



## **Grant Funding Opportunity and Request for Proposal (“RFP”)**

**for**

### **Leadership Development and Legal/Support Services for Incarcerated and Formerly Incarcerated Transgender Persons**

<b>RFP Issue Date:</b>	August 11, 2017
<b>E-Question Period:</b>	August 11-18, 2017
<b>Applications Due Date:</b>	August 25, 2017
<b>Award Decisions Announced:</b>	September 15, 2017
<b>Grant Period Dates:</b>	October 1, 2017 – November 30, 2018

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## I. INTRODUCTION & SCHEDULE

### A. MISSION OF THE SAN FRANCISCO HUMAN RIGHTS COMMISSION

The San Francisco Human Rights Commission (“Department” or “SFHRC”) provides leadership and advocacy in securing, protecting and promoting human rights for all people. For nearly 50 years, HRC has grown in response to San Francisco’s mandate to address the causes of and problems resulting from prejudice, intolerance, bigotry and discrimination. SFHRC has the good faith and commitment of San Francisco’s leaders to be an independent voice of human rights protection for all people and, again and again, leads the way on groundbreaking initiatives in the realm of human and civil rights. To that end, SFHRC:

- **Advocates** for human and civil rights;
- **Investigates and mediates** discrimination complaints;
- **Resolves community disputes** involving individual or systemic illegal discrimination; and
- **Provides technical assistance**, information and referrals to individuals, community groups, businesses and government agencies related to human rights and social services.

SFHRC performs its Charter mandated obligations and duties pursuant to the following City ordinances and laws:

#### **San Francisco Charter**

[Article IV, Section 4.107: HRC as a Charter agency](#)

#### **San Francisco Administrative Code**

[Chapter 12A: Powers and Duties of HRC](#)

[Chapter 12B: Non-discrimination in CCSF Contracts](#)

[Chapter 12C: Non-discrimination in CCSF Property Contracts](#)

[Chapter 12H: Sanctuary City Ordinance](#)

[Chapter 12N: LGBT Youth Sensitivity Training](#)

#### **San Francisco Police Code**

[Article 33: Non-discrimination in Housing, Employment and Public Accommodations](#)

[Article 38: Non Discrimination based on HIV Status](#)

[Article 1.2: Non Discrimination in Housing against Families with Minor Children](#)

#### **Commission Bylaws**

[Commission Bylaws](#)

## **B. FUNDING OPPORTUNITY**

Transgender community members are increasingly over-represented in the prison system. They experience disproportionately higher rates of interaction with law enforcement, often because they are more likely to be homeless or victims of crime. A survey conducted by the National Center for Transgender Equality found that transgender persons who are homeless are two times more likely to have been incarcerated than those who are not. Moreover, many transgender persons, particularly transgender women of color, are at greater risk of being profiled as sex workers and arrested. Once in prison, transgender persons are especially vulnerable to violence, physical and sexual assault, and inequitable access to health and legal services.

The purpose of this funding opportunity is for a trans-led community organization to provide leadership development and legal/support services to incarcerated and formerly incarcerated transgender persons. The successful organization will have a proven record of success in delivering in-custody and reentry services, including life-affirming skills development, violence prevention and reduction strategies, and mentorship. The long-term goal of this grant opportunity is to foster systemic change in the prison system.

**Expected Available Funding**  
**October 1, 2017 – November 30, 2018: \$315,000**

In keeping with established City policies which provide for an annual budget approved by the Mayor and Board of Supervisors, no funds are committed to this Request for Proposals. Although this Grant has been assigned a maximum amount that may be available, the release of this RFP must not be construed as a commitment that funds will be available for certain and in the amount stated in the RFP. This is neither a commitment, nor a guarantee, that funds will become available.

## **C. APPLICATION TIMELINE**

The following is the Department's schedule for the RFP process:

**Aug. 11, 2017**

### **RFP Release**

The RFP Application Packet is available on-line at <http://sf-hrc.org/grant-opportunities>. Applications can also be picked up at 25 Van Ness Avenue, Suite 800, San Francisco, CA 94102. Applications will not be mailed.

**Aug. 11-18, 2017**

### **E-Question Period**

The e-question period is an opportunity to submit questions via email to [noah.frigault@sfgov.org](mailto:noah.frigault@sfgov.org). All e-questions must be received by **4:00 pm, August 18, 2017**. HRC's responses to all e-questions will be published at <http://sf-hrc.org/grant-opportunities>.

**Aug. 25, 2017**

**Applications Due Date**

Completed applications must be received at the Department office, 25 Van Ness Avenue, Suite 800, San Francisco, CA 94102 by **4:00 pm on August 25, 2017.** Postmarks will not be honored. Late applications will not be accepted under any circumstances – **no exceptions.**

After the Application Due Date, a Review Panel will be convened to review all completed applications and make an award recommendation based on the evaluation criteria outlined herein.

**Sept. 15, 2017**

**Award Decisions Announced**

Letters will be emailed to applicants regarding award decisions by September 15, 2017, and the Department will work with agencies to conclude grant agreements.

**Oct. 1, 2017**

**Grant Period Begins**

Projects should be ready to start on October 1, 2017.

**Nov. 30, 2018**

**Grant Period Ends**

Projects should be completed by November 30, 2018.

## II. APPLICANT REQUIREMENTS

### A. MINIMUM ELIGIBILITY CRITERIA

The Department is committed to diversity, inclusion, and broad-based community access, and to funding a variety of San Francisco's community organizations, non-profit agencies and service providers. All qualified applicants are cordially invited to submit applications. However, failure to meet the minimum qualifications will eliminate applicants from further consideration for funding.

1. Applicant must be an existing non-profit agency recognized as tax-exempt by the IRS under Section 501(c)(3) of the Internal Revenue Code and must demonstrate a history of providing services to communities within San Francisco. Departments of the City and County of San Francisco are not eligible to apply for funding.
2. Applicant must be a Vendor of the City and County of San Francisco, or be willing and able to become a City Vendor. Organizations who are not yet City Vendors are urged to begin the Vendor application process as soon as possible in order to ensure that they meet this requirement if awarded a grant. To learn more about becoming a City Vendor, visit the City's Office of Contract Administration at <http://sfgsa.org/index.aspx?page=4762> which offers all of the necessary instructions and forms required to become a City Vendor. **Note: subcontractors and consultants to the Applicant need not be City vendors.**
3. Applicant must meet San Francisco's non-discrimination in contracts laws, Chapters 12B and 12C of the San Francisco Administrative Code. These laws include provisions prohibiting discrimination in employee benefits and public accommodations. For additional information, go to: <http://sfgsa.org/index.aspx?page=6126>
4. Applicant must be in good financial standing according to generally accepted accounting practices.

### B. ACCESSIBLE SERVICES

Applicant must offer services in an accessible and non-discriminatory manner regardless of race, color, ethnicity, class, age, economic level, education, language, religion, disability, immigration status, or sexual orientation.

1. **Immigration Status:** In keeping with San Francisco's policy as a Sanctuary City, applicant must make services available to all clients regardless of immigration status.
2. **Disability:** Applicant must ensure compliance with the mandates of the Americans with Disabilities Act of 1992 (ADA), allowing accessibility for all clients who are physically and/or otherwise disabled.
3. **Ethnicity/Culture/Language:** Applicant must provide linguistically and culturally competent services.

### III. SUBMISSION REQUIREMENTS

Please read all instructions carefully and include all information required. Incomplete applications may not be reviewed. The burden is on the applicant to demonstrate qualifications. Be advised that the City and County of San Francisco has the right to reject any and all proposals/applications.

#### A. APPLICATION PARAMETERS

Applicants may apply on their own, in partnership with another organization, or as part of a collaboration with several other organizations. The latter is strongly preferred. In the case of partnerships and collaborations, the City requires that one of the organizations be identified as the lead organization that will contract with the City. Partners and/or collaborators should be listed as sub-contractors on the contract. Participants in collaborations may be required to submit stand-alone work plans and budgets to allow the Department to fund separate projects by individual collaboration participants, if necessary.

#### B. TIME AND PLACE FOR SUBMISSION OF PROPOSALS

All proposals/applications must be received at the Department office by **4:00 p.m. on August 25, 2017.** Postmarks will not be considered in judging the timeliness of submissions. Proposals may be delivered in person to the Department office or mailed to:

Noah Frigault, Policy Analyst  
San Francisco Human Rights Commission  
25 Van Ness Avenue, Room 800  
San Francisco, CA 94102

Please be sure to plan ahead for this strict deadline to avoid last minute delays. Late applications will not be accepted under any circumstances – no exceptions.

#### C. APPLICATION FORMAT

The Department will distribute proposals to a Review Panel. Each submission should meet the following format requirements:

- Please use single space with a type font size no less than 12 points with 1" margins.
- Number pages on upper right corner and staple application on upper left (no folders or binders).
- Double-side all application materials to the maximum extent possible.
- Submit one (1) original application and five (5) complete copies (including all attachments). In addition, submit one electronic version of your application via email to [noah.frigault@sfgov.org](mailto:noah.frigault@sfgov.org).



## D. REQUIRED DOCUMENTS & SCORING WEIGHT

The following documents must be submitted as part of the grant application.

<b>Doc #</b>	<b>Description</b>	<b>Scoring Weight</b>
01	Signed Cover Sheet (See Appendix A)	Required
02	Table of Contents	Required
03	Response to Application Questions	90 pts
04	Agency Organization Chart	Required
05	Board of Directors Roster (Applicant and Fiscal Sponsor, if any)	Required
06	Letters of Support	Required
07	Most Recently Filed Annual Financial Report (Applicant and Fiscal Sponsor, if any)	Required
NA	Overall completeness (e.g., free of formatting and spelling errors)	10 pts
<b>TOTAL</b>		<b>100 pts</b>

## E. APPLICATION QUESTIONS

Please provide complete responses to each question below, indicating “N/A” wherever a question is not applicable to you.

### Question 1. Applicant Contact Information and Affiliation with Other City Agencies (Required, 0 Points)

1. Organization Name:
2. Proposed Program Name:
3. Program Contact First and Last Names:
4. Program Contact Title:
5. Program Contact Email Address:
6. Program Contact Telephone Number:
7. Program Contact Fax Number:
8. Program Address:
9. Program Zip:
10. Will this Program utilize a Fiscal Agent or Sponsor? If YES, provide:
  - a. Fiscal Sponsor Name:
  - b. Fiscal Sponsor Contact First Name:
  - c. Fiscal Sponsor Contact Last Name:
  - d. Fiscal Sponsor Address:
  - e. Fiscal Sponsor Zip:
  - f. Fiscal Sponsor Phone:
  - g. Fiscal Sponsor Email:
11. Does your organization currently receive funds from City & County of San Francisco departments other than SFHRC? If “Yes”, for each funding source other than SFHRC, provide:
  - a. Contract Name:
  - b. City Department Name:
  - c. Contract End Date:

- d. Contract Number:
- e. Amount:
- f. Purpose:

**Question 2. Applicant Capacity and Staff Profile (10 Points)**

1. What is the mission of your organization?
2. In what year were you founded?
3. Describe your organization’s experience and key achievements in providing leadership development and legal/support services to incarcerated and formerly incarcerated transgender persons.
4. Describe the organization’s system for:
  - a. Setting goals and measurable objectives for services;
  - b. Collecting, using, and sharing data on participant and organizational performance; and
  - c. Communicating performance information internally and externally.
5. Briefly describe the roles and responsibilities of the proposed staffing structure (paid and volunteer), experience and knowledge in your service area, and how the staff design will effectively deliver services to the target population(s). You may cross reference the organization chart you must attach as a requirement for this application.

**Question 3. Budget Narrative (10 Points)**

1. **Total Projected 24-Month Budget:** Please complete the following table for your total projected 24-month budget.

	<b>24-Month Program Cost</b>	<b>24-Month Program Cost requested from SFHRC</b>
<b>Total Amount (\$)</b>		
Total Amount as a % of Applicant’s Total Budget for the Same Period		
Total Amount as a % of Fiscal Sponsor’s Total Budget for the Same Period		

2. **24-Month Budget Breakdown:** Please provide a detailed breakdown of the “Total 24-Month Program Cost” and corresponding “Total 24-month Program Cost requested from SFHRC” indicated in the above table.

**Question 4. Populations to be Served (10 Points)**

1. What do you estimate the cumulative, unduplicated number of participants to be served during the 24-month period for which you will receive funding from SFHRC for your Proposed Program?
2. Please complete the following two tables with regard to the total anticipated cumulative, unduplicated number of participants identified in the previous question:

<b>Note: Participants can qualify for more than one category</b>	<b>Projected Percentage</b>
Gay/Lesbian/Bisexual/Transgender/Questioning	
Special Needs	
Public Housing	
Homeless	
Limited English	
No English	
At risk of entering the Mental Health System	
Involved in the Mental Health System	
Immigrant	
Involvement with criminal justice system (past or present)	
Currently Incarcerated	

<b>Breakdown by Ethnicity (Must equal 100%)</b>	<b>Projected Percentage</b>
Asian	
Pacific Islander	
Black/African-American	
White	
Latino	
Multiethnic	
Native American / Native Alaskan	
Other:	
Total	100%

### **Question 5. Scope of Work (60 Points)**

The purpose of this funding opportunity is for a transgender-led community organization to provide in-custody and reentry leadership development and legal/support services to incarcerated and formerly incarcerated transgender persons. The successful organization will have a proven record of success in delivering in-custody and reentry services, including life-affirming skills development, violence prevention and reduction strategies, and mentorship.

Please answer the following questions.

1. Describe your organization's proposal to provide leadership development and legal/support services to incarcerated and formerly incarcerated transgender persons in San Francisco. Please include a month-by-month work plan for the grant period.
2. Describe your organization's experience in working with San Francisco's criminal justice system and providing services to incarcerated transgender persons.
3. Describe your organization's experience in providing reentry services to transgender persons in San Francisco.
4. Describe the formal or informal partnerships your organization has had with other organizations, including community-based organizations, government/law enforcement agencies, and service systems.
5. Describe any new services that your organization will provide as a result of additional funding.

## **IV. TERMS & CONDITIONS FOR RECEIPT OF PROPOSALS**

### **A. ERRORS AND OMISSIONS IN RFP**

Applicants are responsible for reviewing all portions of this RFP. Applicants are to promptly notify the Department, in writing, if the applicant discovers any ambiguity, discrepancy, omission, or other error in the RFP. Any such notification should be directed to the Department promptly after discovery, but in no event later than five (5) working days prior to the date for receipt of proposals. Modifications and clarifications will be made by addenda as provided below.

### **B. INQUIRIES REGARDING RFP**

Inquiries regarding the RFP and all oral notifications of an intent to request written modification or clarification of the RFP must be directed to:

Noah Frigault, Policy Analyst  
San Francisco Human Rights Commission  
25 Van Ness Avenue, Room 800  
San Francisco, CA 94102

### **C. OBJECTIONS TO RFP TERMS**

Should an applicant object on any ground to any provision or legal requirement set forth in this RFP, the applicant must, not more than ten (10) calendar days after the RFP is issued, provide written notice to the Department setting forth with specificity the grounds for the objection. The failure of an applicant to object in the manner set forth in this paragraph shall constitute a complete and irrevocable waiver of any such objection.

### **D. CHANGE NOTICES**

The Department may modify the RFP, prior to the proposal due date, by issuing Change Notices, which will be posted on the website. The applicant shall be responsible for ensuring that its proposal reflects any and all Change Notices issued by the Department prior to the proposal due date regardless of when the proposal is submitted. Therefore, the Department recommends that the applicant consult the website frequently, including shortly before the proposal due date, to determine if the applicant has downloaded all Change Notices.

### **E. TERM OF PROPOSAL**

Submission of a proposal signifies that the proposed services and costs are valid for 120 calendar days from the proposal due date and that the quoted costs are genuine and not the result of collusion or any other anti-competitive activity.

### **F. REVISION OF PROPOSAL**

An applicant may revise a proposal on the applicant's own initiative at any time before the deadline for submission of proposals. The applicant 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 applicant.

At any time during the proposal evaluation process, the Department may contact the applicant for clarification or correction of minor errors or deficiencies in their proposals prior to deeming a proposal as non-responsive. Clarifications are “limited exchanges” between the Department and a proposer for the purpose of clarifying certain aspects of the proposal, and do not give a proposer the opportunity to revise or modify its Proposal. Minor errors or deficiencies are defined as those that do not materially impact the Department's evaluation of the proposal; for example, failing to label the “original” proposal as an “original”.

#### **G. ERRORS AND OMISSIONS IN PROPOSAL**

Failure by the Department 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.

#### **H. FINANCIAL RESPONSIBILITY**

The City accepts no financial responsibility for any costs incurred by an agency 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.

#### **I. 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:

- the officer's re-election campaign
- a candidate for that officer's office
- 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.

## **J. 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.

## **K. 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 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.

**L. 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 timeto:

1. Waive or correct any defect or informality in any response, proposal or proposal procedures
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 contents of format of the proposals
5. Produce any materials, equipment or services specified in this RFP by any other means
6. Determine that no project will be pursued.

**M. 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.



## **V. GRANT AWARD PROCESS**

### **A. APPLICATION SCREENING**

Department staff will screen applications to ensure that they meet the minimum eligibility requirements and are eligible for review before being forwarded to the Review Panel. Three basic requirements must be met for applications to merit further review. This preliminary staff screening is not a qualitative review. All applications that meet the following eligibility criteria are forwarded to the Review Panel for evaluation:

1. Received by deadline (late applications will not be accepted)
2. Completeness (incomplete applications may not be reviewed)
3. Address the RFP minimum eligibility criteria (Applications that do not meet the criteria are disqualified from further consideration).

### **B. REVIEW PANEL AND FINAL DETERMINATION**

The proposals will be evaluated by a Review Panel composed of Commission personnel and subject matter experts. The Panel is established to review, discuss, score, and make an award recommendation regarding applications based on the evaluation criteria outlined herein. Reviewers will evaluate only the application materials submitted and base their scoring strictly on the requirements of the RFP and the contents of the application. The Human Rights Commission will review award recommendations and make final decisions. In addition, if feasible, panelists may conduct site visits to applicant agencies.

### **C. GRANT AGREEMENT FORMULATION**

The selection of any proposal by the Review Panel shall not imply acceptance by the City and County of San Francisco of all terms of the proposal, which may be subject to further negotiations and approvals before the City may be legally bound. Department staff will initiate the process for formalizing grant agreements. Funding may be contingent upon the submission of additional information, budget revisions, and/or work plan changes. If a satisfactory contract cannot be negotiated in a reasonable amount of time, the Department, in its sole discretion, may terminate negotiations with the applicant and begin contract negotiations with another applicant.

## VI. CONTRACT REQUIREMENTS

The successful applicant will be required to enter into a contract in the form of a Grant Agreement. Failure to timely execute the contract, or to furnish any and all insurance certificates and policy endorsements, or other materials required by the agreement, may be deemed as an abandonment of the contract offer. The Department, in its sole discretion, may select another applicant for funding. The following applies to applicants who are awarded funds as part of this RFP.

### A. CITY AND COUNTY OF SAN FRANCISCO

Applicants are urged to pay special attention to the requirements of Administrative Code Chapters 12B and 12C, Nondiscrimination in Contracts and Benefits; the Minimum Compensation Ordinance; the Health Care Accountability Ordinance; the First Source Hiring Program; the Fair Chance Ordinance; and applicable conflict of interest laws.

#### 1. Nondiscrimination in Contracts and Benefits

The successful applicant 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 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 at <http://sfgsa.org/index.aspx?page=6126>.

#### 2. Minimum Compensation Ordinance (MCO)

The successful applicant 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 amount of hourly gross compensation currently required under the MCO, see <http://sfgsa.org/index.aspx?page=403>. 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.

#### 3. Health Care Accountability Ordinance (HCAO)

The successful applicant 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 S.F. Administrative Code to determine their compliance obligations under this chapter. Additional information regarding the HCAO is available on the web at <http://sfgsa.org/index.aspx?page=407>.

#### **4. First Source Hiring Program (FSHP)**

If the contract is for more than \$50,000, then the First Source Hiring Program (Administrative 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 S.F. Administrative Code to determine their compliance obligations under this chapter. Additional information regarding the FSHP is available on the web at: <http://sfgov.org/site/frame.asp?u=http://www.oewd.org>.

#### **5. Fair Chance Ordinance (FCO)**

The successful applicant will be required to agree to comply fully with and be bound by the provisions of the Fair Chance Ordinance, as set forth in S.F. Administrative Code Chapter 12T. Contractors should consult the S.F. Administrative Code to determine their compliance obligations under this chapter. Additional information regarding the FCO is available on the web at <http://sfgsa.org/index.aspx?page=6599>.

#### **6. Conflicts of Interest**

The successful applicant 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 the 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 applicant 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 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 applicant 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 applicant that the City has selected the applicant.

### **B. INSURANCE REQUIREMENTS**

Please note that the following Certificates of Insurance must be submitted to the Department as part of the contract process:

#### **1. For all contracts:**

- Worker's Compensation (\$1,000,000 each accident)
- Commercial General Liability (City and County of San Francisco listed as additional insured; \$1,000,000 each occurrence)

#### **2. For contracts in which the grantee uses an automobile:**

- Commercial Automobile Liability (City and County of San Francisco listed as additional insured; \$1,000,000 each occurrence)

**3. For contracts for legal or medical services:**

- Professional Liability (City and County of San Francisco listed as additional insured; \$1,000,000 each occurrence)

In addition, Additional Insured Endorsements must be obtained for General Liability and Automobile Liability coverage naming the City and County of San Francisco, its officers, agents and employees as additional insured with respect to the named insured operations.

**C. DEPARTMENT REQUIREMENTS**

**1. Client Rights**

As part of the contract process, grantees must agree to the following additional conditions.

- 1) The agency shall prominently post on-site a Client Bill of Rights.
- 2) The agency shall prominently post on-site a timely and fair grievance process which allows clients to file a complaint with the agency. As part of this process, clients have the right to file a complaint with the Department if dissatisfied with the outcome of the grievance policy.
- 3) The agency shall communicate clearly and in writing the agency's exit and/or termination policies during the in-take process.

**2. Agency Personnel Policies**

Submit sections from the agency personnel policies that address the following areas.

1. Affirmative Action
2. Sexual Harassment
3. Family Leave

**D. REPORTING REQUIREMENTS**

Grantees are required to submit quarterly reports which cover all activities related to Department-funded services. At a minimum, each report should clearly identify in detail and by volume all services delivered and outcomes achieved. Reports are due no later than 30 days after the completion of each quarter.

**E. FINANCIAL AUDIT REQUIREMENT**

Grantees are required to submit annual financial audits prepared by independent certified public accountants, with balance sheets and related statements of revenues, expenses and changes in fund balances, functional expenses, and cash flows, in accordance with generally accepted accounting practices. The deadline for submitting annual financial audits is October 31.

**F. BILLING REQUIREMENTS**

The Department's policy is to make payment only for services rendered and paid. Services may not be billed in advance. Invoices must be submitted monthly and within 30 days of the billed month (i.e., October invoice shall be submitted for payment by November 30).

## **VII. 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 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 deadline 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:

Noah Frigault, Policy Analyst  
San Francisco Human Rights Commission  
25 Van Ness Avenue, Room 800  
San Francisco, CA 94102