

City and County of San Francisco

Port of San Francisco

Request for Qualifications

for

**Micro LBE Set-Aside for As-Needed Public Relations,
Communications, Media Services, and Advertising**

Event ID 0000004785



RFQ issued:

January 7, 2021

Pre-submittal conference:

January 14, 2021 at 11:00 A.M. (PST)

Submittals due:

February 9, 2021 at 2:00 P.M. (PST)

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Appendices:

- A. Scope of Work (For your reference)
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- E. P-600 Agreement (For your reference)
- F. Contract Monitoring Division (CMD) Attachment 5:
 - Form 2A CMD Contract Participation Form
 - Form 3 CMD Non-discrimination Affidavit
 - Form 5 CMD Employment Form
 - (Needs to be submitted)

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Micro LBE Set-Aside As-Needed Public Relations, Communications, Media Services and Advertising

1. Introduction and Schedule

The City and County of San Francisco (“City”) acting by and through the Port of San Francisco (“Port”) issues this Request for Qualifications (RFQ) to solicit qualified firms that are interested in providing the Port with public relations, communications, media services, and related professional services. This RFQ establishes minimum mandatory requirements that Respondents must meet in order to be eligible for consideration. This RFQ also specifies the information that interested parties are expected to include in their Submittals.

A. General

The City is the fourth largest city in California and serves as a center for business, commerce, and culture for the West Coast. The City, established by Charter in 1850, is a legal subdivision of the State of California with the governmental powers of both a city and a county under California Law. The Port, a department within the City is a self-supporting, enterprise agency overseeing 7-1/2 miles of property along the western side of the San Francisco Bay (“Property”). The Port has held this Property in trust for the people of the State of California since 1969 pursuant to the California Burton Act (statutes 1968, ch. 1333). As trustee, the Port is required to promote maritime commerce, navigation, and fisheries, as well as to protect natural resources and develop recreational facilities for public use.

Through this RFQ, the Port is seeking responses from highly qualified San Francisco firms certified by the Contract Monitoring Division (“CMD”) as Micro Local Business Entities (“LBE”) firms to provide public relations, communications, media services, and related professional services on an as-needed basis. The Port will require assistance in the form of specialized knowledge, expertise, and state-of-the-art techniques that are either beyond the capabilities of its own staff or does not align with staff workload and availability. The requested services may involve an entire project, several projects, and part of a project or for any project phase. Respondents awarded contracts from this RFQ will provide services to multiple Port divisions and may be expected to work in conjunction with the Port’s staff and/or other consultants hired by the Port as part of a project team.

This RFQ is not directed at any one specific project. Through this RFQ process, the Port intends to evaluate and select teams of consultants capable of providing the requested services. The Port will review qualifications of all Respondents including the Respondent’s prior project information, lead staff qualifications, and other information it deems relevant. Following the evaluation process described in this RFQ, the Port intends to select the highest ranked Respondents for award of up to **two (2)** contracts with an initial term of **three (3) years** and an option to extend the term of each contract for a maximum of additional **one (1)** year.

The Port seeks to promote diversity with its contracting opportunities. The Port desires to engage consultant teams that reflect the diversity of the City and include participation of both businesses and residents from the City’s most disadvantaged communities including,

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but not limited to, the Bayview/Hunter’s Point, Chinatown, Mission, South of Market, Tenderloin, Visitacion Valley and Western Addition neighborhoods. As such, the Port recommends that Respondents consider the composition of their teams in terms of gender, age, ethnicity, and race, and utilize teams that include a diverse mix of staff at all organizational levels.

B. Schedule

The anticipated schedule for evaluating and selecting the contractors is:

<u>Solicitation Phase</u>	<u>Date</u>
RFQ is issued by the City	January 7, 2021
Pre-submittal conference	January 14, 2021
Deadline for submission of written questions or requests for clarification	January 20, 2021
Submittals due	February 9, 2021
Evaluation of Submittals	TBD
Oral interview with firms selected for further consideration	TBD
Contract Award	TBD

Please be aware that these dates are tentative and subject to change. Any changes to these dates will be published in an addendum which will be noticed on the Port’s Contract Opportunities portal located at <https://sfport.com/rfps-rfqs> and the City’s Contract Opportunities portal located at <https://sfcitypartner.sfgov.org/pages/index.aspx>. It is each Respondent’s responsibility to check the portals for any addendum/addenda and updates to this solicitation.

C. Contractors Unable to do Business with the City

1. Generally

Contractors that do not comply with laws set forth in San Francisco’s Municipal Codes may be unable to enter into a contract with the City. Some of the laws are included in this RFQ, or in the sample terms and conditions attached.

2. Companies Headquartered in Certain States

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Subject to certain exceptions, Proposers are hereby advised that this Contract is subject to the requirements of Administrative Code Chapter 12X, which prohibits the City from entering into a contract with a contractor that has its headquarters in a state that has enacted a law or laws that perpetuate discrimination against LGBT people and/or has enacted a law that prohibits abortion prior to the viability of the fetus, or a contractor that will perform any or all of the work on the contract in such a state. Chapter 12X requires the City Administrator to maintain a list of such states, defined as “Covered States” under the Administrative Code Sections 12X.2 and 12X.12. The list of Covered States is available on the website of the City Administrator. Proposers will be required to certify compliance with Chapter 12X as part of their proposal, unless the City determines that a statutory exception applies.

II. Definitions

“Administrative Code.” Administrative Code as used in this RFQ refers to the San Francisco Administrative Code.

“Consultant Team.” A Consultant Team is a grouping of consultant firms consisting of a Prime Consultant who will serve as the prime contractor if selected by the Port for contract award, and a set of sub consultants.

“Contract Service Order.” A Contract Service Order, or CSO refers to a project-specific work assignment requested/authorized by the Port under the terms and conditions of the Master Agreement.

“Master Agreement.” A Master Agreement refers to a non-project specific, blanket contract between the Port and Prime Consultant. Also referred to as Agreement or Contract.

“Prime Consultant.” Prime Consultant is the lead firm or individual on a Consultant Team who is identified as such in the Submittal and who will manage the work of the sub-consultants. The term includes the officers and employees of the Prime Consultant identified in writing by the Prime Consultant.

“Respondent.” The Respondent refers to any entity submitting a response to this Request for Qualifications (“RFQ”).

“Submittal.” The Submittal refers to a qualifications package submitted in response to this RFQ. Also referred to as Statement of Qualifications or Proposal.

III. Scope of Work

See Appendix A for detailed Scope of Work. The objective of the Scope of Work is to outline the requirements and general functional areas believed to be necessary to successfully perform this contract. The Scope of Work is to be used as a general guide and is not intended to be a complete list of all requirements or qualifications.

IV. Contractor Requirements and Qualifications

Respondents SHALL meet the minimum requirement listed below to be considered eligible for the award of contract. It is the Respondents’ responsibility to ensure that information and documentation they provide is sufficient to satisfy all this requirement.

Minimum Qualifications (MQ)

Any Submittal that does not demonstrate that the Respondent meets the minimum qualifications described below by the Submittal due date will be considered non-responsive and not eligible for further consideration under this RFQ. Respondents shall provide the necessary references to allow the Port to verify that Respondents meets the minimum qualification.

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MQ1: Experience

Each proposed Consultant Team cumulatively must demonstrate three (3) years of experience obtained within the most recent five (5) years providing services in the following four fields or areas of work:

1. Digital Communications or Web Design
2. Advertising or Marketing
3. Media Relations or Crisis Communications, and
4. Community and Stakeholder Outreach

Desired Qualifications (DQ)

The following experience/qualification is desired and will be considered in the evaluation of the written submittal; it will not be used to determine eligibility for consideration for the contract.

DQ: Experience

Proposed Consultant Team cumulatively demonstrate two (2) years of experience obtained within the most recent five (5) years providing services in one of more of the following fields or areas of work:

- Providing services similar to the services requested in this RFQ to public agencies
- Producing digital, social, and print content, and
- Digital content and campaign development.

V. Submission Requirements

A. Time and Place for Submission of Responses

Submittals must be received by 2:00 P.M. (PST) on February 9, 2021. Submittals received after this time will not be considered. Submittals must be uploaded and submitted electronically through the event page of this solicitation on the City’s Supplier portal located at <https://sfcitypartner.sfgov.org/>. The event identification number is 000004785.

B. Format of Submittal

Respondents shall upload and submit all required documentation in a portable document format (PDF) to the City’s Supplier Portal. The Fee Proposal and the CMD forms should be uploaded and submitted as separate attachments. A single electronic file must be smaller than 20 MB.

The Port may disqualify any submittals as non-responsive for the following reasons:

- a. Submittals that are provided via fax or e-mail.
- b. Submittals that are received late.
- c. Submittals that do not meet the minimum qualifications requirements as specified in **Section IV** of this RFQ.
- d. If acceptance of the Submittal would otherwise violate applicable City Codes, Ordinances, or other State or Federal laws.
- e. The Fee Schedule is not in the format required by the RFQ.

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- f. Submittals are not in compliance with the requirements specified in the Format and Content of Submittals section of this RFQ (**Section V.C**).

C. Content

Firms interested in responding to this RFQ must submit the following information, in the order specified below:

1. Introduction and Executive Summary

Submit a letter of introduction and executive summary of the Submittal. The letter must be signed by a person authorized to obligate your firm to perform the commitments contained in the Submittal. The letter should address the firm's commitment to provide services requested in this RFQ. Submission of the letter will constitute a representation that the firm is willing and able to perform the commitments contained in the Submittal. The letter shall identify a primary contact person (with contact information including fax, telephone, mailing address and e-mail address) for future communications regarding the Submittal and shall acknowledge all addenda, if any, to the RFQ.

Respondents must also acknowledge in the letter that they have read the draft Professional Services Contract attached here as Appendix E and agree to execute a contract in substantially the same form. Respondents must confirm that they have discussed the insurance requirements for the contract with their insurer or insurer's representative and can fully comply with said requirements within **seven (7)** business days of notification of the Intent to Award a contract.

The Executive Summary shall summarize the firm's understanding of the scope of work for the Port's as-needed public relations, communications, media services and advertising contract as listed in Appendix A, Scope of Work. The Executive Summary shall also include a Team Matrix identifying the team members that will provide the services listed in the Scope of Work.

2. Project Approach

Describe the services and activities that your firm proposes to provide to the Port. Include the following information:

- a. Overall approach to an "as-needed" contract including discussion of how your firm can support the Port based on your understanding of public relations and perception issues that might be pertinent to the Port;
- b. Ability to complete work assignments in a timely and cost effective manner;
- c. Responsiveness and flexibility in unfolding situations some of which may be fast-paced;
- d. Approach to assignment of work within your firm's work team and how your team will complete tasks and deliverables to assure high quality end products;
- e. State any constraints, problems and issues that should be anticipated during execution of the services to be provided and

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suggest approaches to resolving these constraints, problems, and issues;

- f. Project management and contract administration approach to facilitate smooth and cost-effective services (to Port) and familiarity with contract service orders.

3. Prime Consultant’s Qualifications

Provide information on the Prime Consultant firm’s background and qualifications which addresses the following:

- a. A brief description of the firm and background;
- b. Evidence of adequate staffing to perform work assignments in timely and high-quality manner;
- c. A description of two (2) projects or contract service orders performed by the Prime Consultant. The descriptions must be limited to one page per project and identify the client, project scope, the project team members and their roles, project budget (amount of consultant contract), project schedule, client reference contact information, and date of completion.

These projects will form part of the evaluation of the minimum qualifications. It is therefore the Respondent’s responsibility to assure that all contact information are current and include names, telephone numbers, and e-mail addresses. If contact information is not provided or is incorrect for the purposes of verifying project experience, the Submittal may be deemed non-responsive. Current Port staff may not be listed as client references for these projects.

- d. Experience in providing program and project management and contract administration for as-needed contracts as well as experience in tracking contract progress using earned value.

4. Team Qualifications

Please refer to Minimum Qualifications in **Section IV** for additional information on team qualifications. It is critical that Submittals clearly demonstrate how the Respondent will organize and assemble an available team that will meet the RFQ needs.

Please be specific in addressing the following:

- a. Staffing and Availability:
 - (i) Provide a list identifying the Project/Program Manager, the SMEs for the major categories of work, and each key person on the Respondent’s team (staff who will spend at least 25% of their employment time on the contract or any contract service orders);
 - (ii) Describe the role each key team member will play in the contract;
 - (iii) Provide a written assurance that the identified key individuals will be performing the work and will not be

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substituted with other personnel or reassigned to another project without the Port's prior written approval;

- b. Background and experience of key staff and sub-consultants.
Provide a brief background history of the Project/Program Manager, SMEs, key personnel, and all subconsultants included in your team as well as a description of pertinent experience and qualifications for each subconsultant's key project team member. Include details of any experience pertinent to the Desired Qualifications specified in Section IV above.
More detailed project team resumes may be included as an Appendix and should not be included in the Submittal page count.
- c. Commitment and availability of key staff.
Indicate percentage of work time each key member and sub consultant will be able to spend on the as-needed contract work awarded from this RFQ.
- d. Commitment to Local Business Enterprise (LBE) Ordinance.
Describe the Respondent's commitment to include certified LBEs as subconsultants on the team. While there is no subcontracting requirement for this Agreement, the City strongly encourages Contractors to use LBEs to perform for any work they may choose to subcontract.
- e. Team Dynamics.
Describe the Prime Consultant's previous working relationship with team members and how those working relationships will enhance the team synergy and quality of deliverable work product to the Port. Describe how subcontractors will be integrated as part of the team.

5. Professional References

Provide references for the proposed Prime Consultant including the project title, client/agency, contact name, address, telephone number, and e-mail addresses of three recent clients (preferably other public agencies). These references should be able to verify the project information provided in subsection 3 above. These references will not be scored but will be used to determine if the Respondent has satisfied the RFQ minimum qualifications. Submit a signed Release of Liability (Appendix C) by the respondent for each reference submitted.

6. Fee Proposal

Every Submittal must include a Fee Proposal. See Appendix B Fee Proposal for a sample fee proposal format. The Fee Proposal should be uploaded and submitted as a separate attachment. The Fee Proposal should include billable hourly rates for all team members including subconsultants. ALL FEES ARE SUBJECT TO NEGOTIATION PRIOR TO CONTRACT EXECUTION. The Fee Proposal should also include

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any information on licenses, education, and experience where necessary to explain any variances within the same classifications. Employees with different titles that perform basically the same work may be included in the table with an added column (parallel) to reflect any “working” job titles that may be different.

Any Fee Proposal that is not in compliance with the submittal requirements may result in a finding of nonresponsiveness and rejection of the Submittal.

The Port intends to award contracts to the firms that it considers will provide the best overall program services and value. Therefore, the Port reserves the right to accept a submittal without the lowest priced fee schedule and to reject any submittal where the fee schedule is deemed not responsive to this RFQ.

7. **CMD Forms**

All Submittals shall include required CMD forms (Appendix F). CMD Forms should be uploaded and submitted as a separate attachment.

8. **Minimum Qualifications Certification.**

All Submittals must include a certification in form of Appendix D attached herewith confirming the proposed team meets the minimum qualifications for participating in this contract.

VI. Evaluation and Selection Criteria

A. Overall Evaluation Process

This section describes the City's criteria for analyzing and evaluating the Submittals. It is the City’s intent to award Master Agreements to up to two (2) Respondents that the City has determined from the evaluation process will provide the best overall service packages to the City. 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.

B. Evaluation Panel

The Submittals will be evaluated by an evaluation panel comprised of people with knowledge of the services required by this RFQ. The City intends to evaluate the Submittals generally in accordance with the criteria shown below. The Port will establish and convene a panel to evaluate and rate the Submittals. In accordance with the City’s guidelines for administering a competitive bid process, members of the evaluation panel will be representative of the San Francisco community and no more than 50% of the members will be employees of the Port.

C. Evaluation Phases

The evaluation process will consist of the phases specified below with the following allocation of points:

Evaluation Phase	Maximum Points	Comments
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Minimum Qualifications	Pass/Fail	Respondents must pass to continue to the next phase of evaluation
Written Submittal	100	Respondents whose proposals score 75 points or more will be invited to attend for oral interviews
Oral Interview	100	
TOTAL	200	Up to two (2) top-ranked Respondents will be selected for negotiations and possible contract award

Minimum Qualifications (Pass/Fail)

The Submittals will be reviewed by Port staff for minimum qualifications. The evaluation results at this phase shall be based on pass/fail criteria. Only those Submittals that meet the minimum qualifications will be advanced to the next phases of the evaluation.

Content of Written Submittal (100 points)

The Evaluation Panel will evaluate the content of the Submittals that meet the RFQ’s minimum qualifications. The Submittals will be evaluated and scored based on the criteria specified in the table below. The maximum point possible for this phase is 100. Respondents must score a minimum of 75 points at this phase to be eligible to proceed to the next phase of the evaluation process.

Oral Interview (100 points)

The Respondents who score 75 points or more at the written Submittal evaluation phase will be invited to an oral interview. The interview will consist of a presentation by the Respondents followed by standardized questions asked of each Respondent. The questions will be related to Respondent’s qualifications, project approach, team organization, and any questions which seek to clarify Submittal components. The selection panel will evaluate each Respondent based on each Respondent’s presentation and/or responses.

Ranking of Proposals

At the conclusion of the evaluation phases, the Port will combine the scores from the written submittal evaluation phase and the oral interview evaluation phase for each of the interviewed Respondents to arrive at the final scores and ranking of the Respondents.

Detailed Evaluation Criteria for Written Submittal

The criteria for evaluating the written Submittals along with the possible point allocations are set out on the table below.

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Evaluation Criteria	Maximum Points
Technical Approach	15
<ul style="list-style-type: none"> • Understanding of the nature of the Port’s as-needed public relations, communications, media services and advertising scope of work and requirements as stated in Appendix A of this RFQ; • Approach to addressing and completing project task orders issued on an as-needed basis; and • Demonstrated ability to work with the Port’s team, including other consultants hired to represent the Port and/or its tenants. 	
Prime Consultants Qualifications/ Experience	30
<ul style="list-style-type: none"> • Expertise in performing the type of work stated in Appendix A of this RFQ; • Experience with managing similar public relations, communications, media services, and advertising contracts and demonstrated commitment to cost effective and accountable contracting processes; • Experience providing similar public relations, communications, and media services to public agencies and non-profit organizations; and • Demonstrated capability to complete projects within the agreed upon schedule of deliverables and budget. 	
Key Personnel/ Staff Qualifications/Experience	20
<ul style="list-style-type: none"> • Relevant experience of key personnel and staff identified to support the scope of work stated in Appendix A of this RFQ; • Availability of key personnel and identified staff to work on any contracts and projects resulting from this RFQ; and • Experience as it pertains to the following: <ul style="list-style-type: none"> - Providing services similar to the services requested in this RFP to public agencies - Producing digital, social, and print content for the Port of San Francisco, and - Digital content and campaign development. 	
Team Organization	20
<ul style="list-style-type: none"> • Flexibility to respond to requests for services on short notice and manage multiple disciplines and tasks; • Capacity to complete high-quality work in a timely manner; • Presentation, clarity, organization of submittal, and responsiveness to project requirements and submittals; • Current workload and resources. 	
Sub Consultant Resources	15

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<ul style="list-style-type: none"> • Depth of proposed subconsultant resources to support the scope of services stated in Appendix A of this RFQ; • Experience of proposed subconsultants with similar categories of work; and • Relationship including any prior working relationship with proposed subcontractors. 	
TOTAL POINTS	100

D. Reference Checks

Port staff will review and check the Respondents’ references as part of the evaluation for minimum qualifications. The references will be asked to verify the Respondent’s experience in providing the referenced services.

VII. Pre-Submittal Conference and Contract Award

A. Pre-Submittal Conference

Location: Virtual Videoconference through Microsoft Teams
 Computer of Mobile App: <https://bit.ly/3hNf5T0>
 Or call in (audio only): 415-906-4659
 Phone Conference ID 599 270 606#

Date and Time: January 14, 2021 at 11:00 A.M. (PST).

Although not mandatory, attending this pre-submittal conference is strongly urged for all prospective Respondents to this RFQ. Please sign in early to test your audio and video.

NOTE: Please have a copy of this RFQ with you when you join the meeting.

The pre-submittal conference will begin at the time specified, and Respondents’ representatives are urged to arrive on time. Topics already covered will not be repeated for the benefit of late arrivals. Failure to attend the pre-submittal conference shall not excuse the successful Respondent from any obligations under the contract. Any change or addition to the requirements contained in this RFQ as a result of the pre-submittal conference will be announced by an addendum.

If any addendum is issued, Respondents must acknowledge notice of that in the Introduction and Executive Summary section of their Submittal. Failure to acknowledge notice of an addendum may result in Submittal not being considered. The Port will assume no responsibility for oral instructions or suggestions. If the Port issues an addendum after a Respondent has submitted their Submittal but prior to the Submittal due date and time, the Respondent must retract the submitted Submittal, and resubmit it with the newly issued Addendum acknowledgment.

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B. Contract Award

The Port intends to award at its discretion, a maximum of **two (2)** contracts, with a total not-to-exceed value of **Four Hundred and Fifty Thousand Dollars (\$450,000)** to up to **two (2)** different Consultants. Port staff intends to recommend that the Port Commission award the contracts pursuant to this RFQ. Following the completion of the evaluation process, the Port will select the **two (2)** top-ranked responsive and responsible Respondents with whom to commence contract negotiations. If contract terms are not successfully negotiated with any of the **two (2)** top ranked Respondents, the Port will abandon those negotiations and will commence negotiations with the next top ranked Respondent(s). However, the Port does not guarantee any contract award, the contract amount indicated, or any contract extension/renewal.

VIII. Terms and Conditions for Receipt of Submittals

A. Errors and Omissions in RFQ

Respondents are responsible for reviewing all portions of this RFQ. Respondents are to promptly notify the Port, in writing, if the Respondent discovers any ambiguity, discrepancy, omission, or other error in the RFQ. Any such notification should be directed to the Port promptly after discovery, but in no event later than **five (5)** working days prior to the date that Submittals are due. Modifications and clarifications will be made by an addendum as provided below.

B. Questions and Inquiries Regarding the RFQ

Any questions or inquiries concerning this RFQ, the scope of services, or requirements must be submitted, in writing, via email to stephanie.tang@sfport.com by **2:00 P.M. (PST) on January 20, 2021**. All Respondents' questions concerning the RFQ process (procurement process, vendor compliance, or CMD requirements) shall be submitted no later than 48 hours prior to the Submittal due date. Respondents who fail to do so will waive all further rights to protest, based on these specifications and requirements.

Respondents shall address any questions regarding the RFQ to the Contract Analyst named above. Respondents who contact any Port officials, executives, managers, or employees of the Port about this RFQ will be referred to the Contract Analyst for a response. If necessary, a "Questions and Answers" document will be developed from all submitted questions and posted on the Port's Contract Opportunities Portal and the City's Contract Opportunities Portal.

C. Objections to RFQ Terms

Should a Respondent object on any ground to any provision or legal requirement set forth in this RFQ, the Respondent must, no later than **2:00 P.M. (PST) on January 20, 2021**, provide written notice via email to stephanie.tang@sfport.com setting forth with specificity the grounds for the objection. All Respondents' questions concerning the RFQ process (procurement process, vendor compliance, or CMD requirements) shall be submitted no later than 48 hours prior to the Submittal due date. The failure of a Respondent 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 Port may modify the RFQ, prior to the Submittal due date, by issuing an addendum to the RFQ, which will be posted on both the Port's and City's Contract Opportunities

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portals. Respondents shall be responsible for ensuring that their Submittals reflect any and all addendum/addenda issued by the Port prior to the Submittal due date regardless of when their response is submitted. Therefore, the Port recommends that Respondents visit the portals frequently, particularly shortly before the Submittal due date to ensure they have downloaded any and all addendum/addenda and documents.

E. Term of Submittals

A Respondent's submittal in response to this RFQ signifies that the proposed services and prices are valid for 180 calendar days from the Submittal due date and that the quoted prices are genuine and not the result of collusion or any other anti-competitive activity. At Respondent's election, the Submittal may remain valid beyond the 180-day period in the circumstance of extended negotiations.

F. Revision of Submittals

A Respondent may revise a Submittal on the Respondent's own initiative at any time before the deadline for submission of Responses. The Respondent must submit the revised Submittal in the same manner as the original. A revised Submittal must be received on or before, but no later than the Submittal due date and time. In no case will a statement of intent to submit a revised Submittal, or commencement of a revision process, extend the Submittal due date for any Respondent.

At any time during the evaluation process, the Port may require a Respondent to provide oral or written clarification of its Submittal. The Port reserves the right to make an award without further clarifications of Submittals received.

G. Errors and Omissions in Submittals

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

H. Financial Responsibility

The City accepts no financial responsibility for any costs incurred by a firm in responding to this RFQ. Submissions sent in response to this RFQ will become the property of the City and may be used by the City in any way the City, in its sole discretion, deems appropriate.

I. Respondent's Obligations under the Campaign Reform Ordinance

Respondents 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) twelve (12) 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 Respondent 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 Respondent is prohibited from making contributions to:

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- 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, Respondents 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 RFQs 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 Respondent 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 Respondent must comply with Chapter 12L. The Respondent must include in its Submittal (1) a statement describing its efforts to comply with the Chapter 12L provisions regarding public access to Respondent's meetings and records, and (2) a summary of all complaints concerning the Respondent'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 Respondent shall

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include a statement to that effect. Failure to comply with the reporting requirements of Chapter 12L or material misrepresentation in Respondent's Chapter 12L submissions shall be grounds for rejection of the Submittal and/or termination of any subsequent Agreement reached on the basis of the Submittal.

L. Reservations of Rights by the City

The issuance of this RFQ 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 Submittals;
3. Reissue a Request for Qualifications;
4. Prior to submission deadline for Submittals, 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 RFQ, or the requirements for contents or format of the Submittals;
5. Procure any materials, equipment or services specified in this RFQ by any other means; or
6. Determine that no contracts or projects will be pursued.

M. No Waiver

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

N. Local Business Enterprise Requirements and Outreach

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 RFQ.

1. Contract Participation

This solicitation is a Micro LBE Set-Aside pursuant to Administrative Code Chapter 14B. As such, only firms that are certified by CMD as a San Francisco Micro LBE in categories relevant to this RFQ by the response due date are eligible to be awarded contracts under this RFQ. Respondents must self-perform 25% of the contract work in a relevant micro-LBE category and specify the percentage and portion of the work to be self-performed on the CMD Form 2A. See Appendix F – CMD Attachment 5 Section 1.02 and 1.03(A)(1) for more information.

2. LBE Sub-Contracting Requirements

Pursuant to Administrative Code §14B.7(K)(4), there is no LBE subcontracting requirement for this Micro LBE Set-Aside project. The Micro LBE prime may subcontract some of the work but must self-perform at least 25% of the services

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derived from this RFQ. Failure to perform 25% of the total participation amount on the contract may lead to fines or sanctions.

3. CMD Required Forms

Each solicitation process requires a new submittal of CMD Attachment 5 forms. The forms are attached herewith as Appendix F. They can also be downloaded at the following link, located under the heading “Attachment 5: Requirements for Micro-LBE Set-Aside Architecture, Engineering, & Professional Services Contracts”:

<http://www.sfgsa.org/index.aspx?page=6135>

(1) Form 2A-CMD Contract Participation Form

(2) Form 3- CMD Non-Discrimination Affidavit, and

(3) Form 5- CMD Employment Form

4. CMD Contact

If you have any questions concerning the CMD Forms and to ensure that your response is not rejected for failing to comply with S.F. Administrative Code Chapter 14B requirements, please contact Alysabeth Alexander-Tut at by e-mail at Alysabeth.Alexander-Tut@sfgov.org.

IX. Contract Requirements

A. Standard Contract Provisions

The successful Respondent(s) will be required to enter into a contract substantially in the form of the Agreement for Professional Services, attached hereto as Appendix B. 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.

B. Nondiscrimination in Contracts and Benefits

The successful Respondents 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. The Chapter 12C requires nondiscrimination in contracts in public accommodation. Additional information on Chapters 12B and 12C is available on the CMD’s website at <http://sfgov.org/cmd/>.

C. Minimum Compensation Ordinance (MCO)

The successful Respondents 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 www.sfgov.org/olse/mco. Note that this hourly rate may increase on January 1

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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 Respondents 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 <http://oewd.org/first-source> and from the First Source Hiring Administrator, (415) 701-4848.

F. Conflicts of Interest

The successful Respondents 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 Respondents 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 Proposers 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 any successful Respondent that the City has selected the Respondent.

X. 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,

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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.

B. Protest of Non-Responsible Determination

Within five working days of the City's issuance of a notice of a determination of nonresponsibility, a vendor that would otherwise be the lowest responsive proposer may submit a written notice of protest. The vendor will be notified of any evidence reflecting upon their responsibility received from others or adduced as a result of independent investigation. The vendor will be afforded an opportunity to rebut such adverse evidence and will be permitted to present evidence that they are qualified to perform the contract. 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-responsibility. The notice of protest must include a written statement specifying in detail each and every one of the grounds asserted for the protest. The protest must be signed by an individual authorized to represent the proposer, 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.

C. 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 Submittal and believes that the City has incorrectly selected another Respondent 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 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.

D. 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 via email to stephanie.tang@sfport.com.

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Standard City Forms

A. How to become Eligible to Do Business with the City:

Before the City can award any award any contract to a contractor, all vendors must meet the minimum requirements described below. There may be additional requirements placed upon a vendor depending on the type of good or service to be purchased.

B. Mandatory Forms:

At a minimum, in order to become eligible to do business with the City, a vendor must submit the following documents to the Vendor Support Division via the City’s supplier portal located at <https://sfcitypartner.sfgov.org/> :

1. [Vendor Application Packet](#) (includes *New Vendor Number Request Form* and *IRS Form W-9*)
2. [CCSF Vendor - Business Registration \(Electronic Submission - you must have a vendor number to complete\)](#)
3. [CMD 12B-101 Declaration](#) of Nondiscrimination in Contracts and Benefits

C. Vendor

Eligibility and Invoice Payment:

Vendors must have a City-issued vendor number, have all compliance paperwork submitted and approved by the City, and have an executed contract or purchase order before payments can be made. Once a vendor number has been assigned, an email notification will be provided by the City's Vendor File Support Division. This notification will include instructions on how to sign up to receive payments through the City's supplier portal located at <https://sfcitypartner.sfgov.org/> .



D. Vendor Eligibility Forms:

<u>Form</u>	<u>Purpose/Info</u>	<u>Routing</u>
CCSF Vendor - Business Registration (Electronic Submission - you must have a supplier number to complete)	This declaration is required for city vendors to determine if you are required to obtain a Business Registration Certificate.	https://sfcitypartner.sfgov.org/
Declaration of Nondiscrimination in Contracts and Benefits <i>with supporting documentation</i> (Form CMD-12B-101)	This Declaration is used by the City’s Contract Monitoring Division to determine if a vendor offers benefits to employees. When a vendor offers benefits, it must be verified that all benefits, including insurance plans and leaves, are offered equally to employees with spouses and employees with	https://sfcitypartner.sfgov.org/

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	domestic partners. For more information and assistance, please visit the City Administrator’s Contract Monitoring Division Equal Benefits web page.	
Vendor Profile Application	Includes New Vendor Number Request Form and IRS Form W-9.	https://sfcitypartner.sfgov.org/

E. Supplemental Forms:

Form:	Required If:
Minimum Compensation Ordinance (MCO) Declaration ( pdf)	You have at least \$25,000 (\$50,000 for non-profit organizations) in cumulative annual business with a City department or departments and have more than 5 employees, including employees of any parent, subsidiaries, and subcontractors.
Health Care Accountability Ordinance (HCAO) Declaration ( pdf)	You have at least \$25,000 (\$50,000 for non-profit organizations) in cumulative annual business with a City department or departments and have more than 20 employees (more than 50 employees for nonprofit organizations), including employees of any parent, subsidiaries, or subcontractors.
Insurance Requirements (pdf)	The solicitation requires the successful proposer to demonstrate proof of insurance.
Payment (Labor and Material) Bond (pdf)	The solicitation requires the awarded vendor to post a Payment (Labor and Material) bond.
Performance Bond (pdf)	The solicitation requires the awarded vendor to post a Performance bond.
Local Business Enterprise Program Application (Contract Monitoring Division)	You desire to participate in the City’s Local Business Enterprise Program which helps certain financially disadvantaged businesses increase their ability to compete effectively for City contracts

For further guidance, refer to the City’s supplier training videos that are located online at: <https://sfcitypartner.sfgov.org/> .