to DBI, Planning, Dept of Public Works (DPW), San Francisco Fire Dept (SFFD), Department of the Environment (DOE), Mayor's Office on Disability (MOD), Dept of Public Health (DPH), San Francisco Public Utilities Commission (SFPUC), Treasurer and Tax Collector (TTX), Assessor's Office (ASR), and Municipal Transportation Agency (MTA).
3. Ability of the COTS solution to be expanded to meet the business needs of other City Departments
4. Description of the firm's and product features/services that uniquely meet the needs of the City as described in the RFP
5. Description of PROPOSER'S Hosted/ASP Strategy and Pricing – See Attachment D Hosted/ASP Option

CCSF will select the PROPOSER that will best be able to meet all of the requirements of the project. CCSF reserves the right to accept proposals other than the lowest priced offer and to reject any proposals not responsive to this request.

The PROPOSER submitting the lowest comparable price will receive the maximum total number of assigned points (10). The other proposals will then be scored by dividing the amount of their price by the lowest price and then multiplying the result by the total number of points assigned to the price evaluation criterion (10 points).

The Human Rights Commission (HRC) Contract Compliance Officer will assign a rating bonus to the Committee's Score if applicable. The Committee's scores or HRC-adjusted Committee's scores (if applicable) will then be tabulated and PROPOSERS will be ranked starting with the PROPOSER receiving the highest score, then continuing with the PROPOSER receiving the second highest score, and so on.

The highest ranked PROPOSER will be selected to proceed with contract negotiations with CCSF.

V. Pre-proposal Conference and Contract Award

A. Pre-Proposal Conference

Attendance at the pre-proposal conference on January 26, 1:00 pm PST is mandatory. The meeting will be at 1660 Mission 2nd floor, 2001 Conference Room, San Francisco, CA 94103. All questions will be addressed at this conference and any available new information will be provided at that time. Responses to questions raised at the conference will be posted on:

Responses to questions will be posted at

http://www.sfgov.org/site/dbi_index.asp. Click on Permit and Project Tracking System, Request For Proposal.

B. Contract Award

The City and County of San Francisco will select a PROPOSER with whom CCSF staff shall commence contract negotiations. The selection of a proposal shall not imply acceptance of the

Request for Proposals for Permit and Project Tracking System

San Francisco Department of Building Inspection and Planning Department

City of all terms of the proposal, which may be subject to further negotiations and approvals before the City may be legally bound thereby. If a satisfactory contract cannot be negotiated in a reasonable time the CCSF, in its sole discretion, may terminate negotiations with the highest ranked PROPOSER and begin contract negotiations with the next highest ranked PROPOSER.

VI. Terms and Conditions for Receipt of Proposals

A. PROPOSER Certification

Each PROPOSER must certify in the Letter of Introduction outlined in Attachment A that it has carefully examined this RFP and documents attached hereto for terms, conditions, specifications, covenants, requirements, services, etc.; and the PROPOSERS must certify that it understands the services requested, that the PROPOSER has knowledge and expertise to provide the proposed services submitted for consideration, and that its proposal is based upon the terms, conditions, specifications, services, and requirements of this RFP and attachments. By its signature on the Letter of Introduction (see Attachment A), the PROPOSER certifies that its proposal is made without prior understanding, agreement, or connection with any corporation, firm or person submitting a proposal for the same materials, supplies, or equipment, and is in all respects fair and without collusion or fraud, so that all proposals for the purchase will result from free, open and competitive proposing among all vendors, in compliance with the City's laws.

B. Errors and Omissions in RFP

PROPOSERS are responsible for reviewing all portions of this RFP. PROPOSERS are to promptly notify Ms. Pamela Levin, in writing, if the PROPOSER discovers any ambiguity, discrepancy, omission, or other error in the RFP. Any such notification should be directed to Ms. Levin promptly after discovery, but in no event later than five working days prior to the date for receipt of proposals. Modifications and clarifications will be made by addenda as provided below.

C. Inquiries Regarding RFP

Any requests for information concerning the RFP, whether submitted before or after the pre-proposal conference must be by e-mail to Ms Pamela Levin at pamela.levin@sfgov.org.

D. Objections to RFP Terms

Should a PROPOSER object on any ground to any provision or legal requirement set forth in this RFP, the PROPOSER must, not more than ten calendar days after the RFP is issued, provide written notice to the Ms Pamela Levin 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.

E. Change Notices

CCSF may modify the RFP, prior to the proposal due date, by issuing Change Notices which will be posted on <http://www.sfdbi.org>. Please check this site often. The PROPOSER shall be responsible for ensuring that its proposal reflects any and all Change Notices issued by the CCSF prior to the proposal due date regardless of when the proposal is submitted.

Request for Proposals for Permit and Project Tracking System

San Francisco Department of Building Inspection and Planning Department

F. Term of Proposal

Submission of a proposal signifies that the proposed services and prices are valid for six (6) months from the proposal due date and that the quoted prices are genuine and not the result of collusion or any other anti-competitive activity.

G. Revision of Proposal

A PROPOSER may revise a proposal on the PROPOSER'S own initiative at any time before the deadline for submission of proposals. The PROPOSER must submit the revised proposal in the same manner as the original. A revised proposal must be received on or before the proposal due date.

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 CCSF may require a PROPOSER to provide oral or written clarification of its proposal. CCSF reserves the right to make an award without further clarifications of proposals received.

H. Errors and Omissions in Proposal

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

I. Financial Responsibility

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

J. PROPOSER's Obligations under the Campaign Reform Ordinance

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

No person who contracts with the City and County of San Francisco for the rendition of personal services, for the furnishing of any material, supplies or equipment to the City, or for selling any land or building to the City, whenever such transaction would require approval by a City elective officer, or the board on which that City elective officer serves, shall make any contribution to such an officer, or candidates for such an office, or committee controlled by such officer or candidate at any time between commencement of negotiations and the later of either (1) the termination of negotiations for such contract, or (2) three months have elapsed from the date the contract is approved by the City elective officer or the board on which that City elective officer serves.

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

Request for Proposals for Permit and Project Tracking System

San Francisco Department of Building Inspection and Planning Department

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

The negotiation period begins with the first point of contact, either by telephone, in person, or in writing, when a contractor approaches any City officer or employee about a particular contract, or a City officer or employee initiates communication with a potential contractor about a contract. The negotiation period ends when a contract is awarded or not awarded to the contractor.

Examples of initial contacts include: (1) a vendor contacts a City officer or employee to promote himself or herself as a candidate for a contract; and (2) a City officer or employee contacts a contractor to propose that the contractor apply for a contract. Inquiries for information about a particular contract, requests for documents relating to a Request for Proposal, and requests to be placed on a mailing list do not constitute negotiations.

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

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

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

K. Sunshine Ordinance

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

unless that person or organization is awarded the contract or benefit. Information provided which is covered by this paragraph will be made available to the public upon request.

L. Public Access to Meetings and Records

If a PROPOSER is a non-profit entity that receives a cumulative total per year of at least \$250,000 in City funds or City-administered funds and is a non-profit organization as defined in Chapter 12L of the S.F. Administrative Code, the PROPOSER must comply with Chapter 12L. The PROPOSER must include in its proposal (1) a statement describing its efforts to comply with the Chapter 12L provisions regarding public access to PROPOSER's meetings and records, and (2) a summary of all complaints concerning the PROPOSER's compliance with Chapter 12L that were filed with the City in the last two years and deemed by the City to be substantiated. The

Request for Proposals for Permit and Project Tracking System

San Francisco Department of Building Inspection and Planning Department

summary shall also describe the disposition of each complaint. If no such complaints were filed, the PROPOSER shall include a statement to that effect. Failure to comply with the reporting requirements of Chapter 12L or material misrepresentation in PROPOSER's Chapter 12L submissions shall be grounds for rejection of the proposal and/or termination of any subsequent Agreement reached on the basis of the proposal.

M. Reservations of Rights by the City

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

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

N. No Waiver

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

1. Local Business Enterprise (LBE) Subconsulting Goals and Participation

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

The LBE subconsulting goal for this project is 6% of the total value of the goods and/or services to be provided. Pursuant to Sec. 14B.9 of the Administrative Code, PROPOSERS are hereby advised that the availability of Minority Business Enterprises ("MBE"), Woman Business Enterprises ("WBE") and Other Business Enterprises ("OBE") to perform subconsulting work on this project is as follows: 3% MBE, 2% WBE, and 1% OBE. PROPOSERS are further advised that they may not discriminate in the selection of subconsultants on the basis of race, gender, or other basis prohibited by law, and that they shall undertake all required good faith outreach steps in such a manner as to ensure that neither MBEs nor WBEs nor OBEs are unfairly or arbitrarily excluded from the required outreach.

Each firm responding to this solicitation must demonstrate in its response that it has used good-faith outreach to shall select LBE subcontractors as set forth in S.F. Administrative Code §§14B.8

Request for Proposals for Permit and Project Tracking System

San Francisco Department of Building Inspection and Planning Department

and 14B.9, and shall identify the particular LBE subcontractors solicited and selected to be used in performing the contract. For each LBE identified as a subcontractor, the response must specify the value of the participation as a percentage of the total value of the goods and/or services to be procured, the type of work to be performed, and such information as may reasonably be required to determine the responsiveness of the proposal. LBEs identified as subcontractors must be certified with the San Francisco Human Rights Commission at the time the proposal is submitted, and must be contacted by the PROPOSER (prime contractor) prior to listing them as subcontractors in the proposal. Any proposal that does not meet the requirements of this paragraph will be non-responsive.

In addition to demonstrating that it will achieve the level of subconsulting participation required by the contract, a PROPOSER shall also undertake and document in its submittal the good faith efforts required by Chapter 14B.8(C)&(D) and HRC Attachment E-4, Requirements for Architecture, Engineering and Professional Services Contracts.

Proposals which fail to comply with the material requirements of S.F. Administrative Code §§14B.8 and 14B.9, Attachment E-4, and this RFP will be deemed non-responsive and will be rejected. During the term of the contract, any failure to comply with the level of LBE subcontractor participation specified in the contract shall be deemed a material breach of contract. Subconsulting goals can only be met with HRC-certified LBEs located in San Francisco. Visit the Office of Contract Administration's website <http://www.sfgsa.org> to obtain a list of compliant LBE subcontracting vendors.

2. Local Business Enterprise Rating Bonus

1. LBE Prime/Joint Venture Participation

The City strongly encourages response packages from qualified LBEs. Pursuant to Chapter 14B, the following rating bonus will be in effect for the award of this project for any PROPOSERS who are certified by HRC as a LBE, or joint ventures where the joint venture partners are in the same discipline and have the specific levels of participation as identified below. Certification applications may be obtained by calling HRC at (415) 252-2500. The rating bonus applies at each phase of the selection process. The application of the rating bonus is as follows:

- (a) A 10% discount to an LBE; or a joint venture between or among LBEs; or
- (b) A 5% discount to a joint venture with prime LBE participation that equals or exceeds 35%, but is under 40%; or
- (c) A 7.5% discount to a joint venture with prime LBE participation that equals or exceeds 40%;

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

Request for Proposals for Permit and Project Tracking System

San Francisco Department of Building Inspection and Planning Department

If you have any questions concerning the HRC Forms, you may call Alaric Degrafinried at (415) 252-2515.

2. SBA-LBE Bid Discount/Rating Bonus

Pursuant to Chapter 14B, the following rating bonus will be in effect for the selection process for this contractor any PROPOSERS who are certified by HRC as a SBA-LBE. A 2% rating bonus will be applied to any proposal from an SBA-LBE except that the 2% rating bonus shall not be applied at any stage if it would adversely affect a Micro or Small LBE PROPOSER or a joint venture with LBE participation. The SBA-LBE rating bonuses do apply to this Agreement because the anticipated agreement amount is under \$20 million.

If you have any questions concerning the HRC Forms, you may call Alaric Degrafinried at (415) 252-2515.

VII. Contract Requirements

A. Agreements

1. Professional Services P-500 Agreement

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

PROPOSERS are urged to pay special attention to the requirements of Administrative Code Chapters 12B and 12C, Nondiscrimination in Contracts and Benefits, (§34 in form P-500); the Minimum Compensation Ordinance (§43 in form P-500); the Health Care Accountability Ordinance (§44 in form P-500); the First Source Hiring Program (§45 in form P-500); and applicable conflict of interest laws (§23 in the form P-500), as set forth in sections B, C, D, E and F below.

2. Software License Agreement (P-545) and Software Maintenance (P-540)

The successful PROPOSER may be required to enter into a Software License (see Attachment H) and Software Maintenance Agreements (Attachment I). CCSF will work with

the successful PROPOSER on the format and provisions of said agreements. Failure to timely execute each contract, or to furnish any and all insurance certificates and policy endorsement, surety bonds or other materials required each contract, shall be deemed an abandonment of each contract offer. The City, in its sole discretion, may select another firm and may proceed against the original selectee for damages.

B. Nondiscrimination in Contracts and Benefits

The successful PROPOSER will be required to agree to comply fully with and be bound by the provisions of Chapters 12B and 12C of the San Francisco Administrative Code. Generally, Chapter 12B prohibits the City and County of San Francisco from entering into contracts or

Request for Proposals for Permit and Project Tracking System

San Francisco Department of Building Inspection and Planning Department

leases with any entity that discriminates in the provision of benefits between employees with

domestic partners and employees with spouses, and/or between the domestic partners and spouses of employees. Chapter 12C requires nondiscrimination in contracts in public accommodation. Additional information on Chapters 12B and 12C is available on the HRC's website at www.sfhrc.org.

C. Minimum Compensation Ordinance (MCO)

The successful PROPOSER will be required to agree to comply fully with and be bound by the provisions of the Minimum Compensation Ordinance (MCO), as set forth in S.F. Administrative Code, Chapter 12P. Generally, this Ordinance requires contractors to provide employees covered by the Ordinance who do work funded under the contract with hourly gross compensation and paid and unpaid time off that meet certain minimum requirements. For the contractual requirements of the MCO (§43 in form P-500).

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

Additional information regarding the MCO is available on the web at www.sfgov.org/olse/mco.

D. Health Care Accountability Ordinance (HCAO)

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

E. First Source Hiring Program (FSHP)

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

Contractors should consult the San Francisco Administrative Code to determine their compliance obligations under this chapter. Additional information regarding the FSHP is available on the web at www.sfgov.org/moed/fsdp.htm and from the First Source Hiring Administrator, (415) 581-2303.

F. Conflicts of Interest

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

Request for Proposals for Permit and Project Tracking System

San Francisco Department of Building Inspection and Planning Department

said provisions; and agree to immediately notify the City if it becomes aware of any such fact during the term of the Agreement. Individuals who will perform work for the City on behalf of

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

G. City's Approval Rights over Subcontractors and Staffing Changes

PROPOSERS must identify all subcontractors in their proposal and must conform to all City policies regarding subcontractors. If the City approves the use of the partners as part of the selected PROPOSER'S team, for the purposes of the Agreement negotiated with the City, they will be deemed subcontractors. Notwithstanding anything to the contrary in the negotiated Agreement, the selected PROPOSER shall ultimately bear all responsibility and liability for the performance of all tasks, deliverables, and services under the Agreement. Any proposed changes to Local Business Enterprise subcontractor arrangements must be discussed and approved in advance by the City's Human Rights Commission in accordance with Chapter 14B to the City's Administrative Code.

The City, in its sole discretion, has the right to approve or disapprove PROPOSER'S personnel, including subcontractor personnel, assigned to perform the services in this RFP at any time throughout the term of the contract. The City shall have the right to interview and review the qualifications of any new personnel proposed by the PROPOSER. Any change to PROPOSER'S personnel must be approved in writing by the City at least fourteen (14) days in advance of assignment of such personnel by the PROPOSER. Such approval by the City will not be unreasonably withheld.

VIII. Protest Procedures

A. Protest of Non-Responsiveness Determination

Within five working days of the City's issuance of a notice of non-responsiveness, any firm that has submitted a proposal and believes that the City has incorrectly determined that its proposal is non-responsive may submit a written notice of protest. Such notice of protest must be received by the City on or before the fifth working day following the City's issuance of the notice of non-responsiveness. The notice of protest must include a written statement specifying in detail each and every one of the grounds asserted for the protest. The protest must be signed by an individual authorized to represent the PROPOSER, and must cite the law, rule, local ordinance, procedure or RFP provision on which the protest is based. In addition, the protestor must specify facts and evidence sufficient for the City to determine the validity of the protest.

B. Protest of Contract Award

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

The notice of protest must include a written statement specifying in detail each and every one of the grounds asserted for the protest. The protest must be signed by an individual authorized to

Request for Proposals for Permit and Project Tracking System

San Francisco Department of Building Inspection and Planning Department

represent the PROPOSER, and must cite the law, rule, local ordinance, procedure or RFP provision on which the protest is based. In addition, the protestor must specify facts and evidence sufficient for the City to determine the validity of the protest.

C. Delivery of Protests

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

Ms. Pamela Levin
City and County of San Francisco
Department of Building Inspection
1660 Mission, 6th Floor
San Francisco, CA 94103