

**CITY AND COUNTY OF SAN FRANCISCO**  
**Sourcing Event ID 0000011435**

**REQUEST FOR PROPOSAL**  
**CODE ENFORCEMENT OUTREACH GRANT PROGRAM**

This Solicitation can be viewed on the City's Supplier Portal at: <https://sfcitypartner.sfgov.org/pages/index.aspx>  
and on Department's website <https://www.sf.gov/dbi-request-for-proposals>



Proposal Phase	Tentative Date
Request for Proposal Issued	February 9, 2026
Written Questions Due	February 20, 2026
Responses to Written Questions Due	March 2, 2026
Proposal Due	March 23, 2026, at 3 PM
Notice of Intent to Award	April 27, 2026
Period for Protesting Notice of Intent to Award	Within three (3) business days of the City's issuance of a Notice of Intent to Award.
Grant Negotiation; Execution	May/June 2026
Grant Start Date and Service Begins	July 1, 2026
Contract Administrator:	Contract Administration Dept of Building Inspection 49 S. Van Ness, Suite 500 Phone: (628) 652-3552 Email: <a href="mailto:dbi.rfp@sfgov.org">dbi.rfp@sfgov.org</a>

**Attachments**

Attachment 1: G-100 (02-26) Grant Agreement (City as Grantor) and Appendices

Attachment A: Definition of Eligible Expenses

Attachment B: Grant Budget Template

Attachment C: Invoice Submittal Information

Attachment D: Grantee's Interest in Other City Contracts

Attachment E: Permitted Subgrantees

### MINIMUM QUALIFICATIONS

To be eligible to apply for this RFP, Proposers must submit documentation that supports each Minimum Qualification (MQ) listed below. Proposers that fail to provide the required documentation for any MQ will be deemed non-responsive and will not be eligible for further consideration.

MQ #	Description
<b>MQ 1</b>	Proposer must be a 501(c) (3) non-profit organization based in the City and County of San Francisco. Submit proof of 501(c) (3) nonprofit status at time of Proposal submittal.
<b>MQ 2</b>	Proposer must be registered, have current and good standing with California Attorney General Registry of Charitable Trust. Submit proof of status.
<b>MQ 3</b>	The Proposer must have a minimum of two (2) years of demonstrated experience in Code Enforcement Outreach. Proposers must include documentation verifying this experience as part of their Proposal submission such as project descriptions, contracts, reports.
<b>MQ 4</b>	The Proposer must demonstrate knowledge of the San Francisco Housing Code enforcement and abatement process, including experience identifying, documenting, and addressing substandard housing conditions. Proposers must include documentation verifying this experience as part of their Proposal submission such as reports, inspection documentation.
<b>MQ 5</b>	The Proposer must demonstrate a proven track record in providing housing counseling services related to tenant rights, housing displacement prevention, and the identification and resolution of substandard housing conditions. Proposers must include documentation verifying this experience as part of their Proposal submission such as Program descriptions, outcome reports, staff résumé or verification of prior housing counseling work.

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# **I. General Information**

## About the Department

Under the direction and management of the seven-member citizen Building Inspection Commission, to oversee the effective, efficient, fair and safe enforcement of the City and County of San Francisco's Building, Housing, Plumbing, Electrical, and Mechanical Codes, along with the Disability Access Regulations.

## Mission

The Department of Building Inspection protects our community by ensuring code-compliant construction, building safety, resilience, and habitability, and by supporting economic development in San Francisco.

## Vision

Our dedicated and knowledgeable staff will provide professional, effective customer service using clear processes and consistent standards to build trust, provide accountability, and safeguard the public.

# **II. Introduction and Solicitation Schedule**

## A. INTRODUCTION

### Request for Proposal Overview

This Request for Proposal (hereinafter “RFP” or “Solicitation”) is being issued by Department of Building Inspection (hereinafter, “DBI” or “City”). DBI is seeking qualified suppliers (“Proposers”) to provide Proposals (“Proposal”) for the Code Enforcement Outreach Grant Program (CEOP).

### Selection Overview

The City shall award grants to no more than four (4) Proposers that satisfy the Minimum Qualifications set forth in this Solicitation and that receive the highest evaluation scores within each service area identified in solicitation, Section III., Scope of Work. No more than one grant will be awarded per service area.

All Responsive Proposals shall be evaluated by an Evaluation Panel comprised of one or more individuals possessing expertise pertinent to the services sought through this Solicitation. The Evaluation Panel may include representatives from various City departments. Proposals shall be evaluated in accordance with the criteria established herein.

### Available Funding

Funding allocations and final grant budgets will vary by Service Area and will be determined by the scope of proposed services and City’s available funding at time of award and the selection and award process.

## B. ANTICIPATED GRANT TERM

Grant contracts awarded pursuant to this Solicitation shall have an original term of two (2) years. The City at its sole, absolute discretion, shall have three (3) options to extend the term for one (1)

additional year each option, for a total of five (5) years. Proposers selected for grant funding must be available to commence work on or after July 1, 2026.

## C. ANTICIPATED CONTRACT NOT TO EXCEED AMOUNT

The not to exceed (“NTE”) amount for a grant awarded pursuant to this Solicitation cannot be anticipated at the time of this Solicitation due to unknown approved budget. The NTE amount will be determined based on the approved Proposal, grant budget, and the City’s available funding allocation for the CEOP grant program. Once Proposals are reviewed and grant recipients are selected, the City will establish the final NTE amount based on proposed grant budget and available funding. The City reserves the right, at its sole discretion, to further adjust the NTE amount should the initial Proposal exceed funding allocation for the contract term. The City makes no guarantee as to the total amount of grant funds to be awarded pursuant to this Solicitation. Proposers should submit proposed grant budgets based on their expectation of the costs of providing the programing identified in Section III, Scope of Work.

## D. SOLICITATION SCHEDULE

The anticipated schedule for this Solicitation is set forth below. All dates are subject to change at the Department’s discretion. It is the responsibility of the Proposer to check for any Addenda to this Solicitation or other published pertinent information.

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## E. CONTRACT TERMS AND NEGOTIATIONS

The successful Proposer will be required to enter into a grant agreement in the form attached hereto as Attachment 1, G-100 (02-26) Grant Agreement (City as Grantor) Terms. **City’s Contract Terms are not subject to negotiation.** Failure to timely execute City’s Contract Terms, or to furnish any and all insurance certificates and policy endorsements, surety bonds or other materials required in City’s Contract Terms, shall be deemed an abandonment of the Proposal and City, in its sole discretion, may select another Proposer and proceed against the original selectee for damages.

# III. Scope of work

## A. SERVICES REQUESTED

The San Francisco Department of Building Inspection requests Proposals from local non-profit organizations with demonstrated experience in Code Enforcement Outreach to support the Department achieve its mission.

## B. PROGRAM DESCRIPTION

The Code Enforcement Outreach Grant Program assists property owners, managers, and tenants, particularly individuals with limited English proficiency, in understanding and complying with the San Francisco Housing Code. CEOP ensures that all residents have equitable access to housing code information and enforcement support, thereby promoting safe, healthy, and well-maintained housing throughout San Francisco.

## C. PROGRAM PURPOSES

By providing education to tenants and landlords on their respective rights and responsibilities, the program's goal is to foster effective communication, prevents disputes, and promotes timely resolution of housing issues. CEOP ensures all residents, regardless of language or background, have equitable access to housing code information and enforcement support, promoting safer, well-maintained housing throughout San Francisco by:

1. **Providing Education** – Educating tenants and landlords of their respective rights and responsibilities regarding safe and habitable housing.
2. **Providing Counseling & Mentoring** - Guiding landlords on completing timely repairs and guiding tenants on how to identify and report habitability issues.
3. **Providing Mediation** - Facilitating discussion and resolution between landlords and tenants to address concerns early and prevent disputes from escalating.
4. **Providing Liaison Services** - Coordinating with DBI inspectors, community organizations, landlords, and tenants to improve access to housing services and expedite code enforcement.
5. **Providing Bilingual Services** - Providing support in relevant community languages including Spanish, Chinese (Cantonese, Mandarin, Toishanese), Russian, Vietnamese, and Tagalog

All services shall be provided free of charge and no fees may be collected from clients

## D. CULTURAL AND LANGUAGE COMPETENCY REQUIREMENTS SERVICE AREAS

To meet the needs of San Francisco's diverse communities, Proposals must demonstrate staff competency in specific languages required for the following target service area.

Service Area	Neighborhoods Covered	Language Requirements
1	Citywide with focus on Mission, Bayview and Richmond	English, Spanish, Vietnamese, Tagalog, Russian
2	Chinatown	Cantonese, Mandarin, Toishanese
3	Tenderloin & South of Market	English, Spanish, Vietnamese, Tagalog
4	Landlords city wide	

Proposers may submit Proposals for more than one service area; however, a separate Proposal must be submitted for each service area.

Proposers must also have the capacity to provide services to the entire community, as needed, and not be limited solely to the service area for which an award is made.

## E. PROGRAM STRUCTURE

Proposals must include a detailed plan outlining how program outcomes will be measured, monitored, and met. If program outcomes are not met, the Proposal must also include specific, actionable recommendations and corrective steps to improve results.

Proposals should clearly describe the performance indicators, data collection, and evaluation that will be used to assess program effectiveness.

Proposals should include program office hours and a dedicated phone number for contact from community at large and clients. Services and resources provided shall be culturally relevant and language appropriate.

### 1. Program Outreach

- a. Conduct direct outreach, education, and counseling for both tenants and landlords regarding the San Francisco Housing Code.
- b. Ensure tenants and landlords understand their respective rights and responsibilities under applicable local housing laws.
- c. Develop and distribute multilingual educational materials focused on housing maintenance, health, and safety to effectively serve San Francisco's diverse communities.

### 2. Counseling and Habitability Services

- a. Provide a drop-in work site and a phone number within target communities to ensure access to services, counseling, and other housing and enforcement services.
- b. Provide guidance to landlords and tenants on resolving habitability, maintenance, and safety issues.
- c. Provide on-site field assessments to identify housing maintenance issues and the process for correcting code violations.
- d. Coordinate with DBI, when necessary, to achieve code compliance.

### 3. Community Programs

- a. Host educational workshops, classes, and presentations for landlords and tenants to clarify responsibilities and promote code compliance.

### 4. Public Education and Advocacy

- a. Educate stakeholders, including communities served and community groups, about DBI's Housing Inspection Services and San Francisco Housing Code enforcement processes.

## F. MEASURABLE OUTCOMES

Proposals must include detailed information such as strategies, activities, and resources that will be used to achieve the following measurable outcomes.

Proposals must also include what methods or tools will be utilized to measure these outcomes.

### 1. Program Outreach

- *Output:* Distribute a minimum of 1,500 pieces of marketing collateral annually across digital and printed formats. At least 75% of outreach materials and activities will be multilingual and specifically targeted to service areas listed in Section D.
- *Outcome:* At least 300 individuals accessing services will report, via survey, that they learned about the program through the distributed marketing collateral or outreach efforts.

### 2. Counseling and Habitability Services

#### a. Counseling

- *Output:* Provide individual and/or group counseling services to at least 500 residents annually focused on tenant rights, eviction prevention, and housing maintenance and safety resources.
- *Outcome:* Conduct a follow-up survey in which at least 80% of respondents report positive outcomes (such as increased knowledge, improved housing conditions, or successful use of housing resources) as a result of the counseling received.

#### b. Habitability Services

- *Output:* identify, document, and track a minimum of 80 substandard housing complaints annually. Record and monitor all actions taken to address and resolve each complaint. Collaborate with the Department of Building Inspection (DBI) when escalation or enforcement is required. Track and report the number of cases referred to DBI; and the total number of cases resolved without DBI assistance.
- *Outcome:* Conduct follow-up surveys with complainants after case closure. At least 80% of survey respondents will report positive outcomes, indicating improved housing conditions or satisfactory resolution of their complaint.

### 3. Community Programs

- *Output:* Conduct quarterly tenant education workshops/initiatives on San Francisco Housing Code minimum habitability standards and the DBI's code enforcement and abatement process, reaching at least 250 tenants annually.
- *Outcome:* At least 80% of workshop participants demonstrate increased knowledge of the San Francisco Housing Code and DBI's code enforcement and abatement process, as measured by pre- and post-workshop surveys.

### 4. Public Education and Advocacy

- **Output:** Sponsor at least four community engagement events annually, such as town halls, resource fairs, or tenant-led initiatives to educate participants about the San Francisco Housing Code, DBI's Housing Inspection Services Division, and the code enforcement process.
- **Outcome:** Conduct a post-event follow-up survey in which at least 80% of respondents report that the event was engaging, relevant/topical, and useful.

#### **IV. Proposal Evaluation Criteria**

<b>Evaluation Phase</b>	<b>Maximum Points</b>
Minimum Qualifications Documentation	Pass/Fail
Price Proposal	Pass/Fail
Written Proposal	100 Points
<b>TOTAL</b>	<b>100 Points</b>

#### **V. Minimum Qualifications Documentation Required with Proposal (Pass/Fail)**

Proposers must provide documentation that clearly demonstrates each Minimum Qualification (MQ) listed below has been met. Minimum Qualification documentation should be clearly marked as "MQ1", MQ2", etc.... to indicate which MQ it supports. Each Proposal will be reviewed for initial determination on whether Proposer meets the MQs referenced in this section. **This screening is a pass or fail determination and a Proposal that fails to meet the Minimum Qualifications will not be eligible for further consideration in the evaluation process.** The City reserves the right to request clarifications from Proposers prior to rejecting a Proposal for failure to meet the Minimum Qualifications.

#### **VI. Written Proposal (100 Points)**

In addition to submitting documentation demonstrating that they meet each Minimum Qualification outlined in the Solicitation, Proposers shall also submit a complete proposal that addresses all components of section III. Scope of Work. Specifically, the written Proposal shall include, but is not limited to, the following components:

##### **1. Program Goals and Objectives**

A clear statement of the CEOP program's goals and measurable objectives that align with the purpose of this RFP. Objectives shall describe the intended output, outcomes and target population/community impact of the funded program, including expected change or improvements to housing quality, public health, safety, and resident well-being.

##### **2. Program Description, Activities and Scope of Work**

A detailed description of all program activities to achieve program goals, including outreach efforts, inspections, education, enforcement, cultural competency, coordination with partner agencies, and other efforts to achieve program objectives. This section shall

specify responsible personnel, anticipated outcomes, and target populations or geographic areas to be served.

**3. Timeline**

A schedule identifying milestones, phases, and completion dates for each program activity. The timeline shall indicate when key deliverables will be produced and shall serve as the basis for performance tracking and reporting.

**4. Evaluation and Performance Measurement**

A description of the methods and criteria that will be used to evaluate program performance and measure outcomes. This shall include quantitative and qualitative indicators, data collection methods, performance benchmarks, and procedures for ongoing monitoring and reporting to ensure accountability and continuous improvement.

**5. Budget**

A comprehensive budget detailing the allocation and use of grant funds. The budget shall itemize personnel costs (such as salaries and benefits) and non-personnel costs (such as equipment, supplies, contractual services, and other operational expenditures). The detailed grant budget is attached hereto as Attachment B, Grant Budget Template.

**6. Deliverables, Performance and Reporting Requirements**

A list of expected deliverables, outcomes, and reports to be submitted throughout the grant term. Deliverables may include progress reports, financial statements, program evaluations, outreach materials, or other documentation evidencing program implementation and results.

**7. Roles and Responsibilities**

Identification of the personnel, departments, or partner agencies responsible for program management, fiscal oversight, data collection, and reporting. This section shall also outline lines of authority and communication protocols to ensure effective coordination.

## **VII. Review Process**

All submitted Proposals will be initially screened by staff to determine completeness and eligibility. Incomplete, ineligible or Proposals that do not meet minimum qualifications will not be considered. Evaluation and rating of eligible Proposals will be conducted by review panel.

### **A. PROPOSAL EVALUATION CRITERIA (100 POINTS)**

Each Proposal will be evaluated according to the criteria below.

A.	Quality of Proposal	35 points max
B.	Organizational Capacity	25 points max
C.	Staff Qualifications and Experience	20 points max
D.	Work Efforts and Timeframes	15 points max
E.	Cultural Competency	5 points max
<b>Total Points Possible</b>		100 Points

## **VIII. Price Proposal (Pass/Fail)**

### **A. BUDGET PROPOSAL REQUIREMENTS**

Proposed budgets will not be evaluated as part of the selection process. However, Proposers must include contingency planning to address potential partial awards and future budget reductions. Accordingly, the Department requires Proposers to submit a budget contingency plan describing how services would be adjusted in the event of partial awards or future budget reductions.

#### **1. Complete Budget Proposal**

Proposers must submit a two-year proposed budget using Attachment B, Budget Template. The budget submission must include:

- All required fields and line items.
- Accurate calculations and clear explanations.
- All narrative descriptions or justifications required by the template.

Incomplete or incorrectly prepared budgets may be deemed non-responsive.

#### **2. Budget Contingency Narrative Plan**

In addition to the proposed two-year budget, Proposers must describe how services would be affected in the event of reduced funding, including partial awards. The contingency narrative must:

- Clearly identify the impact of reduced funding on proposed services.
- Specify which service levels, activities, or program components would be maintained, modified, prioritized, or eliminated under reduced funding scenarios.
- Demonstrate the Proposer's ability to adapt program operations while maintaining proposed services.

### **B. COST OF DOING BUSINESS ADJUSTMENT PROVISION**

The contractor's budget may include a cost of doing business (COBD) rate adjustment once per fiscal year, defined as the period beginning July 1 and ending June 30 of the following year. Any request for a COBD rate adjustment under this agreement must be supported by the most recently published, non-preliminary consumer price index (cpi) issued by the U.S. Department of labor, as available at the time of the contractor's request.

This provision does not bind the City or the Department in their budget process. All agreements continue to be subject to funding availability. Should funding changes or reductions be confirmed through the City's annual budget process, nonprofit agreements may be modified to account for approved changes or reductions.

## **IX. Failure to Provide Insurance and/or Bonds**

Unless otherwise stated, within ten business days of the receipt of a notice of award of a Contract, the Proposer to whom the contract is awarded shall deliver the specified bond documents and/or insurance certificates and policy endorsements to City. If the Proposer fails or refuses to furnish the required bond and/or insurance within ten days after receiving notice to award a Contract, City may, at its option, determine that the Proposer has abandoned its Proposal. The foregoing in no

way limits the damages which are recoverable by City whether or not defined elsewhere in the contract documents.

## **X. City's Social and Economic Policy Requirements**

The San Francisco Municipal Code establishes a number of requirements for people seeking to do business with the City ("Social and Economic Policy Requirements"). These Social and Economic Policy Requirements can be found in Attachment 1, City's Contract Terms, which Proposers are encouraged to carefully review. The Social and Economic Policy Requirements set forth below are not intended to be a complete list of all Social Policy Requirements applicable to this Solicitation and any contracts awarded from it.

### **A. NONDISCRIMINATION REQUIREMENTS**

A Proposer selected pursuant to this Solicitation may not, during the term of the Contract, in any of its operations in San Francisco, on real property owned by San Francisco, or where work is being performed for the City elsewhere in the United States, discriminate in the provision of bereavement leave, family medical leave, health benefits, membership or membership discounts, moving expenses, pension and retirement benefits or travel benefits, as well as any benefits other than the benefits specified above, between employees with domestic partners and employees with spouses, and/or between the domestic partners and spouses of such employees, where the domestic partnership has been registered with a governmental entity pursuant to state or local law authorizing such registration, subject to the conditions set forth in San Francisco Labor and Employment Code Articles 131 and 132. *Refer to Attachment 1, City's Contract Terms for additional details related to the application of this Ordinance to a contract awarded pursuant to this Solicitation.*

### **B. NON-PROFIT ENTITIES**

To receive a contract under this Solicitation, any nonprofit Proposer must be in good standing with the California Attorney General's Registry of Charitable Trusts by the time of contract execution and must remain in good standing during the term of the agreement. Upon request, Proposer must provide documentation to the City demonstrating its good standing with applicable legal requirements. If Proposer will use any nonprofit subcontractors to perform the agreement, Proposer will be responsible for ensuring they are also in compliance with all requirements of the Attorney General's Registry of Charitable Trusts at the time of Contract execution and for the duration of the agreement.

### **C. OTHER SOCIAL POLICY PROVISIONS**

Attachment 1, City's Contract Terms, identifies the City's applicable social policy provisions related to a contract awarded pursuant to this Solicitation. Proposers are encouraged to carefully review these terms and ensure they are able to comply with them.

## **XI. Terms and Conditions for Receipt of Proposals**

### **A. HOW TO REGISTER AS A CITY SUPPLIER**

Proposer must be a registered city compliant supplier at time of award to be eligible for funding. The following requirements pertain only to Bidders not currently registered with the City as a Supplier.

**Step 1:** Register as a BIDDER at City's Supplier Portal:

<https://sfcitypartner.sfgov.org/pages/index.aspx>

**Step 2:** Follow instructions for converting your BIDDER ID to a SUPPLIER ID. This will require you to register with the City Tax Collector's Office and submit the online 12B Declaration for Article 131 (Equal Benefits Program) compliance through the Supplier portal. Once these forms have been completed, submitted, and processed, you will be notified via email with your organization's new Supplier ID. That email will also provide instructions for completing your Supplier registration.

- **City Business Tax Registration Inquiries:** For questions regarding business tax registration procedures and requirements, contact the Tax Collector's Office at (415) 554-4400 or, if calling from within the City and County of San Francisco, 311.
- **Equal Benefits Program Inquiries:** For questions concerning the San Francisco Labor and Employment Code Articles 131 and 132, go to: [www.sfgov.org/cmd](http://www.sfgov.org/cmd).

## B. PROPOSAL QUESTIONS AND SUBMISSIONS

### 1. Proposer Questions and Requests for Clarification

Proposers shall address any questions regarding this Solicitation to the Contract Administrator whose name and contact information appears on the cover page of this Solicitation. Proposers who fail to submit questions concerning this Solicitation and its requirements will waive all further rights to protest based on the specifications and conditions herein. **Questions must be submitted by email to the Contract Administrator whose name and contact information appears on the cover page of this Solicitation no later than Written Questions Due Date.** A written Addendum will be executed addressing each question and answer and posted publicly. It is the responsibility of the Proposer to check for any Addenda and other updates that will be posted on the City's Supplier Portal: <https://sfcitypartner.sfgov.org/pages/Events-BS3/event-search.aspx>.

### 2. Proposal Format

Proposals must be created using a word processing software (e.g. Microsoft Word or Excel) and typed in a sans-serif font (e.g. Arial, Calibri or Verdana). The document must have page margins of at least .5" on all sides. Information must be provided at a level of detail that enables effective evaluation and comparison between Proposals. Failure to follow formatting, submission, or content requirements, as well as page limit restrictions (if any), may negatively impact the evaluation of your Proposal.

### 3. Time and Place for Submission of Proposals

All Proposals must be submitted electronically in Microsoft Word and in PDF format to **[dbi.rfp@sfgov.org](mailto:dbi.rfp@sfgov.org) and received no later than 3:00 p.m. on Monday, March 23, 2026.** A confirmation email will be sent within 24 hours of receipt of the Proposal by DBI.

## C. RFP ADDENDA

The City may modify this Solicitation, prior to the Proposal Due Date, by issuing an Addendum to the Solicitation, which will be posted on the San Francisco Supplier Portal. Every Addendum will create a new version of the Sourcing Event and Proposers must monitor the event for new versions. **The Proposer shall be responsible for ensuring that its Proposal reflects any and all Addenda issued by the City prior to the Proposal Due Date regardless of when the Proposal is submitted.** Therefore, the City recommends that the Proposer consult the website frequently, including shortly before the Proposal Due Date, to determine if the Proposer has downloaded all Solicitation Addenda.

It is the responsibility of the Proposer to check for any Addenda, Questions and Answers documents, and updates, which may be posted to the subject Solicitation.

**THE SUBMITTAL OF A RESPONSE TO THIS SOLICITATION SHALL EXPLICITLY STIPULATE ACCEPTANCE BY PROPOSERS OF THE TERMS FOUND IN THIS SOLICITATION, ANY AND ALL ADDENDA ISSUED TO THIS SOLICITATION, AND THE PROPOSED CONTRACT TERMS.**

#### **D. PUBLIC DISCLOSURE**

All documents under this solicitation process are subject to public disclosure per the California Public Records Act (California Government Code Section §6250 et. Seq) and the San Francisco Sunshine Ordinance (San Francisco Administrative Code Chapter 67). Contracts, Proposals, responses, and all other records of communications between the City and Proposers shall be open to inspection immediately after a contract has been awarded. Nothing in this Administrative Code 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 benefit until and unless that person or organization is awarded the contract or benefit.

If the City receives a Public Records Request ("Request") pertaining to this solicitation, City will use its best efforts to notify the affected Proposer(s) of the Request and to provide the Proposer with a description of the material that the City deems responsive and the due date for disclosure ("Response Date"). If the Proposer asserts that some or all of the material requested contains or reveals valuable trade secret or other information belonging to the Proposer that is exempt from disclosure and directs the City in writing to withhold such material from production ("Withholding Directive"), then the City will comply with the Withholding Directive on the condition that the Proposer seeks judicial relief on or before the Response Date. Should Proposer fail to seek judicial relief on or before the Response Date, the City shall proceed with the disclosure of responsive documents.

#### **E. LIMITATION ON COMMUNICATIONS DURING SOLICITATION**

From the date this Solicitation is issued until the date the competitive process of this Solicitation is completed (either by cancelation or final Award), Proposers and their subcontractors, vendors, representatives and/or other parties under Proposer's control, shall communicate solely with the Contract Administrator whose name appears in this Solicitation. Any attempt to communicate with any party other than the Contract Administrator whose name appears in this Solicitation – including any City official, representative or employee – is strictly prohibited. Failure to comply with this communications protocol may, at the sole discretion of City, result in the disqualification of the Proposer or potential Proposer from the competitive process. This protocol does not apply to communications with the City regarding business not related to this Solicitation.

#### **F. PROPOSAL SELECTION SHALL NOT IMPLY ACCEPTANCE**

The acceptance and/or selection of any Proposal(s) shall not imply acceptance by the City of all terms of the Proposal(s), which may be subject to further approvals before the City may be legally bound thereby.

#### **G. CYBERSECURITY RISK ASSESSMENT**

As part of City's evaluation process, City may engage in Cybersecurity Risk Assessment (CRA). CRA may be performed for each entity manufacturing the product, performing technical functions related to the product's performance, and/or accessing City's networks and systems. Where a prime

contractor or reseller plays an active role in each of these activities, CRA may also be required for the prime contractor or reseller.

To conduct a CRA, City may collect as part of this Solicitation process one of the following two reports:

- **SOC-2 Type 2 Report:** Report on Controls at a Service Organization Relevant to Security, Availability, Processing Integrity, Confidentiality or Privacy; or
- **City's Cyber Risk Assessment Questionnaire:** Proposer's responses to a City's Cyber Risk Assessment Questionnaire.

The above reports may be requested at such time City has selected or is considering a potential Proposer. The reports will be evaluated by the soliciting Department and the City's Department of Technology to identify existing or potential cyber risks to City. Should such risks be identified, City may afford a potential Proposer an opportunity to cure such risk within a period of time deemed reasonable to City. Such remediation and continuing compliance shall be subject to City's on-going review and audit through industry-standard methodologies, including but not limited to: on-site visits, review of the entities' cybersecurity program, penetration testing, and/or code reviews.

## H. SOLICITATION ERRORS AND OMISSIONS

Proposers are responsible for reviewing all portions of this Solicitation. Proposers are to promptly notify the City, in writing and to the Solicitation contact person if the Proposer discovers any ambiguity, discrepancy, omission, or other error in the Solicitation. Any such notification should be directed to the City promptly after discovery, but in no event later than the deadline for questions. Modifications and clarifications will be made by Addenda as provided below.

## I. OBJECTIONS TO SOLICITATION TERMS

Should a Proposer object on any ground to any provision or legal requirement set forth in this Solicitation, the Proposer must, no later than the deadline for questions, provide written notice to the City 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.

## J. PROTEST PROCEDURES

### 1. Protest of Non-Responsiveness Determination

Within three (3) business days of the City's issuance of a Notice of Non-Responsiveness, a Proposer may submit a written Notice of Protest 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 Notice of Protest must be signed by an individual authorized to represent the Proposer, and must cite the law, rule, local ordinance, procedure or Solicitation provision on which the protest is based. In addition, the Notice of Protest must specify facts and evidence sufficient for the City to determine the validity of the protest.

### 2. Protest of Non-Responsible Determination

Within three (3) business days of the City's issuance of a Notice of Non-Responsibility, a Proposer may submit a written Notice of Protest 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 Notice of Protest must be signed by an individual authorized to represent the Proposer, and must cite the law, rule, local ordinance, procedure or Solicitation provision on which the protest is based. In addition, the Notice of Protest must specify facts and evidence sufficient for the City to determine the validity of the protest.

### 3. Protest of Contract Award

Within three (3) business days of the City's issuance of a Notice of Intent to Award, a Proposer may submit a written Notice of Protest of Contract 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 Notice of Protest must be signed by an individual authorized to represent the Proposer, and must cite the law, rule, local ordinance, procedure or Solicitation provision on which the protest is based. In addition, the Notice of Protest must specify facts and evidence sufficient for the City to determine the validity of the protest.

### 4. Delivery of Protests

A Notice of Protest must be written. Protests made orally (e.g., by telephone) will not be considered. A Notice of Protest must be delivered by mail or email to the Contract Administrator whose name and contact information appears on the cover page to this Solicitation and received by the due dates stated above. A Notice of Protest shall be transmitted by a means that will objectively establish the date the City received the Notice of Protest. If a Notice of Protest is mailed, the protestor bears the risk of non-delivery within the deadlines specified herein.

## K. PROPOSAL TERM

Submission of a Proposal signifies that the proposed products, services and prices are valid for 180 calendar days from the Proposal Due Date and that the quoted prices are genuine and not the result of collusion or any other anti-competitive activity. At Proposer's election, the Proposal may remain valid beyond the 180-day period in the circumstance of extended negotiations.

## L. REVISION TO PROPOSAL

A Proposer may revise a Proposal on the Proposer's own initiative at any time before the deadline for submission of Proposals. The Proposer must submit the revised Proposal in the same manner as the original. A revised Proposal must be received on or before, but no later than the Proposal Due Date and time. In no case will a statement of intent to submit a revised Proposal, or commencement of a revision process, extend the Proposal Due Date for any Proposer. At any time during the Proposal evaluation process, the City may require a Proposer to provide oral or written clarification of its Proposal. The City reserves the right to make an award without further clarifications of Proposals received.

## M. PROPOSAL ERRORS AND OMISSIONS

Failure by the City to object to an error, omission, or deviation in the Proposal will in no way modify the Solicitation or excuse the Proposer from full compliance with the specifications of this Solicitation or any contract awarded pursuant to this Solicitation.

## O. FINANCIAL RESPONSIBILITY

The City accepts no financial responsibility for any costs incurred by a Proposer in responding to this Solicitation. Proposers acknowledge and agree that their submissions in response to this

Solicitation will become the property of the City and may be used by the City in any way deemed appropriate.

## P. PROPOSER'S OBLIGATIONS UNDER THE CAMPAIGN REFORM ORDINANCE

If a contract awarded pursuant to this Solicitation has (A) a value of \$100,000 or more in a fiscal year and (B) requires the approval of an elected City official, Proposers are hereby advised:

1. Submission of a Proposal in response to this Solicitation may subject the Proposers to restrictions under Campaign and Governmental Conduct Code Section 1.126, which prohibits City contractors, Proposers, and their affiliates from making political contributions to certain City elective officers and candidates; and
2. Before submitting a Proposal in response to this Solicitation, Proposers are required to notify their affiliates and subcontractors listed in the awarded contract or Proposal of the political contribution restrictions set forth in Campaign and Governmental Conduct Code section 1.126.

This restriction applies to the party seeking the contract, the party's board of directors, chairperson, chief executive officer, chief financial officer, chief operating officer, any person with an ownership interest greater than ten percent, and any political committees controlled or sponsored by the party, as well as any subcontractors listed in the awarded contract or Proposal. The law both prohibits the donor from giving contributions and prohibits the elected official from soliciting or accepting them.

The people and entities listed in the preceding paragraph may not make a campaign contribution to the elected official at any time from the submission of a Proposal for a contract until either: (1) negotiations are terminated and no contract is awarded; or (2) twelve months have elapsed since the award of the contract.

A violation of Section 1.126 may result in criminal, civil, or administrative penalties. For further information, Proposers should contact the San Francisco Ethics Commission at [\(415\) 252-3100](tel:4152523100) or go to <https://sfethics.org/compliance/city-officers/city-contracts/city-departments/notifying-bidders-and-potential-bidders>.

## Q. RESERVATIONS OF RIGHTS BY THE CITY

The issuance of this Solicitation does not constitute a guarantee by the City that a contract will be awarded or executed 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 the Solicitation;
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 Solicitation, or the requirements for contents or format of the Proposals;
5. Procure any materials, equipment or services specified in this Solicitation by any other means; or

6. Determine that the subject goods or services are no longer necessary.

## R. NO WAIVER

No waiver by the City of any provision of this Solicitation shall be implied from the City's failure to recognize or take action on account of a Proposer's failure to comply with this Solicitation.

## S. OTHER

1. The City may make such investigation, as it deems necessary, prior to the award of this contract to determine the conditions under which the goods are to be delivered or the work is to be performed. Factors considered by the City shall include, but not be limited to:

- a. Any condition set forth in this Solicitation.
- b. Adequacy of Proposer's plant facilities and/or equipment, location and personnel location to properly perform all services called for under the Purchase Order; and
- c. Delivery time(s).

2. City reserves the right to inspect an awarded Proposer's place of business prior to award of and/or at any time during the contract term (or any extension thereof) to aid City in determining an awarded Proposer's capabilities and qualifications.

3. Failure to timely execute a contract, or to furnish any and all insurance certificates and policy endorsements, 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 Proposer and may proceed against the original selectee for damages.

4. City reserves the right to reject any Proposal on which the information submitted by Proposer fails to satisfy City and/or if Proposer is unable to supply the information and documentation required by this Solicitation within the period of time requested.

5. Any false statements made by a Proposer or any related communication/clarification may result in the disqualification of its Proposal from receiving further evaluation and a contract award.