



City and County of San Francisco

Department of Building Inspection



REQUEST FOR QUALIFICATIONS RFQ# DBI2017-21STRGEOTECH As-Needed Consultant Services for Structural Design and Geotechnical Review CONTACT: william.strawn@sfgov.org, (415) 558-6250

Background

The Department of Building inspection (DBI) was created by voter referendum under Proposition G in 1994. The charter amendment established the body known as the Building Inspection Commission (BIC) which was designed to provide representation for the various communities which interact with the Building Department. Under the direction and management of the seven-member citizen Building Inspection Commission, DBI's mission is to oversee the effective, efficient, fair and safe enforcement of the City and County of San Francisco 's Building, Housing, Plumbing, Electrical, and Mechanical Codes, along with the Disability Access Regulations. DBI's purpose is to serve the City and County of San Francisco and the general public by ensuring that life and property within the City and County are safeguarded, and to provide a public forum for community involvement in that process.

The City seeks responses from Respondents demonstrating expertise in one (1) or more of the following Areas: 1) Structural Design Review/Practicing Structural Engineer; 2) Structural Design Review/Academia and 3) Geotechnical and Geological Engineering Review.

Intent of this Request for Qualifications (RFQ)

Based on the responses from this Request for Qualifications (RFQ), it is the intent of DBI to create pre-qualified list of consultants/professionals and academic experts from which DBI may choose prospective contractors, on an as-needed basis, to advise the Department in structural design and plan review for privately-sponsored projects. Consultants prequalified under this RFQ are not guaranteed a contract.

Schedule*

RFQ Issued	01-19-18
Deadline for RFQ Questions	01-26-18 (12 pm PST)
Deadline for RFQ Answers	02-02-18 (5 pm PST)
Deadline for RFQ Responses	02-09-18 (12 pm PST)
Notice of intent to Establish a Prequalified List	02-28-18

* Each date subject to change. All hours are Pacific Standard Time. Check <http://sfdbi.org/rfq> for the latest schedule.

Anticipated Pool of Qualified Contractors

The pool of qualified contractors resulting from this RFQ shall have an original term of two (2) years. Respondents selected must be available to commence work on or before *September, 2018*.

Subcontracting Requirement

The S.F. Administrative Code Chapter 14B Local Business Enterprise (LBE) sub-consulting requirement for this RFQ and resulting contract(s) has been waived. If respondent fails to submit the correct Contract Monitoring Division (CMD) documentation by Deadline for RFQ Responses, the response may be determined to be non-responsive, rejected, not evaluated, and Respondents will not be eligible to be on the Prequalified Consultants List for this RFQ. If you have any questions regarding the CMD Forms (Attachment II), please contact Ryan Young, the CMD Contract Compliance Officer for the Department of Building Inspection at 415-581-2301 or ryan.b.young@sfgov.org.

RFQ Questions and Communications

Questions must be in writing and received by the Deadline for RFQ Questions. To ensure fair and equal access to information about this RFQ, e-mail your questions to william.strawn@sfgov.org. No questions will be accepted after this time with the exception of City vendor requirement questions.

A summary of the questions and answers pertaining to this solicitation will be posted at <http://sfdbi.org/rfq> by the Deadline for RFQ Answers.

1. Introduction

General terms and acronyms used in this RFQ. The “Respondent” refers to any entity submitting a response to this Request for Qualifications (“RFQ”) to be considered for inclusion on a pre-qualified consultant list. The “Contractor” refers to the Respondent(s) awarded contracts for services under this RFQ.

1.1 Statement of Need and Intent

The City and County of San Francisco, California (“City”) seeks responses from Respondents demonstrating expertise in one (1) or more of the following Areas: 1) Structural Design Review/Practicing Structural Engineer; 2) Structural Design Review/Academia and 3) Geotechnical and Geological Engineering Review.

Contractors will work with the project sponsor, DBI staff as well as other City Departments.

Based on responses to this RFQ, it is the intent of the City to create a pre-qualified list of Respondents from which the City may select prospective Contractors for privately sponsored projects requiring complex analysis in the applicable topic area(s) on an as-needed basis as indicated in Section 2, Scope of Work. Consistent with San Francisco Administrative Code, Section 21.4(c) (1-2), the City may use the pre-qualified list, at its sole and absolute discretion, for selection of firms and negotiations of contracts for up to two (2) years following establishment, of the pre-qualification notification date.

The City reserves the right to procure services similar or identical to the services specified in this RFQ by any other means. Multiple contracts may be awarded at the City’s sole and absolute discretion in accordance to San Francisco Administrative Code, Section 21.8. No pre-qualified Respondent is guaranteed a contract.

To minimize duplication of effort and to allow the City to coordinate data requests and data available for the multiple projects solicited within this RFQ, as well as for previous and future projects, the selected Contractors' findings and data may be shared by the City with other City Contractors, as deemed appropriate by the City.

If Respondent is interested in being considered for more than one service, respondents should indicate which area of expertise for which they would like to be considered in RFQ Attachment V, Response Template. Respondents are encouraged to respond for all expertise(s) for which they meet or exceed minimum qualifications as described in this RFQ. Please note that qualifications will be evaluated separately for each expertise.

DBI will create a list of consultants to draw from for possible projects that may experience as indicated in Section 2, Scope of Work. Each Respondent should demonstrate its capabilities by providing Prior Project Descriptions as part of Attachment V. The City will negotiate the scope of services, budget, deliverables, and timeline for each project it decides to pursue. There is no guarantee of a minimum amount of work or compensation for any of the Respondents

selected for pre-qualification. The City may select Contractors from the pre-qualified list in its sole and absolute discretion.

1.2 Background of The Department of Building inspection (DBI)

The Department of Building inspection (DBI) was created by voter referendum under Proposition G in 1994. The charter amendment established the body known as the Building Inspection Commission (BIC) which was designed to provide representation for the various communities which interact with the Building Department. Under the direction and management of the seven-member citizen Building Inspection Commission, DBI's mission is to oversee the effective, efficient, fair and safe enforcement of the City and County of San Francisco 's Building, Housing, Plumbing, Electrical, and Mechanical Codes, along with the Disability Access Regulations. DBI's purpose is to serve the City and County of San Francisco and the general public by ensuring that life and property within the City and County are safeguarded, and to provide a public forum for community involvement in that process.

1.3 Tentative Schedule

The anticipated schedule for establishing the Pool is:

RFQ Issued	01-19-2018
Deadline for RFQ Questions	01-26-18 (12 pm PST)
Deadline for RFQ Answers	02-02-18 (5 pm PST)
Deadline for RFQ Responses	02-09-18 (12 pm PST)
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* Each date subject to change. All hours are Pacific Time. Check <http://sfdbi.org/rfp> for the latest schedule

2. Scope of Work

The scope of work is a general guide of the work the City expects to be performed, and is not a complete listing of all services that may be required or desired. Consultants will work under the direction of the DBI Director, or DBI staff designee.

2.1 Scope of Service

The Director shall determine the scope of services and required expertise that the Structural Design and Geotechnical Reviewer shall provide to supplement the Department of Building Inspection's plan review. This scope of services may include, but shall not be limited to, review of the following documents prepared by the project sponsor through their project architect, structural and geotechnical engineers:

1. Geotechnical report
2. Site soil classification
3. Foundation recommendations
4. Deep foundation evaluation
5. Earth pressure recommendations

6. Soil-Structure interaction review
7. Building settlement analysis
8. Excavation and ground water monitoring
9. Earthquake hazard determination.
10. Site-specific ground motion characterization.
11. Seismic performance goals.
12. Basis of design, design methodology and acceptance criteria.
13. Mathematical modeling and simulation.
14. Interpretation of results of analysis.
15. Member selection and design.
16. Detail concepts and design.
17. Construction Documents, including drawings and specifications.
18. Isolator or damper testing requirements and quality control procedures.
19. At the discretion of the Director, the scope of services for the Structural Design and Geotechnical Reviewer may include the review of other building aspects, including design for wind resistance, design of special foundation or earth retaining systems, or the design of critical non-structural elements.

The services listed above may not be comprehensive of all work that will be needed. The City may reach out to the pre-qualified respondent pool as a result of this RFQ to solicit additional consulting work not included on this list.

Respondents will be prequalified for only the expertise(s) for which they have provided experience.

The pools of pre-qualified as-needed consultants will be established for services described in 2.1 Scope of Services and will be used by DBI for all proposed private development projects requiring 1) Structural Design Review/Practicing Structural Engineer; 2) Structural Design Review/Academia and 3) Geotechnical and Geological Engineering Review.

3. City-Respondent Communications

Respondents are specifically directed NOT to contact any employees or officials of the City other than those specifically designated in this RFQ and its Attachments. Unauthorized contact may be cause for rejection of responses at the City's sole and absolute discretion.

3.1 Deadline for RFQ Questions

Please e-mail any questions to william.strawn@sfgov.org. Questions must be in writing and received before the questions deadline on the RFQ schedule. No oral questions will be accepted. Questions will not be accepted after the Deadline for RFQ Questions date on the RFQ schedule with the exception of City vendor compliance.

3.2 Summary of Information Requested and Presented

All inquiries should include the number and title of the RFQ. Substantive replies will be memorialized in written addenda to be made part of this RFQ. All addenda will be posted on the Office of Contract Administration website at:

<http://mission.sfgov.org/OCABidPublication/BidDetail.aspx?K=11622> and DBI's website at sfdbi.org/rfp.

This RFQ will only be governed by information provided in this RFQ and attachments, and through any written addenda that may be issued. With the exception of Contract Monitoring Division (CMD) or City contracting inquiries, no questions or requests for interpretation will be accepted **after 12:00 pm PST on January 26, 2018**. Respondents are encouraged to check this website daily for any updates.

3.3 City Communication Following Receipt of Qualifications

The City may contact the Respondents for clarification or correction of minor errors or deficiencies in their Responses prior to deeming a Response as non-responsive. Clarifications are "limited exchanges" between the City and a Respondent for the purpose of clarifying certain aspects of the Response, and do not give a Respondent the opportunity to revise or modify its Response. Minor errors or deficiencies are defined as those that do not materially impact the City's evaluation of the Response; for example, failing to label the "original" Response as an "original". For information regarding the City's Evaluation Process, See RFQ Section 5 - Evaluation Criteria.

4. Response Requirements

4.1 Time and Submission Requirements of Responses

Responses and all related materials, including all CMD forms, must be received by the Deadline for RFQ Responses listed in the RFQ schedule. Postmarks will not be considered. Responses must be delivered in person or mailed to:

Department of Building Inspection
Attn: William Strawn
1660 Mission Street, 6th Floor
San Francisco, CA 94103

Respondents shall submit four (4) hard copies of the response package. Submissions should clearly be labeled with the RFQ title: **RFQ#DBI2017-21STRGEOTECH As-Needed Consultant Services for Structural Design and Geotechnical Review.**

If Respondent is applying for more than one expertise area, a separate set of materials shall be submitted to the above location for each pool under consideration.

Respondents shall also submit include one (1) USB flash drive or CD-ROM containing entire contents of response, including all RFQ Attachments. All electronic files on the flash drive or CD-ROM must be in unprotected PDF or Word format. Electronic files for each Attachment must include all documents submitted for that Attachment in one, separate, complete, electronic file.

Each of these separate electronic files must be titled with Respondent's name and Attachment number (e.g. ABC Company Attachment I). Electronic files should include signatures, where applicable.

Late submissions will not be considered.

4.2 Response Package

A. Statement of Minimum Qualifications, a completed RFQ Attachment V: Response Template, specifying the Respondent's name, affiliation, and contact information for all communications pertaining to the Respondents' SOQ, including telephone number, email address and mailing address; and denoting the Area(s) of Expertise for which the Respondent is seeking pre-qualification. The Respondent may state interest for multiple Areas of Expertise.

B. Letter of Interest, to include the following information:

- 1) Statement of the Respondent's overall ability and qualifications to conduct the work.
- 2) Statement that the Respondent agrees to fully comply with all applicable City's RFQ Terms and Conditions, attached hereto as RFQ Attachment I: Acknowledgement of RFQ Terms and Conditions.
- 3) Statement that the Respondent agrees to fully comply with all applicable City's Local Business Enterprise Requirements, attached hereto as RFQ Attachment II: CMD Local Business Enterprise Forms (this requirement has been waived; however, the required documents still need to be submitted in by each Respondent applying to participate in this RFQ).
- 4) Statement that the Respondent agrees to fully comply with all applicable City's Administrative Terms, attached hereto as RFQ Attachment III: Administrative Requirements.
- 5) Statement that the Respondent agrees to comply fully with the terms and conditions of the Standard Agreement for Professional Services (P-600), attached hereto as RFQ Attachment IV: City's Agreement Terms and Conditions.
- 6) Respondent's hourly rate.

C. Curriculum vitae (CV) and/or resume for the selection panel to evaluate the Respondent's ability to successfully complete the tasks outlined in the scope of services. The CV and/or resume should clearly demonstrate that the Respondent meets the minimum qualifications in the selected Area of Expertise. It should also include any previous Technical Assistance Panel experience, including project name and description, performance duration, and scope attached hereto as RFQ Attachment V: Response Template.

4.3 Minimum Requirements

A. Structural Design Review/Practicing Structural Engineer - Respondent shall have a minimum of fifteen (15) years recent experience in the following areas:

- 1) Practicing in structural engineering with expertise in:

- a. Structural engineering;
 - b. Earthquake engineering;
 - c. Performance-based seismic engineering;
 - d. Nonlinear seismic response history analysis of building; and
 - e. Tall building design.
- 2) Structural peer review.
 - 3) Development of structural building codes, and guidelines for buildings.
 - 4) Respondent shall have project experience of buildings with at least one of following types of design in the past fifteen (15) years:
 - a. Buildings using non-prescriptive design;
 - b. Buildings using performance-based design;
 - c. Buildings heights exceeding 240 feet;
 - d. Buildings using seismic response history analyses;
 - e. Buildings using seismic isolation design;
 - f. Buildings using seismic damping;
 - g. Buildings with irregular and unusual configurations or systems; or
 - h. Buildings in Class F soils.
 - 5) Respondent shall be a licensed Structural Engineer in California.
 - 6) Prior Project Descriptions - Respondent shall submit **all** prior project descriptions, for which Respondent would like to be considered for pre-qualification as part of RFQ Attachment V response. Respondent shall provide the projects that **have been successfully completed within the last fifteen (15) years** from the date of this RFQ.

B. Structural Design Review/Academia - Respondent shall have a minimum of fifteen (15) years' experience in the following areas:

- 1) Researching in structural engineering with expertise in:
 - a. Structural engineering;
 - b. Earthquake engineering;
 - c. Performance-based seismic engineering;
 - d. Nonlinear seismic response history analysis of building; and
 - e. Tall building design.
- 2) Structural peer review.
- 3) Development of structural building codes and guidelines for buildings.
- 4) Respondent shall have project experience (e.g. proprietary/commercial experience, or consultation services for a government entity/jurisdiction or research) of buildings with at least one of the following types of design in the past fifteen (15) years:
 - a. Buildings using non-prescriptive design;
 - b. Buildings using performance-based design;
 - c. Buildings heights exceeding 240 feet;
 - d. Buildings using seismic response history analysis;
 - e. Buildings using seismic isolation design;
 - f. Buildings using seismic damping;
 - g. Buildings with irregular and unusual configurations or systems; or
 - h. Buildings in Class F soils.

- 5) Prior Project Descriptions - Respondent shall submit **all** prior project descriptions, for which Respondent would like to be considered for pre-qualification as part of RFQ Attachment V response. Respondent shall provide the projects that they **have successfully participated in within the last fifteen (15) years** from the date of this RFQ.

C. Geotechnical and Geological Engineering Review - Respondent shall have a minimum of fifteen (15) years' experience in the following areas:

- 1) Geotechnical and geological engineering with expertise in:
 - a. Geotechnical and geological engineering;
 - b. Generation of site-specific ground motions of use in linear and nonlinear analyses;
 - c. Performance-based seismic design for tall buildings;
 - d. Site soil classification;
 - e. Foundation recommendation;
 - f. Deep foundation evaluation;
 - g. Earth pressure recommendation;
 - h. Soil-structure interaction;
 - i. Building settlements analysis; and
 - j. Excavation and ground water monitoring.
- 2) Geotechnical peer review.
- 3) Development geotechnical requirements for building codes, and design guidelines of buildings.
- 4) The respondent shall have project experience of buildings with any of following types of design in the past fifteen (15) years:
 - a. Buildings using non-prescriptive design;
 - b. Buildings using performance-based design;
 - c. Buildings heights exceeding 240 feet;
 - d. Buildings using seismic response history analyses;
 - e. Buildings using seismic isolation design;
 - f. Buildings using seismic damping;
 - g. Buildings with irregular and unusual configurations or systems; or
 - h. Buildings in Class F soils.
- 5) Respondent shall be a licensed Geotechnical Engineer in California.
- 6) Prior Project Descriptions - Respondent shall submit **all** prior project descriptions, for which Respondent would like to be considered for pre-qualification as part of RFQ Attachment V response. Respondent shall provide the projects that **have been successfully completed within the last fifteen (15) years** from the date of this RFQ.

3. Client References

Respondents shall provide client reference information (client, project name, and reference name, email, and phone number) for a minimum of the three (3) most recent projects similar to the services requested in this RFQ.

Responses shall be complete, but concise, to aid the Evaluation Team’s review. Specifically, responses should provide a straightforward, concise description of the Respondent’s capabilities to satisfy the requirements of the RFQ.

A. **Please save Attachments as individual files.** All files should be submitted in unprotected PDF or Word format. Electronic files should include signatures, where applicable. RFQ attachments include:

RFQ Attachment I	Acknowledgement of RFQ Terms and Conditions
RFQ Attachment II	CMD Local Business Enterprise Forms
RFQ Attachment III	City’s Administrative Requirements
RFQ Attachment IV	City’s Agreement Terms and Conditions
RFQ Attachment V	Response Template

4.4 LBE Subcontracting Goal for Respondents

The S.F. Administrative Code Chapter 14B Local Business Enterprise (LBE) sub-consulting requirement for this RFQ and resulting contract(s) has been waived. However, Respondents are still required to submit the correct CMD documentation by Deadline for RFQ Responses date to be considered for this RFQ.

If Respondents fails to submit the correct CMD documentation by Deadline for RFQ Responses, the response may be determined to be non-responsive, rejected, not evaluated, and Respondents will not be eligible to be selected to be on the Prequalified Consultant List for this RFQ. If you have any questions regarding the CMD LBE requirements and CMD Forms (Attachment II), please contact Ryan Young, the CMD Contract Compliance Officer for the Department of Building Inspection at 415-581-2301 or Ryan.B.Young@sfgov.org.

5. Evaluation Criteria

This section describes the guidelines used for analyzing and evaluating the responses and for Respondent pre-qualification. It is the City’s intent to pre-qualify Respondent(s) that provide the best overall qualifications to the City inclusive of fee considerations. Consultant firms selected for pre-qualification are not guaranteed a contract. This RFQ does not in any way limit the City’s right to solicit contracts for similar or identical services if, in the City’s sole and absolute discretion, it determines the pre-qualified list is inadequate to satisfy its needs. There are two phases to the evaluation process. Responses that pass the Initial Screening process will proceed to the Evaluation Process.

5.1 Initial Screening Minimum Requirements

The City will review each response for initial determination on responsiveness and acceptability in an Initial Screening process. Elements reviewed during the Initial Screening include, without limitation: Response completeness, compliance with format requirements, compliance with Minimum Qualification requirements, and verifiable references.

Responses are not scored during the Initial Screening process. Initial Screening is a pass/fail determination as to whether a response meets the threshold requirements described above. A response that fails to meet these requirements will not be eligible for consideration in the Evaluation Process described below.

The CMD Forms (Attachment II) will be reviewed during the initial screening process which is prior to the evaluation process. If your firm fails to submit the correct CMD documentation by Deadline for RFQ Responses date, the response may be determined to be non-responsive, rejected, not evaluated, and Respondents will not be eligible to be selected to be on the Prequalified Consultant List for this RFQ. If you have any questions regarding the CMD LBE requirements and CMD Forms (Attachment II), please contact Ryan Young, the CMD Contract Compliance Officer for the Department of Building Inspection at 415-581- 2301 or Ryan.B.Young@sfgov.org.

The City reserves the right to request clarification from the Respondent prior to rejecting a response for failure to meet the Initial Screening requirements. Clarifications are “limited exchanges” between the City and a Respondent for the purpose of clarifying certain aspects of the Response, and will not give a Respondent the opportunity to revise or modify its response. Responses that meet the Initial Screening requirements shall proceed to the Evaluation Process.

5.2 Statement of Minimum Qualifications

Any response that does not demonstrate that the Respondent meets these Minimum Qualifications by the Deadline for RFQ Responses will be considered non-responsive and will not be evaluated or eligible for award of any subsequent contract(s) relating to this RFQ.

The Respondent certifies that it meets the following Minimum Qualifications:

5.3 Scoring Of Responses

Qualifications that meet the Initial Screening requirements shall proceed to the Evaluation Process. Qualifications will be evaluated in accordance with the criteria below and the information provided by the Respondent. Evaluation criteria for scoring of responses shall be collectively worth 100 points.

5.3.1 Consultant/Firm Qualifications – 40 points

- a) Respondent’s history and structure, including total staff size and composition.
- b) Respondent’s experience providing As-Needed Consultant Services for Structural Design and Geotechnical Review to similar government agency clients, or clients whose size and structure are similar to the City. Respondents should include representative list of the relevant clients to whom the firm has provided these services.
- c) Respondent’s experience with the scope of service described in Section 2.1 of this RFQ.

5.3.2 Staff Qualifications – 40 points

- a) Qualifications and educational backgrounds of lead staff members, including subcontractor staff, if applicable, proposed to perform services for the City are appropriately demonstrated in response.
- b) The combined experience of staffing plan covers expertise as listed in Section 2.1 of this RFQ.

5.3.3 Approach and Cost – 10 points

5.3.4 Completeness of Response Submission – 10 points

5.3.5 Consultant Pre-Qualification Process

Respondents scoring a minimum of 70 out of 100 points for each expertise area will be added to the pre-qualified list for as-needed services for each expertise area Respondent applies for. The City reserves the right to contract with any or all pre-qualified Respondents. No respondent is guaranteed a contract as a result of participation in this RFQ.

Reference Checks

Reference checks, including, but not limited to, prior clients as indicated in RFQ Attachment V, Response Template may be used to determine the applicability of Respondent 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 Respondent's problem-solving, project management and communication abilities, as well as performance on deliverables and outcomes, and effectiveness in meeting or exceeding project objectives. If reference checks deem that information included in a Prior Project Description, staffing qualifications, or elsewhere in the response is untruthful, then the City may reject the response.

Release and Waiver Agreement

To effectuate the candid completion of the reference check above, Respondent is required to sign the RFQ Attachment I, Section 14, and Release of Liability.

5.4 Selection from Pre-qualified Lists

The City may select Contractors from the pre-qualified list in its sole and absolute discretion. After the pre-qualified list has been established, the City may issue Request(s) for Quotes, Request(s) for Responses, or Oral Selection Interviews/Demonstrations, conduct Reference Checks to the pre-qualified consultant list to better assess qualifications for a specific scope of service, which may include staffing, scheduling, deliverable, and cost considerations. The City reserves the right to request proposals, quotes, oral interviews/demonstrations, and conduct reference checks from vendors simultaneously. Award of contracts will be made in a manner consistent with San Francisco Administrative Code Chapter 21 Section 21.4(c).

5.5 Other Terms and Conditions

Sunshine Ordinance: In accordance with San Francisco Administrative Code §67.24(e), contracts, contractors' bids, responses to solicitations and all other records of communications

between 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 or organization's net worth or other proprietary financial data submitted for qualification for a contract or other benefit until and unless that person or organization is awarded the contract or benefit. Information provided which is covered by this paragraph will be made available to the public upon request. Respondent understands that any writing presented under this RFQ may be subject to public disclosure.

The selection of any pre-qualified Respondent for contract negotiations shall not imply acceptance by the City of all terms of the response, which may be subject to further negotiation and approvals before the City may be legally bound thereby.

If a satisfactory contract cannot be negotiated in a reasonable time with any pre-qualified Respondent, then the City, in its sole discretion, may terminate negotiations and begin contract negotiations with any other remaining pre-qualified Respondents.

The City, in its sole discretion, has the right to approve or disapprove any staff person assigned to a firm's projects before and throughout the contract term. The City reserves the right at any time to approve, disapprove, or modify proposed project plans, timelines and deliverables.

6. Protest Procedures

6.1 General

Failure of a Respondent to comply with the protest procedures set forth in this section will render a protest inadequate and non-responsive, and will result in rejection of the protest.

6.2 Protest of RFQ Terms

- a) Should a prospective Respondent object on any ground to any provision or legal requirement set forth in the RFQ (including all Appendices and all Addenda), including but not limited to Protests based on allegations that: (i) the RFQ is unlawful in whole or in part, (ii) one or more of the requirements of the RFQ is onerous, unfair, or unclear; (iii) the structure of the RFQ does not provide a correct or optimal process for the solicitation of the Services; (iv) the RFQ contains one or more ambiguity, conflict, discrepancy or other error; or (v) the RFQ unnecessarily precludes alternative solutions to the Services or project at issue, the prospective Respondent must provide timely written notice of Protest as set forth below.
- b) By 5:00 p.m. P.S.T on the third (3rd.) working day of the issuance of the RFQ, any Respondent may submit a written notice of Protest via e-mail to william.strawn@sfgov.org as directed by Section 6.1. Protests or notices of Protests delivered orally (e.g., by telephone), by mail, or fax will not be considered.
- c) The Protest shall state the basis for the Protest, refer to the specific requirement or portion of the RFQ at issue, and shall describe the modification to the RFQ sought by the prospective Respondent. The Protest shall also include the name, address,

telephone number, and email address of the person representing the prospective Respondent.

- d) If required, the City may extend the proposal submittal deadline to allow sufficient time to review and investigate the Protest, and issue Addenda to incorporate any necessary changes to the RFQ.

6.3 Protest of Non-Responsiveness Determination

By 5:00 p.m. PST on the fifth (5th) working day of the City's issuance of a notice of non-responsiveness, any Respondent that has submitted a Response and who believes that the City has incorrectly determined that its Response is non-responsive, may submit a written notice of protest by e-mail (fax is not acceptable) as directed in Section 6.4. Such notice of protest must be received by the City on or before 5 p.m. PST of the fifth (5th) 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 reason asserted for the protest. The protest must be signed by an individual authorized to represent the Respondent, and must cite the law, rule, local ordinance, procedure or RFQ 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.

6.4 Protest of Establishment of Prequalified Consultant List

- a) By 5:00 p.m. PST on the fifth (5th) working day of the City's issuance of a Notice of Intent to Establish a Prequalified Consultant List, any consultant firm that has submitted a responsive response and believes that the City has incorrectly selected another Respondent for pre-qualification may submit a written notice of protest as directed in Section 6.4. Such notice of protest must be received by the City on or before 5 p.m. PST of the fifth (5th) working day after the City's issuance of the Notice of Intent to Establish a Prequalified Consultant List.
- b) 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 Respondent, and must cite the law, rule, local ordinance, procedure or RFQ 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.

6.5 Delivery of Protests

All protests must be received by the specified date and time deadline. Protests should be transmitted via e-mail that objectively will establish the date the City received the protest. Protests or notice of protests made orally (e.g., by telephone), mail, or by fax will not be considered.

Protests must be delivered by email to: william.strawn@sfgov.org

6.6 Protest Review

- a) DBI will confirm receipt of notice of protest by Respondent which must be submitted

in accordance with Sections 6.1, 6.2 or 6.3.

- b) If a Respondent submits a complete and timely protest, the Controller's Office will review notice of protest soon after receipt of the protest to determine validity of notice, including, but not limited to: (1) receipt by due date; (2) inclusion of a written statement specifying in detail each and every one of the grounds asserted for the protest; (3) signed by an individual authorized to represent the Respondent; (4) citation of the law, rule, local ordinance, procedure or RFQ provision on which the protest is based; and (5) specification of facts and evidence sufficient for the City to determine the validity of the protest.
- c) A Respondent may not rely on a Protest submitted by another Respondent, but must timely pursue its own Protest.
- d) The City, at its discretion, may make a determination regarding a protest without requesting further documents or information from the Respondent who submitted the protest. Accordingly, the initial protest must include all grounds of protest and all supporting documentation or evidence reasonably available to the prospective Respondent at the time the protest is submitted. If the Respondent later raises new grounds or evidence that were not included in the initial protest, but which could have been raised at that time, then the City may not consider such new grounds or new evidence.
- e) If the notice of protest is determined to be valid, the Controller's Office shall review facts and evidence to determine the outcome of the protest, citing any applicable laws, rules, ordinances, procedures, and/or provisions. The review shall be an informal process conducted by the Controller's Office or its designee and will be based upon the information submitted by the Respondent in its protest letter. The Controller's Office may seek input from the City Attorney's Office, Office of Contract Administration, Contract Monitoring Division, and/or other City departments as needed or appropriate. The Controller's Office will notify the Respondent in writing of its decision at the conclusion of the review. The Controller or his designee shall make the final determination regarding the outcome of the protest. The decision of the Department of Building Inspection is final.

7. Vendor Compliance

Respondent Team must fulfill the City's administrative requirements for doing business with the City and become a compliant vendor prior to contract award. Fulfillment is defined as completion, submission and approval by applicable City agencies of the form.