

Attachment D
Applicant Requirements and Guidelines



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This Attachment provides more detailed information on the following City requirements, which apply to organizations seeking to do business with the City. Please review this attachment prior to submitting an application, especially if this is your first time applying for City funds. You can also review the following website for additional details on Chapter 21G Grants:

<https://sf.gov/resource/2022/grant-award-rules-and-templates>

Becoming a City Supplier Insurance Requirements Debarment and Suspension Nondiscrimination in Contracts and Benefits	Minimum Compensation Ordinance Health Care Accountability Ordinance First Source Hiring Program
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If you have any questions about the content of this attachment, OEWD is here to help! Please submit questions to owd.procurement@sfgov.org or join us for one of the drop-in technical assistance sessions. We can also set up time to meet with you one-on-one to discuss Supplier requirements or technical aspects of the application process, until the proposal submission deadline.

Becoming a City Supplier

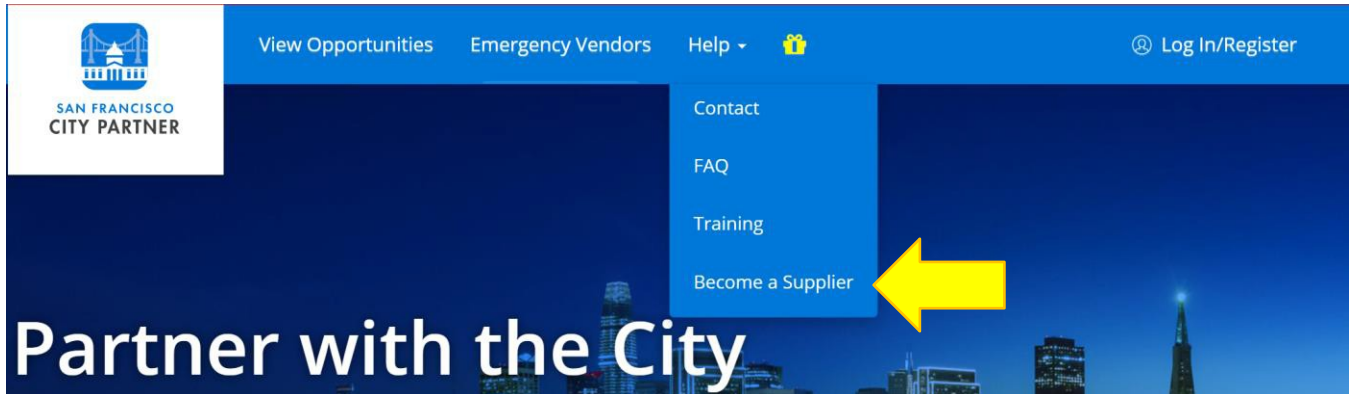
All applicants must either be an approved City supplier (“vendor”) or be able to become a supplier within 10 days of receiving a notice of award, unless approved by OEWD. Sub-grantees are not required to be City-approved suppliers; only the lead organization or fiscal sponsor must be a supplier. Sub-grantees are, however, required to be able to comply with all standard City grant terms in order to receive pass-through funds (see Appendix C, City Grant Terms (Form G-100) and the “Eligible Applicants” language in the RFP for more details).

If you have not started the process, *we highly recommend you start now*. The process can take 3 or more weeks to get through, as multiple City agencies need to review and approve your supplier application.

If you are selected for funding and are not able to become a supplier within 10 days, there is a possibility that OEWD may cancel your award and begin negotiation(s) with other top ranked applicants in descending order. This will typically happen if there is urgent programming that needs to begin by a specific time. To begin the supplier process, visit the following website, click on “Help”, and select “Become a Supplier”: <https://sfcitypartner.sfgov.org/>



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The following information will be required:

1. **Tax Identification Number:** Companies should provide their Federal Employee Identification Number (FEIN). Individuals may supply their Social Security Number.
2. **DUNS Number** (if applicable): A DUNS Number is only required if you will be working on federally-funded contracts/grants. Learn about how to get a DUNS number here:
<https://www.sba.gov/federal-contracting/contracting-guide/basic-requirements>
3. **San Francisco Business Registration Certificate** (if applicable).
4. **Completed and Signed W-9 Form** (or W-8 if your business is a foreign entity). Blank W-9 forms can be downloaded from www.irs.gov/pub/irs-pdf/fw9.pdf.

Once you have gathered all of the above information, be prepared to spend approximately 30 minutes navigating through the online supplier screens. **The process is described in detail in Attachment E, Supplier Registration Instructions.** To get assistance with the process, we encourage you to contact the Supplier Helpdesk at:

Call User Support: 415-944-2442

Hours: Monday — Friday, 8:30 AM — 5:00 PM

Email User Support: sfcitypartnersupport@sfgov.org



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Insurance Requirements

The City's standard insurance requirements are as follows:

- (a) *Workers' Compensation*, in statutory amounts, with Employers' Liability Limits not less than one million dollars (\$1,000,000) each accident, injury, or illness.
- (b) *Commercial General Liability* Insurance with limits not less than one million dollars (\$1,000,000) each occurrence Combined Single Limit for Bodily Injury and Property Damage, including Contractual Liability, Personal Injury, Products and Completed Operations, and
- (c) *Commercial Automobile Liability* Insurance with limits not less than one million dollars (\$1,000,000) each occurrence Combined Single Limit for Bodily Injury and Property Damage, including Owned, Non-Owned and Hired auto coverage, as applicable.

Additional Requirements for General and Automobile Coverage. Commercial General Liability and Commercial Automobile Liability insurance policies shall:

- (a) Name as additional insured *the City and County of San Francisco and its officers, agents and employees*.
- (b) Provide that such policies are primary insurance to any other insurance available to the Additional Insureds, with respect to any claims arising out of this Agreement, and that insurance applies separately to each insured against whom claim is made or suit is brought, except with respect to limits of liability.

You will find below a sample of the Certificate of Insurance and Additional Insured Endorsements language. These are standard insurance industry forms, and your insurance broker should be aware of them. The successful applicant must submit the **Certificate of Insurance** that endorses as additional insureds the *City and County of San Francisco, its Officers, Agents and Employees*. In some cases, your broker may provide you with a separate **Additional Insured Endorsement** document to comply with this requirement. Additional insurance coverage may be required, depending on the scope of services you are funded to provide, and all insurance requirements will be disclosed to you during the grant or contract negotiation phase.

Please review these forms with your insurance broker for assurance that the mandatory types and limits of insurance coverages are available or already in place. If you are a successful bidder on this RFP, you must provide evidence of insurance within an allotted time. If you fail to provide the Certificate of Insurance and Additional Insured Endorsements, your bid may be disqualified and OEWD may proceed with negotiating with another eligible applicant.



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Debarment and Suspension

Before submitting your application to this RFP, you will be asked to confirm that you are not currently debarred or suspended from doing business with the Federal, State or Local government. If you are not sure whether you are debarred or suspended, you can take the following steps:

- Visit the City's Suspended and Debarred Contractors list: <https://www.sf.gov/resource/2022/suspended-and-debarred-contractors>
- Visit [SAM.gov](https://sam.gov) and search for your organization by name or entity number
- If you don't find yourself in the public search, contact OEWD at oewd.procurement@sfgov.org before the application deadline; we would be happy to assist you in confirming your status.

In order to meet this requirement, applicants must meet *all of the following* conditions:

- (i) Are not listed on the General Services Administration's List of Parties Excluded from Federal Procurement or Non-procurement Programs in accordance with Executive Orders 12549 and 12689, "Debarment and Suspension." This list includes the names of parties debarred, suspended, or otherwise excluded by agencies, and the names of contractors declared ineligible under statutory or regulatory authority other than Executive Order 12549;
- (ii) Have not, within the previous three years, been convicted or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (iii) Are not presently indicted or otherwise criminally or civilly charged by a government entity (Federal, State or Local) with commission of any of the offenses enumerated in subsection above; and,
- (iv) Have not, within the previous three years, had one or more public transactions (Federal, State or local) terminated for cause or default; or
- (v) Are otherwise not presently debarred, suspended, proposed for debarment, or declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency.

You (and all subgrantee corporations) must also be in good standing with the **California Secretary of State (SOS) Business Registry**. To find your organization on the SOS, search by your official business name or entity number: <https://bizfileonline.sos.ca.gov/search/business>

Nonprofit organizations, and all nonprofit subgrantees, must also be in good standing with the **California Attorney General's Registry of Fundraisers and Charities**. To find your organization in this database, click here:

<https://rct.doj.ca.gov/Verification/Web/Search.aspx?facility=Y>



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Nondiscrimination in Contracts and Benefits

Applicants will be required to agree to comply fully with and be bound by the provisions of **Articles 131** and **132** of the San Francisco Labor and Employment Code. Generally, Article 131 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. Article 132 requires nondiscrimination in contracts in public accommodation. Additional information on Articles 131 and 132 is available at <https://www.sf.gov/resource/2022/equal-benefits-program-laws>

Minimum Compensation Ordinance (MCO)

Applicants 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 San Francisco Labor and Employment Code Article 111. Generally, this Ordinance requires grantees and contractors to provide employees covered by the Ordinance who do work funded under the grant or 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 <https://www.sf.gov/information/minimum-compensation-ordinance>

Note that hourly may increase on January 1 of each year and that grantees and contractors will be required to pay any such increases to covered employees during the term of the agreement. Additional information regarding the MCO is available on the web at <https://www.sf.gov/information/minimum-compensation-ordinance>

Health Care Accountability Ordinance (HCAO)

Applicants 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 San Francisco Labor and Employment Code Article **121**. Generally, this Ordinance requires contractors to provide employees covered by the Ordinance who do work funded under the grant or contract with health plan benefits that meet certain minimum requirements. Alternatively, contractors may elect to make payments to the City for use by the Department of Public Health.

To review the requirements of the HCAO, <https://www.sf.gov/information/health-care-accountability-ordinance>. Note that fees may increase each fiscal year and that contractors will be required to pay any such increases during the term of the grant or contract.



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First Source Hiring Program (FSHP)

The First Source Hiring Program may apply if the resulting grant or contract is valued at more than \$50,000. 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 (Chapter 83) to determine their compliance obligations under this chapter. Non-compliance with the chapter may result in penalties, to include liquidated damages for each entry level job improperly withheld from the First Source Hiring Program process.

To comply with the First Source Hiring Program, take the following steps:

Step 1: Contact the OEWD Business Services Team at employer.services@sfgov.org to discuss your hiring needs.

Step 2: Once you have connected with the Business Services Team, you may now register with the [San Francisco WorkforceLink Portal](#).

Step 3: After you have registered with the San Francisco Jobs Portal, the Business Services team will assist with recruitment for your open positions.

Additional information regarding the First Source Hiring Program is available on the web at <https://sf.gov/comply-first-source-hiring-program>



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Other General City Grant Terms

All applicants must comply with each of the following:

- a. Applicants should demonstrate a history of meeting outcome requirements for other similar programs.
- b. Successful applicants must comply with all applicable local government regulations.
- c. Successful applicants must comply with all reporting and monitoring requirements to capture the overall efficacy of this funding opportunity and of the specific program(s).
- d. Successful applicants must provide proof of insurance during the grant negotiation process.
- e. Successful applicants must either be an approved City supplier (previously “vendor”) or be able to meet all City supplier requirements and not be on the City, State or Federal Debarred or Suspended lists. Unless approved by OEWD, all applicants must be able to become an approved City supplier within ten days of notice of award. If an awardee is not able to become an approved supplier within this timeframe, OEWD may rescind an award offer and negotiate with other high ranked approved suppliers so as not to delay important programming. Sub-grantees are not required to be City-approved suppliers; only the lead organization or fiscal sponsor must be City-approved. More information on how to become a City bidder (initial step) and progress to a fully compliant and approved City supplier (required prior to contracting) can be found at <https://sfcitypartner.sfgov.org/>



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Additional Local Requirements

Funds are subject to numerous local requirements which are listed below:

- **Accessibility:** Programs and services must be accessible to persons with disabilities. Program access can be achieved in many cases without having to alter the existing facility.
- **Environmental Review:** If required, agencies must complete this review before funds can be utilized.
- **Procurement:** Projects must comply with federal conflict of interest regulations, and regulatory procedures for obtaining and granting for goods and services.
- **Ineligible Reimbursements:** Funds for activities occurring prior to the commencement date of the grant agreement cannot be reimbursed.
- **Religious Activity:** Funds may not be used for religious purposes or for the improvements of property owned by religious entities except where the grant recipient is a secular non-profit organization with a long term lease.
- **Political Activity:** No federal funds received through this RFP shall be used to provide financial assistance for any program that involves political activities. Grantee shall comply with the provisions of the Hatch Act (U.S.C. 1501-1508 and 7324-7328), which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds. In addition, proposers must comply with Section 1.126 of the San Francisco Campaign and Governmental Conduct Code.

Errors and Omissions in RFP

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

Inquiries Regarding RFP

Inquiries regarding the RFP, and all notifications of intent to request written modification of or clarification of or objections to the RFP, must be directed by email to the department's procurement team at owwd.procurement@sfgov.org. Substantive responses to any such inquiries will be posted on OEWD's website under the respective RFP page: <https://sf.gov/information/bid-opportunities>



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Objections to RFP Terms

Should a proposer object on any ground to any provision or legal requirement set forth in this RFP, the proposer must, no later than the deadline for questions, provide written notice to OEWD setting forth with specificity the grounds for the objection. The failure of a proposer to object in the manner set forth in this paragraph shall constitute a complete and irrevocable waiver of any such objection.

Change Notices

OEWD may modify the RFP, prior to the proposal due date, by issuing updates and change notices, which will be posted on the RFP's website. The proposer shall be responsible for ensuring that its proposal reflects any and all guidance issued by OEWD prior to the proposal due date regardless of when the proposal is submitted. Therefore, the City recommends that the proposer consult the RFP website frequently, including shortly before the proposal due date, to determine if the proposer has incorporated all current guidance.

Proposal Clarification

At any time during the proposal evaluation process, OEWD may require a proposer to provide oral or written clarification of its proposal. OEWD reserves the right to make an award without further clarifications of proposals received.

Errors and Omissions in Proposal

Failure by OEWD 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.

Financial Responsibility

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

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



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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 grant 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.
4. For further information, proposers should contact the San Francisco Ethics Commission at (415) 581-2310.

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



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

Public Access to Meetings and Records

If a nonprofit proposer 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. Among other requirements, a minimum of two (2) Board meetings per year must be open to the public, following proper noticing requirements. For more information, please see Chapter 12L of the Administrative Code here:

<https://sfgov.org/sunshine/administrative-code-section-12l-nonprofits>

Reservations of Rights by the City

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

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

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.



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Board of Directors/Leadership/Stability

- a) Board and staff must have broad-based experience and skills to satisfactorily manage and guide the organization
- b) The Board of Directors must provide vision, oversight and direction to the organization
- c) The Board of Directors should include San Francisco residents or demonstrate knowledge of the needs of low and moderate income San Franciscans. Representation on the board of low income residents and from the target neighborhood/population is encouraged.
- d) The Board of Directors should have a minimum of 3 members that reflect the diversity of the program(s) and clients being served.

Collaborations

Unless otherwise noted in a specific program area, OEWD welcomes collaborative proposals from teams of organizations with complementary skills and experience. Collaborations must designate a Primary (Lead) Applicant. The Primary Applicant will hold the contractual obligation with the City and will be responsible for coordinating across all subgrantees/ subcontractors assigned to the project, and ensuring completion of contract deliverables. All contract payments will be paid to the Primary Applicant. Subgrantees/subcontractors will be paid by the Primary Applicant.

If you are interested in proposing as a collaboration and have questions regarding the obligations and expectations of Primary Applicants and/or collaborative partners, please contact OEWD before the application deadline at oewd.procurement@sfgov.org.

Conditions of Proposal

- a) A proposer may revise a proposal on the proposer's own initiative at any time before the deadline for submission of proposals. The proposer must submit the revised proposal in the same manner as the original. A revised proposal must be received on or before the proposal due date. In no case will a statement of intent to submit a revised proposal, or commencement of a revision process, extend the proposal due date for any proposer.
- b) Applicant agrees that submission of a proposal properly completed and signed off by an owner or officer of the proposing firm, agency, or organization who is duly authorized to bind the applicant, shall constitute an agreement to accept all conditions, provisions, requirements, and specifications contained in the City and County of San Francisco Request for Proposals. It is the responsibility of the lead agency to ensure that all named partners are in agreement with the proposal prior to submission. The Proposal shall be binding for no less than one hundred twenty (120) days. The grantee must comply with City and County ordinances and contracting requirements. For more detailed information, see the Office of Contract Administration website at <https://sf.gov/resource/2022/grant-award-rules-and-templates>. The grant requirements



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include general liability and auto insurances, compliance with equal benefits ordinance, and current SF business tax certificate, if applicable.

- c) Applicant agrees that all costs incurred in developing this proposal are the Applicant's responsibility and at the Applicant's cost.
- d) Applicant agrees to provide adequate staff to carry out the project and to work with City staff in ensuring that all provisions in the grant agreement are met, including timely reporting using City client and cost tracking and reporting systems.
- e) Applicant understands and agrees that any proposal may be rejected if it is conditional, incomplete, and/or deviates from the specifications contained in this City and County of San Francisco Request for Proposals. Applicant further understands and agrees that the City's representatives have the right to reject any or all proposals or to waive deviations, which are immaterial to performance. Applicant understands and agrees that minor defects may be waived at the discretion of the City. The waiver will not excuse an applicant from full performance if Applicant should be awarded the grant. Justification supporting the reason for any type of rejection will be submitted to the Applicant.
- f) In accordance with San Francisco Administrative Code Section 67.24(e), bids, responses to RFPs and all other records of communications between the City and persons or firms seeking grant shall be open to inspection immediately after a grant 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 grant or other benefits until and unless that person or organization is awarded the grant or benefit. Information provided which is covered by this paragraph will be made available to the public upon request.

Standard Grant Provisions

The successful proposer will be required to enter into an agreement with the City prior to performing services. It is anticipated that the form to be used will be an agreement substantially in the form of the Grant Agreement, attached hereto as Attachment C ("City Grant Terms (Form G-100)"). The actual form of agreement and specific language will be determined by the City during the negotiation process.

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 or by OEWD, shall be deemed an abandonment of a contract offer. The City, in its sole discretion, may select another organization.

Proposers are urged to pay special attention to the requirements of San Francisco Labor and Employment Code Articles 131 and 132, Nondiscrimination in Contracts and Benefits; the Minimum Compensation Ordinance; the Health Care Accountability Ordinance, the First Source Hiring Program; and applicable conflict of interest laws.



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Conflicts of Interest

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

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

Additional Information: Proposal Review Process

1. The City may contact the applicants to clarify any portion of the proposal. All questions to the applicants will be submitted in writing and the answers, in writing, will be submitted, along with the proposals, to the Review Committee for scoring.
2. Any attempt by an applicant to contact a member of the Review Committee during the proposal review process (other than submitting clarification questions or responding to any City-initiated contact) may result in the elimination of that proposal from consideration.
3. The process of evaluating applications may require applicants to make an oral presentation before the panel and/or require the panel to conduct a site visit of the applicant's facility or proposed project area.
4. After the Review Committees have concluded the evaluation and scoring of the proposals, the results will be submitted to the Director of OEWD, and the appropriate oversight bodies, if necessary, for review and determination of the award.
5. The tentative awardees whose proposal(s) are determined to meet the needs of the City will be recommended to negotiate a grant. If an applicant submits multiple proposals, the organization's overall capacity in relation to the number of projects proposed will also be considered when proposals are recommended for funding.
6. All applicants will be notified of the results of the evaluation.
7. The tentative award may be conditioned on inclusion of changes/additional terms. Negotiations over the specific terms and language may be required before submission to the Civil Service Commission for approval, if applicable.



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8. If the City is unable to negotiate a satisfactory agreement with the winning applicant(s), the City may terminate negotiations with that applicant and proceed to negotiate with other qualified applicants in the order of their ranking in the evaluation process. This process may be repeated until a satisfactory grant agreement has been reached.
9. Final award of the grant may be subject to approval by the Civil Service Commission, Board of Supervisors, Mayor, or other governing body.