



City and County of San Francisco
MAYOR’S OFFICE OF HOUSING AND COMMUNITY
DEVELOPMENT

REQUEST FOR QUALIFICATIONS FOR
FINANCIAL ADVISORY SERVICES
RFQ Name: 2019 Financial Advisory Services
CONTACT: Christina Mun, christina.mun@sfgov.org, 415-701-5679

Background

San Francisco is the fourth largest city in California and serves as a center for business, commerce and culture for the West Coast. The City and County of San Francisco (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 City’s powers are exercised through a Board of Supervisors serving as the legislative authority, and a Mayor and other independent elected officials serving as the executive authority.

The Mayor’s Office of Housing and Community Development (MOHCD) is seeking qualified financial advisors to provide financial advisory services for multifamily, single family, inclusionary and bond-financed projects participating in City administered and sponsored programs.

Intent of this RFQ

It is the intent of MOHCD to create a pre-qualified list of financial advisors from which it may choose on an as-needed basis.

Selected Respondents will remain eligible for consideration and contract negotiation on an as-needed basis through December 2019. Selected Respondents are not guaranteed a contract.

Schedule*

RFQ Issued	November 4, 2019
Deadline for RFQ questions	November 15, 2019 12pm PST
Answers to RFQ questions posted online	November 22, 2019
Deadline for RFQ responses	December 6, 2019 12pm PST
Pre-qualification notification	January 6, 2020
Pre-qualified list expiration date	January 2022

*Each date subject to change.
 Check website for latest schedule.

RFQ Questions and Communications

To ensure fair and equal access to information about this RFQ, written questions must be faxed or e-mailed to Christina Mun at 415-701-5679 or christina.mun@sfgov.org.

Questions in writing must be received before 12:00pm PST on Friday, November 15, 2019. No questions will be accepted after this time with the exception of City vendor compliance or Contract Monitoring Division (CMD) requirement questions.

A summary of the questions and answers pertaining to this RFQ will be posted on the MOHCD website at www.sfmohcd.org by Friday, November 22, 2019.

1. Introduction

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

1.1 Statement of Need and Intent

What is the City seeking? The City and County of San Francisco’s Mayor’s Office of Housing and Community Development (MOHCD) seeks responses from financial advisors with experience and proper licenses in financial advisory services for multifamily, single family, inclusionary and bond-financed projects participating in City administered and sponsored housing programs.

This RFQ is not directed at one specific project. To make its pre-qualification determination, MOHCD will review qualifications, including prior project information, lead staff qualifications, and other information.

How will the pre-qualified list established under this RFQ work? Based on responses to this RFQ, it is MOHCD’s intent to create a pre-qualified list of financial advisor firms from which MOHCD will negotiate agreements for individual projects on an as-needed basis. Respondents that are pre-qualified will remain on the list for consideration for contractor selection and negotiations through January 2022. This list may be used by MOHCD, at its sole and absolute discretion. While no selected Respondent is guaranteed a contract, depending on the amount of work that is available, MOHCD will make an effort to utilize each selected Respondent on the list at least once and on a rotation basis.

1.2 Background of Mayor’s Office of Housing and Community Development

The Mayor’s Office of Housing and Community Development (MOHCD) is organized into three divisions: Housing, Community Development, and Homeownership/Below Market Rate programs.

MOHCD’s mission is to address social, economic, and racial inequities through the creation of affordable housing opportunities and the funding of essential services that are foundational for strong communities. We are industry leaders in financing the development, rehabilitation and preservation of affordable housing. Through our financing, we strengthen the social, physical and economic infrastructure of San Francisco’s low-income neighborhoods and communities in need. We actively collaborate with community-based organizations, non-profits, affordable housing developers, and other City agencies and staff, in our pursuit of a more equitable and affordable San Francisco. In our hiring and contracting practices, we strive to build teams that reflect the diversity of our City and the populations we serve, and we urge qualified candidates of all races, ethnicity, sexual orientation, and gender identity to apply.

Contractors that will be selected through this RFQ will assist MOHCD staff with a variety of financial advisory services. In order to enhance its financial capacities, MOHCD is seeking proposals from financial advisory firms interested in providing their services in one (1) or more of the following areas:

- 1) General multifamily affordable housing financial advisory services;
- 2) General single family affordable housing program financial advisory services;
- 3) Multi-family and/or single-family bond issuance financial advisory services; and
- 4) Inclusionary Housing Program financial advisory services.

Through this RFQ, MOHCD intends to establish a separate pool of advisors for each of these areas:

1. A Multi-Family General Pool comprised of no more than four (4) selected proposers providing advisory services such as performing financial analyses in connection with:
 - a. particularly complex affordable and mixed-income projects with a variety of housing types, including public housing, conversion of public housing under the Rental Assistance Demonstration Program, affordable and market-rate rental housing, and affordable and market-rate ownership housing;
 - b. the structuring of the City's multifamily affordable housing development programs;
 - c. the issuance of Certificates of Participation for purposes of financing multi-phased, mixed income, multifamily rental and ownership housing;
 - d. the compilation and analyses of general economic data as may be required.

The services to be provided by the selected Multi-Family General Pool advisors are more fully described in Section 2A;

2. A Single-Family/Homeownership/Below Market Rate Program General Pool comprised of no more than three (3) selected proposers providing advisory services such as performing financial analyses in connection with:
 - a. the structuring the City's single-family affordable housing lending and grant programs;
 - b. the optimal use of housing assistance programs and federal, state and local funding sources;
 - c. the compilation and analyses of general economic data, as may be required.

The services to be provided by the selected Single-Family General Pool advisors are more fully described in Section 2B;

3. A Bond Pool comprised of no more than four (4) selected proposers providing advisory services such as performing financial analyses in connection with:
 - a. multifamily housing revenue bond issuances related to competitive sales, negotiated sales and private placements of the bonds;
 - b. taxable or tax-exempt general obligation bonds to finance the development of affordable rental and homeownership housing;
 - c. re-fundings of currently outstanding bond issuances;
 - d. single family housing revenue bond issuances and the Mortgage Credit Certificate (MCC) program.

The services to be provided by the selected Bond Pool advisors are more fully described in Section 2C;

4. An Affordable Housing Fund/Inclusionary Housing Pool comprised of no more than three (3) selected proposers providing advisory services such as performing financial analyses in connection with:
 - a. the analysis and calculation of the Affordable Housing Fee (including annual adjustments) set forth in the Inclusionary Affordable Housing Program ordinance (San Francisco Planning Code, Section 415;
 - b. evaluating and revising analyses used in connection with the Inclusionary Affordable Housing Program;
 - c. the analysis and calculation of the Affordable Housing Fee (including annual adjustments) set forth in the Jobs-Housing Linkage Program ordinance (San Francisco Planning Code, Section 413, and,
 - d. evaluating and revising analyses used in connection with the Jobs-Housing Linkage Program.

The services to be provided by the selected Affordable Housing Fund/Inclusionary Housing advisors are more fully described in Section 2D.

2. Scope of Work

This scope of work is a general guide to the work MOHCD expects to be performed, and is not a complete listing of all services that may be required or desired. MOHCD is soliciting qualifications to create a pre-qualified list of consultant individuals and/or firms that may be selected for the services described below.

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

Is My Firm Expected to Propose for a Specific Project? No. MOHCD will create a list of three to five individuals and/or firms to draw from for a diverse set of possible projects. Each response should demonstrate its capabilities by providing summaries of representative projects as part of Attachment V. MOHCD will negotiate the scope of services, budget, deliverables, and timeline for each project it decides to pursue. There is no guarantee of a minimum amount of work or compensation for any of the Respondents selected for pre-qualification. MOHCD may select Contractors from the pre-qualified list in its sole and absolute discretion. Depending on the amount of work that is available, MOHCD will make effort to enter into contract with each selected Respondent on the list at least once and on a rotation basis.

With whom will Contractors work? Selected Contractor(s) will work closely with the staff at MOHCD and with project sponsors and development teams to provide the services requested.

Services

Services sought for financial advisory services for each program area as outlined below by pools may include, but are not limited to:

A. Multi-Family General Pool:

The selected advisors shall assist in implementing MOHCD's affordable housing program by advising MOHCD on all pertinent issues relating to affordable housing financings for multi-family development. The services to be provided by the selected Multi-Family General Pool advisors will include, without limitation, the following:

1. Written and oral analysis and recommendations on proposals for affordable housing financing under consideration by MOHCD, including identification of funding sources and possible structuring of programs to utilize the funds.
2. Assessment of the optimal use of housing assistance programs and funding sources that may be available to achieve affordable housing goals, such as low-income housing tax credits, FHA, HCD, CDLAC programs, Section 8, Rental Assistance Demonstration and other federal, state and local programs.
3. Assistance in evaluating and performing analyses of complex mixed-income projects which may include public housing units, affordable and market-rate rental units, and affordable and market-rate ownership units.

4. Assistance in evaluation and performing analysis in connection with the issuance of Certificates of Participation for purposes of financing multi-phased, mixed income, multifamily rental and ownership housing.
5. Assistance in evaluation and performing analysis of community facilities districts such as Mello-Roos and Infrastructure Finance Districts as sources for purposes of financing multi-phased, mixed income, multifamily rental and ownership housing.
6. Assistance in structuring limited equity and shared equity housing models including cooperatives and community land trusts.
7. Assistance in the preparation of legal documentation for financing programs and specific developments, as requested by MOHCD.
8. Assistance in preparation of presentations on multi-family affordable housing finance to the Mayor, Board of Supervisors, and other organizations. Assistance in other matters, as necessary, to ensure successful execution of the selected financing plan.
9. Assistance in compilation and analyses of general economic data, as may be required.
10. Written and oral analysis and recommendations on proposals for affordable housing financing under consideration by MOHCD, including identification of funding sources and possible structuring of programs to utilize the funds.
11. Assessment of the optimal use of housing assistance programs and funding sources that may be available to achieve affordable housing goals, such as low-income housing tax credits, FHA, HCD, CDLAC programs, Section 8, Rental Assistance Demonstration and other federal, state and local programs.
12. Assistance in structuring the financing plans for particular developments as requested by MOHCD.
13. Assistance in the preparation of legal documentation for financing programs and specific developments, as requested by MOHCD.
14. Assistance in preparation of presentations on multi-family affordable housing finance to the Mayor, Board of Supervisors, and other organizations. Assistance in other matters, as necessary, to ensure successful execution of the selected financing plan.

B. Single-Family/Homeownership/Below Market Rate Program General Pool:

The selected single family affordable housing financial advisor will assist in implementing MOHCD's housing programs by advising the City on all pertinent issues relating to affordable housing financings for the single-family lending and grant programs. Of particular importance is the ability of the financial advisors to provide recommendations on possible program and financing structures, which would enable the City to meet its affordable housing objectives. The services to be provided by the selected general single family affordable housing financial advisors would include, without limitation, the following:

1. Written and oral analysis and recommendations on proposals for affordable housing financing under consideration by MOHCD, including identification of funding sources and possible structuring of programs to utilize the funds.
2. Assessment of the optimal use of housing assistance programs and federal, state and local funding sources that may be available to achieve affordable housing goals.

3. Assistance in evaluating single-family lending and grant programs, and providing guidance and innovation in single-family underwriting as well as in developing new single-family lending and grant programs.
4. Assistance in the preparation of legal documentation for financing programs, as requested by MOHCD.
5. Assistance in preparation of presentations on single-family affordable housing finance to the Mayor, Board of Supervisors, and other organizations. Assistance in other matters, as necessary, to ensure successful execution of the selected financing plan.

C. Bond Pool:

The selected bond advisors will assist on bond financed projects by advising MOHCD on all pertinent issues relating to particular financings. Of particular importance are (i) the ability of the bond financial advisors to ensure that MOHCD's transactions meet all applicable standards of competence and fiscal prudence, while adhering to program requirements and affordable housing objectives, and to provide recommendations on possible program and financing structures, which would enable the City to meet its affordable housing objectives. The services to be provided by the selected bond financial advisors will include, without limitation, the following:

1. Evaluation of the economic feasibility of proposed bond issuances, refundings or restructurings. Evaluation of the financial strength of a project, including assumptions regarding income and expenses, sources of security for bonds in addition to the project itself, developer's financial situation and experience, and rights and resources of parties to the transaction in the event of default.
2. Identification, written analysis and recommendations on all substantive matters pertinent to each proposed transaction, including advice in all areas of industry-specific knowledge that may affect the financing.
3. Assessment of the optimal use of other housing assistance programs and funding sources that may be available in connection with a particular bond financing, such as low-income housing tax credits, FHA, Section 8 and other federal, state or local programs.
4. Assistance in structuring the debt financing plan, including determination of the nature of the security for the bonds through the provision of credit enhancement or, as a lower priority, through a non-enhanced bond structure resulting in the highest available credit rating for the financing.
5. Recommendations and advice regarding marketability of the bonds, including minimum bond denominations, retail/institutional sale or private placement. Recommendation on a marketing format resulting in a competitive or a negotiated sale. If a competitive sale is planned, preparation of a request for bids and notification of all qualified underwriting firms of the offering and assistance in selecting the successful bidder.
6. Although the City does not ordinarily issue unrated bonds, recommendations and advice with respect to the feasibility and desirability of undertaking negotiated private placements of unrated bonds. If consented to by the City, assistance in negotiating the private placement with acceptable holders.

7. Assistance in the preparation of legal documentation for the financing. Participation in all necessary meetings prior to bond issuance and, if necessary, in activities associated with rating agency reviews. Assistance in preparing presentations on proposed financings to the Mayor, Board of Supervisors, California Debt Limit Allocation Committee (CDLAC), and other bodies. Assistance in other matters, as necessary, to ensure successful execution of the selected financing plan and marketing and sale of the bonds. Attendance at the delivery of the bonds.
8. Assistance in evaluating the feasibility of complex development proposals involving bond financing, low-income housing tax credits, FHA, Section 8 and other federal, state or local financing as well as conventional bank debt.
9. Written and oral analysis and recommendations on proposals for affordable housing financing under consideration by MOHCD, including identification of funding sources and possible structuring of programs to utilize the funds.
10. Assessment of the optimal use of housing assistance programs and funding sources that may be available to achieve affordable housing goals, such as low-income housing tax credits, FHA, HCD, CDLAC programs, Section 8, Rental Assistance Demonstration and other federal, state and local programs.
11. Assistance in structuring the financing plans for particular developments as requested by MOHCD.
12. Assistance in the preparation of legal documentation for financing programs and specific developments, as requested by the City.
13. Assistance in preparation of presentations on multi-family affordable housing finance to the Mayor, Board of Supervisors, and other organizations. Assistance in other matters, as necessary, to ensure successful execution of the selected financing plan.
14. Assistance in reviewing and providing recommendations for resolving compliance issues related to the bond regulatory agreement or other bond-related documents.
15. Assistance in preparing a bond issuance procedures and compliance manuals.

D. Affordable Housing Fund/Inclusionary Housing Pool:

The selected inclusionary housing and general economic housing financial advisor(s) may perform the following services:

1. Preparation of the financial, economic, and real estate analysis relevant to establishing or revising an in-lieu fee calculation and/or affordability gaps for the Inclusionary Affordable Housing Program, Jobs-Housing Linkage Program or other program.
2. Development or revision of annual adjustments to the Affordable Housing Fee for the Inclusionary Affordable Housing Program or Jobs-Housing Linkage Program, including preparation of average area purchase price studies, and preparation of similar studies for single-family mortgage revenue bond and mortgage credit certificate programs.
3. Performance of required studies under Section 415 of the City's Planning Code, including the development of economic, real estate, workforce, and industry-specific analyses related to inclusionary zoning, including developing alternatives to onsite development.

4. Preparation of presentations on inclusionary zoning and general economic financial studies to the Mayor, Board of Supervisors, and other individuals, organizations, agencies and the general public. Assistance in other matters, as necessary, to ensure successful execution of the selected financing plan.

Fees

Please note that fees for multifamily and bond-related financial advisory services under this RFQ will be paid from funds generated by the loan transaction.

Minimum Qualifications

To be pre-qualified to perform these services for MOHCD, individuals and/or firms or key staff within those firms must meet the following minimum qualifications:

- Must have at least three years of experience advising public agencies;
- Must have, complex housing financing and/or management experience including the ability to evaluate the economic feasibility of proposed debt issuances, refundings, or restructurings;
- Must have experience with housing assistance programs, including the ability to assist the City in utilizing available City programs, development of new programs and to provide analytical services to particular financings;
- Must have the ability to structure complex multiple funding transactions.

Preferred Qualifications

MOHCD prefers to work with individuals and/or firms that meet the following qualifications:

- Five years of experience working with City acquisition, construction, rehabilitation, homeownership, or similar loan programs;
- Five years of experience working with federal, state or other local programs that are administered by other government agencies, non-profit organizations or conventional financial institutions, and,
- Strong knowledge of community lending programs.

3. Response Requirements

3.1 Time and Place for Submission of Responses

Responses and all related materials must be received by **12:00 pm on Friday, December 6, 2019**. Responses may be hand-delivered. The delivery address is:

**Christina Mun
Mayor's Office of Housing and Community Development
1 South Van Ness Avenue, 5th Floor
San Francisco, CA 94103**

Postmarks will not be considered in judging the timeliness of submissions. Responses submitted by e-mail and fax will not be accepted. Late submissions will not be considered, including those submitted late due to mail or delivery service failure.

3.2 Response Package

The following items must be included in your response and packaged in a box or envelope clearly marked **RFQ Name: 2019 Financial Advisory Services**.

Complete, but concise responses, are recommended for ease of review by the Evaluation Team. Responses should provide a straightforward, concise description of the Respondent's capabilities to satisfy the requirements of the RFQ. All parts, pages, figures, and tables should be numbered and clearly labeled.

A. Original printed response (with original signatures) labeled as "Original"

RFQ Attachment I Acknowledgement of RFQ Terms and Conditions (Word)

RFQ Attachment III Response, including Fee Proposal (Word)

B. One (1) flash/thumb drive containing entire contents of response, including all Attachments. The flash/thumb drive and electronic files on the flash/thumb drive must be labeled with the Respondent's name. All files should be submitted in unprotected PDF or Word format.

C. Five (5) complete printed copies of Attachment III. Respondents are advised to review Attachments I through IV before beginning work on the response template in Attachment III to ensure they can meet the City's requirements.

4. Evaluation Criteria

This section describes the guidelines used for analyzing and evaluating the responses and for Respondent pre-qualification. It is the MOHCD's intent to pre-qualify three to five Respondents that will provide the best overall service packages to MOHCD. Consultant firms selected for pre-qualification are not guaranteed a contract. This RFQ does not in any way limit MOHCD's right to solicit contracts for similar or identical services if, in MOHCD's sole and absolute discretion, it determines the pre-qualified list is inadequate to satisfy its needs.

4.1 Evaluation Team

City staff and representatives with expertise in residential real estate transactions will serve as the Evaluation Team responsible for evaluating Respondents. Specifically, the team will be responsible for the evaluation and rating of the responses for pre-qualification, for conducting reference checks, and for interviews, if desired by MOHCD.

4.2 Minimum Qualifications

Any response that does not demonstrate that the Respondent meets the minimum qualifications described above by the response deadline may be considered non-responsive and may not be evaluated or eligible for award of any subsequent contract(s).

4.3 Evaluation Criteria for Pre-qualification

Each RFQ response that meets the Minimum Qualifications will be evaluated in accordance with the criteria below. A Respondent must receive a score of 70 points or above out of the 100 total possible points to be pre-qualified. There is no numerical limit to the number of firms that may be pre-qualified.

Written Response Evaluation for Pre-Qualification (100 points)

- A. Demonstrated Experience of Respondent (50 points)
 - 1. Demonstrated and verifiable experience of providing financial advisory services, substantially similar to what is requested in this RFQ. Please specify to which pool the demonstrated experience applies.
 - 2. Proven ability to successfully meet the proposed scope of work outlined in this RFQ.
 - 3. Organization, clarity, cohesiveness, quality and completeness of response.
 - 4. Both the financial advisory services overview checklist referencing Prior Project
 - 5. Descriptions and Respondent's responses included in Prior Project Descriptions clearly and substantively demonstrate relevance to the services MOHCD is seeking based upon RFQ Scope of Work.
 - 6. Experience with performing complex assignments; and
 - 7. Ability to add value to clients.

- B. Expertise/Skills of Assigned Staff (30 points)
 - 1. Clarity and appropriateness of proposed staffing structure.
 - 2. Relevance of staff roles and responsibilities, experience, education and other qualifications of staff to services requested under this RFQ.

3. Clarity, appropriateness, and value of the project leader's background, expertise, and authority to represent the firm, including leader's value to MOHCD and its finances, biggest strength as a project manager, and demonstrated ability to solve problems.
4. Experience of proposed staff with debt and affordable housing financings.
5. Background, expertise, and authority of the staff person(s) who would prepare related financial analysis, depending on the scope of work.
6. Disclosure of whether any proposed staff have ever been removed or asked to resign from an engagement.

C. Fee Proposal (10 points)

1. Appropriateness and reasonableness of fees.

D. Overall Quality of Submission (10 points)

1. Response conforms with RFQ requirements and concisely but comprehensively addresses RFQ requirements;
2. Response is professionally presented and contains organized content and format.

4.4 Contractor Selection Processes

Respondents scoring 70 points and above will be added to the pre-qualified list and eligible for potential contract negotiations with MOHCD on an as-needed basis. Due to the varied nature of the services to be performed, MOHCD reserves the right to contract with any, all or none of the pre-qualified Respondents. As noted earlier, depending on the amount of work that is available, MOHCD will make an effort to enter into contract with each selected Respondent on the list at least once and on a rotation basis.

Selection Interviews

Following MOHCD's pre-qualification determination, MOHCD may invite pre-qualified firms to interviews with MOHCD for specific projects or MOHCD may select specific prequalified firms directly for negotiations without additional selection processes. MOHCD has sole and absolute discretion over whether interviews will be conducted or not to select pre-qualified Respondents for contract negotiations. If interviews are conducted, points awarded for interviews will be separate from the points awarded during the pre-qualification process. The pre-qualified firm's lead staff members who would be responsible for the proposed project on a day-to-day basis should be present for the interview.

Reference Checks

Reference checks may be used to determine the applicability of Respondent experience to the services MOHCD is requesting and the quality of services and staffing provided to prior clients, as well as adherence to schedules/budgets and Respondent's problem-solving, project management, and communication abilities, as well as performance on deliverables and outcomes, as well as effectiveness in meeting or exceeding project objectives. Please see Attachment I, Section 14, Release of Liability.

Other Terms and Conditions

MOHCD may issue Request(s) for Proposals or Request(s) for Quotes to the pre-qualified consultant list to better assess qualifications for a specific scope of service, which may include staffing, scheduling, deliverable, and cost considerations.

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

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

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

4.5 Contract Monitoring Division (CMD) Requirements

LBE Goals– Chapter 14B Requirements

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 RFP.

LBE Subconsultant Participation Goals

The Local Business Enterprise (LBE) subconsultant participation goals do not apply to this project.

LBE Participation

The City strongly encourages proposals from qualified LBEs. Pursuant to Chapter 14B, the following rating bonus will be in effect for the award of this project for any firms who are certified by CMD as a LBE, or joint ventures where the joint venture partners are in the same discipline and have the specific levels of participation as identified below. Certification applications may be obtained by calling CMD at (415) 581-2310. The rating bonus applies at each phase of the selection process. The application of the rating bonus is as follows:

- (1) A 10% rating bonus to an LBE; or a joint venture between or among LBEs; or
- (2) A 5% rating bonus to a joint venture with LBE participation that equals or exceeds 35%, but is under 40%; or
- (3) A 7.5% rating bonus to a joint venture with LBE participation that equals or exceeds 40%; or
- (4) A 10% rating bonus to a certified non-profit entity.
- (5) A 5% rating bonus to firms certified as SBA-LBEs not unless the application of the SBA-LBE rating bonus adversely affects the inclusion of small and micro LBEs on the lists.

If applying for a rating bonus as a joint venture: The LBE must be an active partner in the joint venture and perform work, manage the job and take financial risks in proportion to the required level of participation stated in the proposal, and must be responsible for a clearly defined portion of the work to be performed and share in the ownership, control, management responsibilities, risks, and profits of the joint venture. The portion of the LBE joint venture's work shall be set forth in detail separately from the work to be performed by the non-LBE joint venture partner. The LBE joint venture's portion of the contract must be assigned a commercially useful function.

CMD Form Submittals

All response packages submitted must include CMD Forms: 2A, 3, 4 (if applicable) and 5. CMD Forms are attached as Appendix C, or can be found at: www.sfgov.org/cmd.

Proposers are strongly advised to contact CMD staff before submitting their proposals to insure CMD forms are accurate and/or requirements are achieved.

If you have any questions concerning the CMD LBE Forms, you may call Ryan Young, CMD Contract Compliance Officer, at (415) 581-2301 or by email at Ryan.B.Young@sfgov.org.

Chapters 12B and 12C Requirements (Equal Benefits)

Effective June 1, 1997, Chapter 12B of the San Francisco Administrative Code was amended to prohibit the City 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. All proposing firms should be in the process of becoming compliant with Chapter 12B if not already compliant. The HRC has developed rules of procedure and various resource materials explaining the equal benefits program. These materials are available by calling the CMD Equal Benefits Section at (415) 581-2310 or by visiting the CMD website at www.sfgov.org/cmd.

All response packages submitted must include CMD Form 12B-101.

If you have any questions concerning the CMD Equal Benefits Forms, you may call the CMD Equal Benefits Unit at (415) 581-2310.

5. Protest Procedures

5.1 Protest of Non-Responsiveness Determination

Within five (5) working days of MOHCD's issuance of a notice of non-responsiveness, any consultant individual or firm that has submitted a response and believes that MOHCD has incorrectly determined that its response is non-responsive may submit a written notice of protest. Such notice of protest must be received by MOHCD on or before the fifth (5th) working day following MOHCD'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 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 MOHCD to determine the validity of the protest.

5.2 Protest of Establishment of Pre-Qualified Consultant List

Within five (5) working days of MOHCD's issuance of a notice of intent to establish a pre-qualified consultant list, any consultant individual or firm that has submitted a response and believes that MOHCD has incorrectly selected another Respondent for pre-qualification may submit a written notice of protest. Such notice of protest must be received by MOHCD on or before the fifth (5th) working day after MOHCD's issuance of the notice of intent to establish a pre-qualified consultant list.

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 MOHCD to determine the validity of the protest.

5.3 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 MOHCD received the protest. Protests or notice of protests made orally (e.g., by telephone) or by FAX will not be considered. Protests must be delivered to:

Christina Mun
Mayor's Office of Housing and Community Development
1 South Van Ness Avenue, 5th Floor
San Francisco, CA 94103
Christina.mun@sfgov.org