



**Main Office - Department of Housing**  
264 Harbor Blvd., Building A Belmont, CA 94002-017

**Housing Community Development**  
Tel: (650) 802-5050

**Housing Authority of the County of San Mateo**  
Tel: (650) 802-3300



# **REQUEST FOR PROPOSALS FOR EQUITY AND INNOVATION FUND**

Proposal Issued: OCTOBER 14, 2021

Responses Must be Received by  
4:00 p.m. on Monday, November 8, 2021

**REQUEST FOR PROPOSALS  
FOR  
EQUITY AND INNOVATION FUND**

Proposals must be submitted to:

housing@smchousing.org

(No paper applications will be accepted)

Administered by:  
DEPARTMENT OF HOUSING  
264 Harbor Blvd., Bldg A  
Belmont, CA 94002  
Contact Person: Dylan Sweeney

**By 4:00 P.M. (Pacific Time) on**

**Monday, November 8, 2021**

**PROPOSALS WILL NOT BE ACCEPTED AFTER THIS DATE AND TIME**

***Note regarding the Public Records Act:***

Government Code Section 6250 *et seq.*, the California Public Records Act (PRA), defines a public record as any writing containing information relating to the conduct of the public business. The PRA provides that public records shall be disclosed upon written request and that any citizen has a right to inspect any public record unless the document is exempted from disclosure.

Be advised that any contract that eventually arises from this Request For Proposals (RFP) is a public record in its entirety. Also, all information submitted in response to this RFP is itself a public record **without exception**. Submission of any materials in response to this RFP constitutes a waiver by the submitting party of any claim that the information is protected from disclosure. By submitting materials, (1) you are consenting to release of such materials by the County if requested under the Public Records Act without further notice to you and (2) you agree to indemnify and hold harmless the County of San Mateo for release of such information.

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- Enclosure 1 Standard County Agreement with Independent Contractors
- Enclosure 2 Assurance of Compliance with Section 504 of the Rehabilitation Act of 1973, as amended
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- Enclosure 4 Chapters 2.84 & 2.85 of the Ordinance Code of San Mateo County

## SECTION I: GENERAL INFORMATION

### ***1.1 STATEMENT OF INTENT***

The Department of Housing (the “Department”) is seeking proposals through this RFP for projects and programs that may not fall into the Department’s traditional affordable housing development and public service programs. San Mateo County has created the **Equity and Innovation Fund (EIF)** to inspire applicants to explore solutions to housing and community development issues that are outside of the traditional programs and projects and have the potential to create new opportunities to address community needs in innovative ways, and to foster approaches that integrate greater equity into meeting the needs of the most vulnerable and diverse populations in San Mateo County.

The County of San Mateo invites applications for new and innovative programs supporting equity and justice in housing and community development. We estimate the available funding for the EIF to be approximately **\$1,000,000**. The timelines for the County’s NOFA public participation and funding approval process can be found at [www.smchousing.org](http://www.smchousing.org).

The minimum award will be \$50,000, and the maximum award will be \$200,000.

### ***1.2 BACKGROUND***

In 2021, the County of San Mateo has reinforced its commitment to delivering services and evaluating existing structures through a lens of equity and inclusion. By reinforcing this commitment, the County seeks to ensure all people can reach their full potential in San Mateo County regardless of race, ethnicity, immigration status, income, zip code, ability, gender, sexual orientation or age. The County intends to weave equity into every aspect of how we provide for all residents, especially those who are most vulnerable by bringing an equity lens to issues such as housing, jobs, transportation and food access. The **Equity and Innovation Fund** is one tool designed to support these goals in the area of housing and community development. By launching the Equity and Innovation Fund, the Department of Housing seeks to identify and invest in innovative strategies that broaden opportunity and equity in the County.

The Department’s current support for public services is funded primarily with federal and State funding sources which are subject to conditions and requirements that limit the potential scope and creativity in how that funding is allocated. The Department has identified a pool of funding that is more flexible and that can be directed towards programs that have not typically been eligible for funding from the Department.

**This RFP is NOT seeking to solicit additional proposals from developers to fund affordable new-construction multifamily rental housing projects of the type normally funded through the Affordable Housing Fund, or through other existing sources of affordable housing funding administered by San Mateo County.**

### **1.3 THE REQUEST FOR PROPOSAL PROCESS**

This RFP seeks the submission of proposals to provide services from any and all interested and qualified proposers. The Department, which is a part of the government of the County of San Mateo, seeks by way of this RFP to obtain the listed services in a manner that maximizes the quality of services while also maximizing value to the County and, by extension, the citizens of the County. Proposers must be able to show that they are capable of performing the services proposed. Such evidence includes, but is not limited to, the respondent's demonstrated competency and experience in delivering services of a similar scope and type and local availability of the proposer's personnel and equipment resources.

Since the proposals may be for new or unproven programs, it is crucial that the proposer clearly demonstrate competency for the tasks proposed. Competency may be demonstrated by traditional organizational biographies and individual resumes, but may also be demonstrated by narrative statements of background, qualifications, experience, learning, practical skills and other relevant information. If a creative and innovative respondent does not yet have a proven track record of performance on prior projects they should provide alternate references along with a detailed work plan.

## **SECTION II: SCOPE OF WORK**

### **2.1 DESCRIPTION**

Successful proposals are not expected to be comprehensive solutions, but they should at a minimum provide County policy makers with a solid foundation of strategies and data upon which to base future program designs or additional studies.

Successful applications will principally benefit lower-income persons, support racial, ethnic, gender, and economic equity in San Mateo County through housing and community development efforts AND meet one or more of the following funding priorities:

1. Improving the capacity of governmental and private entities engaged in housing and community development work in San Mateo County to identify and pursue opportunities to promote equity in the County
2. Connecting enterprises owned by Women and Minority persons (MBE/WBE) with opportunities created by public funding for housing and community development
3. Leveraging and complementing preexisting County investments and third-party sources of funding in ways that better promote racial, ethnic, gender, and economic equity in housing and community development initiatives
4. Promoting housing stability in communities , defined by geography, race, ethnicity, ,gender identification, etc, that have historically been subject to disinvestment.

5. Expanding supportive and transitional housing opportunities to underserved populations

Currently the **Equity Innovation Fund** includes both State of California Permanent Local Housing Allocation (PLHA) and San Mateo County Measure K sources of funding. Applications will specify one of the following four categories and DOH staff will determine which source of funding is most compatible with program design. Listed below are specific eligible types of sub-activities which may be carried out with Measure K and PLHA funds. While this list is not comprehensive, it provides a spectrum of the more typical activities funded:

**1. Legal Aid and Related Services (Measure K):**

- a. Legal support for tenants and/or landlords to prevent homelessness and support housing stability for lower income households
- b. Information services that educate tenants and landlords of their respective rights, obligations, and opportunities
- c. Mediation or similar services provided to tenants or landlords that promote housing stability and prevent evictions

**2. Capacity Building Supporting Equity (Measure K):**

- a. Build regional processes or institutions that encourage the registration of MBE/WBE and Section 3 business and encourage them to engage with development and public services activities in the county
- b. Support MBE/WBE and Section 3 enterprises directly with capacity building, training, and capital investment
- c. Contribute to integrating San Mateo County and its MBE/WBEs with regional resources, opportunities, and strategies
- d. Increase the effectiveness, capacity, efficiency, and/or scope of preexisting County investments supporting and housing underserved populations

**3. Analysis of legal and/or institutional barriers to access to housing and opportunities for underserved populations:**

- a. Analysis of current zoning practices that present barriers to inclusion of underserved populations and recommendations for improvements that could result in improved inclusiveness and racial equity
- b. Evaluation of racial/ethnic data on affordable housing and voucher recipients to determine the extent to which underserved populations are over/under represented and analysis and recommendations for program/process improvements to expand access to eligible households

**4. Pilot Supportive and Transitional Housing Related Programs (PLHA and Measure K):**

- a. Non-construction programs that provide housing or housing assistance to populations that are demonstrably underserved or ineligible for funding currently available from San Mateo County's DOH funds

- b. Programs provide educational, case management or navigational services that improve housing stability or access to affordable housing
- c. Programs that are scalable, and will seek support from non-county sources in the medium term

Respondents are encouraged to collaborate with others with complementary skill sets and to submit joint proposals that demonstrate an ability to leverage human, financial and other resources. Interdisciplinary collaborations are particularly encouraged.

**2.2 LENGTH OF AGREEMENT**

**Eighteen Month Contract Terms:** The County will prepare an eighteen month contract, January 1, 2020 - June 30, 2023, with the PY 2022-2023 funding subject to availability of funds and satisfactory performance of subrecipient meeting performance goals.

**2.3 FUNDING**

The Department has allocated up to \$1,000,000 to the Equity Innovation Fund in year one. The minimum award will be \$50,000 and the maximum award will be \$200,000.

This year, the available funding will be classified into four categories with specific funding allocations (the amounts shown reflect current funding levels; these amounts will be adjusted once the final allocations from the Board of Supervisors and any reprogrammed and/or repayments have been ascertained):

<b>Funding Category</b>	<b>Amount Available</b>	<b>Source</b>
Legal Aid and Related Services	~ \$200,000	Measure K
Analysis of legal and/or institutional barriers	~\$100,000	
Capacity Building Supporting Equity	~ \$300,000	
Pilot Supportive and Transitional Housing Related Programs	~ \$400,000	PLHA
<b>Total (Pending Board Approval and PLHA Award)</b>	<b>\$ 1,000,000.00</b>	

**2.4 ADDITIONAL REQUIREMENTS/CONSIDERATIONS**

**1. Measure K Program**

Measure K is a countywide half-cent sales tax extension passed by local voters in November 2016 to support essential County services and to maintain or replace critical facilities. All programs and projects applying for County Measure K funds available through this NOFA must the following criteria:

1. The proposer is legally authorized to operate in the State of California.
2. The proposer is a nonprofit organization with 501 c (3) status, a faith based organization or a for profit that has proven experience in running programs that meet the needs of low income households, or:
3. The proposer is a nonprofit organization with 501 c (3) status, a faith based organization or a for profit that has proven experience building institutional competency or capacity supporting governmental or public service organizations

## 2. PLHA Program

The Permanent Local Housing Allocation (PLHA) program, signed into law through California's Building Homes and Jobs Act (SB 2), provides a permanent source of funding to all local governments in California to help cities and counties implement plans to increase the affordable housing stock. DOH awards of PLHA funds will support programs in alignment with equity goals specified above. County PLHA funds are **additionally restricted** in use by California Department of Housing and Community Development guidelines. For the purposes of this NOFA, PLHA funds must meet the following criteria:

- A. Assisting persons who are experiencing or at risk of homelessness, including, but not limited to, providing rapid rehousing, rental assistance, supportive/case management services that allow people to obtain and retain housing, operating and capital costs for navigation centers and emergency shelters, and the new construction, rehabilitation, and preservation of permanent and transitional housing OR;
- B. The predevelopment, development, acquisition, rehabilitation, and preservation of multifamily, residential live-work, rental housing that is Affordable to Extremely low-, Very low-, Low-, or Moderate-income households, including necessary Operating subsidies OR;
- C. Capitalized Reserves for Services connected to the preservation and creation of new Permanent supportive housing AND;
- D. Program beneficiaries must have household incomes <30% Area Median Income as determined by HUD
- E. Compliance with all other applicable PLHA requirements as in the Permanent Local Housing Allocation Final Guidelines available from the California Department of Housing and Community Development

## SECTION III: RFP PROCEDURE

This section describes the general RFP procedure used by the Department, and the remaining sections of this RFP list detailed requirements.

**3.1 TENTATIVE SCHEDULE OF EVENTS**

EVENT	TARGET DATE
1. RFP Release Date	<b>October 14, 2021</b>
2. Deadline to Submit Written Questions	<b>October 22, 2021</b>
3. Release of Responses to Written Questions	<b>October 26, 2015</b>
4. Proposal Deadline – Proposals Must be <u>RECEIVED</u> by 4:00 p.m. on This Date	<b>November 8, 2015</b>
5. Formal Review of Proposals*	<b>November 8, 2021- November 19, 2021</b>
6. Panel interview	<b>November 17<sup>th</sup>, 2021</b>
6. Announcement of Recommendation *	<b>December 6, 2021</b>
7. Protest Deadline*	<b>December 10, 2021</b>
9. Recommendation to Board of Supervisors*	<b>December 2021</b>

\*These dates/times are subject to change

**3.2 SUBMISSION OF PROPOSALS**

**A. Submission Requirements:** Submit one application per program funding request submitted by email to [housing@smchousing.org](mailto:housing@smchousing.org). No paper applications will be accepted.

**B. Submission Deadline.** Applications are due on **Monday, November 8, 2021, 4:00pm. Late applications will not be accepted.**

**Where to Submit.** Email to [housing@smchousing.org](mailto:housing@smchousing.org).

**C. Information and Assistance.** Staff is available to answer questions regarding the NOFA and preparation and submittal of the application. You may contact the following staff:

Name	Phone	E-Mail
Dylan Sweeney	(650) 802-5037	<a href="mailto:Dsweeney@smchousing.org">Dsweeney@smchousing.org</a>

**3.3 CONFIDENTIALITY OF PROPOSALS**

California Government Code Sections 6250 *et seq.* the California Public Records Act (PRA) defines a public record as any writing containing information relating to the conduct of the public business. The PRA provides that public records shall be disclosed upon written request and that any citizen has a right to inspect any public record unless the document is exempted from disclosure. The Department, which is part of the County of San Mateo, is subject to the California Public Records Act.

Be advised that any contract that eventually arises from this RFP is a public record in its entirety. Also, all information submitted in response to this RFP is itself a public record **without exception.**

Submission of any materials in response to this RFP constitutes a waiver by the submitting party of any claim that the information is protected from disclosure. By submitting materials, (1) you are consenting to release of such materials by the County if requested under the Public Records Act without further notice to you and (2) you agree to indemnify and hold harmless the County for release of such information.

If the County/Department receives a request for any portion of a document submitted in response to this RFP, the County will not assert any privileges that may exist on behalf of the person or entity submitting the proposal and the County reserves the right to disclose the requested materials without notice to the party who originally submitted the requested material. To the extent consistent with the PRA and applicable case law interpreting those provisions, the County/Department and/or its officers, agents, and employees retain discretion to release or withhold any information submitted in response to this RFP.

Submission of a proposal constitutes a complete waiver of any claims whatsoever against the County/Department and/or its officers, agents, or employees that the County has violated a proposer's right to privacy, disclosed trade secrets, or caused any damage by allowing the proposal to be inspected.

### **3.4 PROPOSAL EVALUATION**

All proposals received will be evaluated by an RFP Evaluation Panel. During the evaluation process, the Department may require a proposer's representative to answer specific questions orally and/or in writing. The Department may also require a visit to the proposer's offices, other field visits or observations by Department representatives, or demonstrations as part of the overall RFP evaluation. The most qualified individual(s) or organization(s) will be recommended to the Department management by the RFP Evaluation Committee based on the overall strength of each proposal, and the evaluation is not restricted to considerations of any single factor such as cost.

Responses to this RFP must adhere to the format for proposals detailed in Section IV – Proposal Submission Requirements. The criteria used as a guideline in the evaluation will include, but not be limited to, the following:

- A. Threshold Criteria.** The project application must be received on time, be complete, and meet the requirement that the project be both eligible and qualify under County and/or PLHA regulations.
- B. Evaluation Criteria.** Once a project is determined to meet the threshold criteria, the proposed project is then evaluated against the additional criteria:
  - 1. Supports Equity Goals 20%: Extent to which project or program addresses one of the NOFA funding priorities listed in Section II of this NOFA
  - 2. Serves Higher Needs Populations 15%: Extent to which program serves persons with special needs, as defined above, persons with low or very low incomes, or populations demonstrably underserved by programs currently supported with County funds

3. Builds Local Capacity 15%: Program will contribute to a sustained increase in the ability of local organizations or governments to address funding priorities after the completion or conclusion of the project or program
4. Innovation 20%: Extent to which program is meets needs or operates via modes that are not currently operating in the County
5. Cost-Effectiveness and Leveraging 10%: Extent to which project is cost effective in serving new or additional clients and to which other funding sources have been or will be sought and committed to Project or Program
6. Sponsor Capacity/ Capability 10%: Ability of project sponsor to carry out proposed project/program.
7. Project Feasibility/ Readiness 10%: Reasonableness of proposed timeline for implementing and completing project in the near term. Requests for funding to support community or public service programs must be for programs in the upcoming fiscal year.

The Department may consider any other criteria it deems relevant, and the Evaluation Committee is free to make any recommendations it deems to be in the best interest of the Department and/or the County. Inaccuracy of any information supplied within a proposal or other errors constitute grounds for rejection of the proposal. However, the Department may, in its sole discretion, correct errors or contact a proposer for clarification.

Note that the Department reserves the right to evaluate proposals solely based on each proposer's written submission. In relation to written materials, evaluation will be performed only on the material included directly in the proposal itself unless otherwise indicated or requested by the Department. The evaluation team will not access company web sites or read sales brochures, marketing materials, or white papers in evaluating proposer experience or proposed methodology unless doing so is in the Department's best interest. A proposer may submit additional materials or reference on-line information in their proposal, but these will not necessarily be considered during the proposal evaluation process.

The Department reserves the right to accept other than the proposals with the lowest costs and to negotiate with proposers on a fair and equal basis when the best interests of the Department are served by doing so.

### **3.5 PROPOSAL RECOMMENDATION**

The Evaluation Panel will recommend a proposer or proposers to Department management or may recommend that the proposals be rejected. Department management will then make its own decision as to whether to accept or reject the Evaluations Committee's recommendations. Ultimate acceptance or rejection of the recommended proposal or proposals and execution of a contractual agreement is the independent prerogative of the Department and/or the County, notwithstanding

any recommendations made by the Evaluation Committee. The Department reserves the right to negotiate with any proposer in working to finalize an agreement in relation to the proposer's response.

### **3.6 NOTICE TO PROPOSERS**

The Department is not required to give notice to proposers in any specific format or on any particular timeline. At some point prior to execution of a final agreement for the requested services, the Department will notify those who submitted proposals of their non-selection. Proposers may be notified at different times depending on the needs of the Department.

### **3.7 PROTEST PROCESS**

If a proposer desires to protest the selection decision, the proposer must submit by facsimile or email a written protest within five (5) business days after the delivery of the notice about the decision. The written protest should be submitted to the Department Director as outlined below. Protests received after the deadline will not be accepted. Protests must be in writing, must include the name and address of the proposer, must reference the Request for Proposal's title – "REQUEST FOR PROPOSALS FOR HOUSING INNOVATION FUND", and must state all the specific ground(s) for the protest. A protest that merely addresses a single aspect of the selected proposal (for example, comparing the cost of the selected proposal in relation to the non-selected proposal) is not sufficient to support a protest. A successful protest will include sufficient evidence and analysis to support a conclusion that the selected proposal(s), taken as a whole, is/are inferior.

The Department Director, or the Director's designee, will respond to a protest within ten (10) business days of receiving it, and the Department may, at its election, set up a meeting with the proposer to discuss the concerns raised by the protest. The decision of the Department Director, or the Director's designee, will be final. The protest letter must be sent by facsimile and email to:

San Mateo County Department of Housing  
Attn: Director  
RHodges@smchousing.org

## **SECTION IV: PROPOSAL SUBMISSION REQUIREMENTS**

The proposal should be submitted in the following format:

### **4.1 GENERAL INSTRUCTIONS**

All proposals should be typewritten or prepared on a computer and have consecutively numbered pages, including any exhibits, charts, or other attachments.

All proposals should adhere to the specified content and sequence of information described by this RFP.

Although there is not a maximum length for proposals, it is expected that proposals will be presented in a clear, concise and focused manner.

**1. COVER LETTER**

Provide a one page cover letter on your letterhead which includes the address, phone and fax numbers, and e-mail address of the contact person or persons and an indication of who is authorized to represent the proposer in negotiations.

***The cover letter must state the amount of the award requested and give a short summary of the proposal in 50 words or less.*** The cover letter can also include a longer discussion in addition to the required short summary at the proposer's option, but in no event shall the cover letter exceed one page.

Unless the proposer is an individual, all proposals must be signed with a firm/company/partnership/entity name and by a responsible officer or employee indicating that officer or employee's authorization to commit the proposer to the terms of the proposal. Obligations assumed by such signature must be fulfilled.

**2. SPECIFIED CONTENT AND DETAILED SEQUENCE OF INFORMATION IN THE RFP**

Each proposal should include sections addressing the following information in the listed order. The proposer should be sure to include all information that the proposer feels will enable the Evaluation Committee and, ultimately, the Department to make a decision. Failure of the proposer to provide specific, detailed information may result in its proposal being rejected in favor of a sufficiently-detailed proposal. Any necessary exhibits or other information, including information not specifically requested by this RFP, but that a proposer feels would be helpful, should be attached to the end of the proposal. The party submitting the materials should keep in mind the limitations on confidential information mentioned earlier in this RFP.

**3. TABBING OF SECTIONS**

Be sure your proposal is properly tabbed using the following sections:

**TAB 1 Applicant Information**

- a. Identification. Business name and principal contact person, including office location, address, telephone number, website and email. In the case of applications submitted by an Applicant team, the team must submit this information for each involved entity and designate one lead organization and a primary contact person from the lead organization.
- b. History. Briefly describe the Applicant's history, the names of the Board of Directors if any, number of years in business, and description of services the entity provides. In the case of applications

submitted by an Applicant team, each organization included as a member of the applicant team must provide this information.

- c. Team Organization and Roles. Describe proposed team organization and staffing plan for the project indicating the roles and responsibilities of each team member entity and involved staff member.

**TAB 2 Qualifications and Experience:**

Provide all of the following regarding the prime proposer and if applicable, all joint proposers.

- a. Organizational Capacity:
  - i. Titles and names of staff members who will be on the team responsible for the project, as well as the expected availability of the various individuals. If requested, include the resume of a dedicated, full-time project manager.
  - ii. All applicable licenses and license numbers relevant to the project, the names of the holders of those licenses, and the names of the agencies issuing the licenses.
  - iii. If portions of work will be performed by subcontractors, names of proposed subcontractors other than suppliers and descriptions of their respective responsibilities.
- b. Experience
  - i. The number of years providing services similar to those contemplated
  - ii. The number of years providing services to government entities
  - iii. If the proposer does not yet have a proven track record of performance on prior housing related projects they should provide a sample of any written work product proposed along with a detailed work plan.

**TAB 3 Proposed Approach:**

This section describes your proposed approach for meeting the services required by the Department, as listed above. Relevant considerations include the quality and feasibility of your approach to meeting these needs, the manner in which you plan to provide adequate staffing (if applicable), and equipment or other resources provided by you (if applicable). Keep these considerations in mind as you respond to the following:

- a. Describe how you will fulfill the needs of the Department included in this RFP. Please attach a work plan, if appropriate.
- b. Identify how you will meet all other aspects of the scope of work and related requirements and list any items you cannot provide.
- c. Describe the measurements/metrics/deliverables/assessments you will provide on at least a quarterly basis to allow the Department to assess the services you will provide.

**TAB 4 Customer Service:**

- a. In the event of a problem, who is to be contacted within your organization?
- b. In the event of the identification of a problem by the Department, describe how you will address problems and the timeframe for addressing them.

**TAB 5 Claims and Violations Against You or Your Organization:**

Please list any current violations or claims against you/your organization and those having occurred in the past five years, especially those resulting in claims or legal action against you.

**TAB 6 Uses of the Funding for Provided Services:**

- a. Provide a detailed explanation for all costs associated with your providing the requested services if you are selected.
- b. Is travel time to the Department expected? If so, will it be billable? If so, how will travel time invoices be calculated? Generally, proposals that do not include such travel time or expenses are preferred unless the services requested require travel as part of the service.
- c. Include start-up costs of any.

**TAB 7 References:**

Provide at least three references from successfully completed projects of similar nature to that described in this solicitation, including the name of the organization for which work was performed, and the name, phone number, and e-mail address of an individual at the organization who was responsible for managing and accepting the work. Ensure that contact information is current. If the County cannot contact the reference because of incorrect or out-of-date information, the reference will be deemed not to have been provided.

**TAB 8 Statement of Compliance with Contractual Requirements:**

A sample of the County's standard contract is attached to this RFP. Each proposal must include a statement of the proposer's commitment and ability to comply with each of the terms of the standard contract, including but not limited to the following:

- The non-discrimination policy;
- The equal employment opportunity requirements;
- Requirements regarding employee benefits;
- The jury duty ordinance;
- The hold harmless provision;
- Insurance requirements; and
- All other provisions of the standard contract.

In addition, the proposer should include a statement that the proposer will agree to have any disputes regarding any contract venued in San Mateo County or the Northern District of California.

Proposals must advise the Department of any objections to any terms in the contract template and provide an explanation for the inability to comply with the required term(s). If no objections are stated, the Department will assume the proposer is prepared to sign the contract as-is.

**PLEASE NOTE:** The sample standard contract attached to this RFP is a template and does not constitute the final agreement to be prepared for the proposer that is selected. Please do not attempt to insert missing information and complete the attached sample. Once a proposer is selected, the Department will work with the selected proposer to draft a proposer-specific contract. However, each proposal should address the general terms of the standard contract as outlined in this section.

## SECTION V: GENERAL TERMS AND CONDITIONS

1. **Read all Instructions.** Please read the entire RFP and all enclosures before preparing your proposal.
2. **Proposal Includes the RFP.** This RFP constitutes part of each proposal and includes the explanation of the Department's needs, which must be met.
3. **Proposal Costs.** Costs for developing proposals are entirely the responsibility of the proposer and shall not be charged to the Department or otherwise reimbursed by the County.
4. **Proposal Becomes County Property.** The RFP and all materials submitted in response to this RFP will become the property of the County.
5. **Questions and Response Process.** Submit all questions relating to this RFP in writing by one of two methods:
  - a. E-mailed to: DSweeney@smchousing.org

All questions must be received no later than 4:00 p.m. on Wednesday, October 20, 2021.

The Department may, at its option, email prospective proposers with the questions and answers in addition to posting them on the website listed above. If you wish to receive such notice, you may email Dylan Sweeney at the email address above before you submit a proposal.

If changes to the RFP are warranted, they will be made in writing, clearly marked as addenda to the RFP, and posted to the website. It is the responsibility of each proposer to check the

website listed above for changes and/or clarifications to the RFP prior to submitting a response, and a proposer's failure to do so will not provide a ground for protest.

6. **Alteration of Terms and Clarifications.** No alteration or variation of the terms of this RFP is valid unless made or confirmed in writing by the Department. Likewise, oral understandings or agreements not incorporated into the final contract are not binding on the Department.

If a proposer discovers any ambiguity, conflict, discrepancy, omission, or other error in the RFP, the proposer must immediately notify the Department of such error in writing and request modification or clarification of the document. If a proposer fails to notify the Department of an error in the RFP prior to the date fixed for submission, the proposer shall submit a response at his/her own risk, and if the proposer enters into a contract, the proposer shall not be entitled to additional compensation or time by reason of the error or its later correction.

Modifications or clarifications to the RFP will be posted to the Department website as outlined above, without divulging the source of the request for same. The Department may, at its discretion, also give electronic notice by email to all parties who have notified the Department of their electronic contact information in response to this RFP, but no party that fails to receive email notice has any basis for protest given that all clarifications will be available online. It is the obligation of all proposing parties to check the Department website for updates regarding the RFP if they wish to be kept advised of clarifications prior to submitting a proposal.

7. **Selection of Proposer(s).** The selection of a proposer will be memorialized in the form of a "County Agreement with Independent Contractor" (see the sample template attached), authorized by a resolution of the County Board of Supervisors, and signed by both parties.

The Department reserves the right to reject any or all proposals without penalty. The Department's waiver of an immaterial deviation in the proposal shall in no way modify the RFP documents or excuse the proposer from full compliance with the specifications if the proposer enters into a contract.

Once a proposer is selected, the Agreement with that proposer must still be negotiated and submitted to the San Mateo County Board of Supervisors for approval, and there is no contractual agreement between the selected proposer unless and until the Board of Supervisors approves and signs the Agreement. Selection of a proposal for negotiation of contract terms and eventual submission to County leadership by way of an Agreement does not constitute an offer, and proposers acknowledge by submission of a proposal that no agreement is final unless and until approved by the Board of Supervisors.

8. **Equal Benefits.** With respect to the provision on employee benefits, proposer must comply with the County Ordinance prohibiting discrimination in the provision of employee benefits between a full-time employee with a registered domestic partner and one with a spouse.

9. **Jury Duty.** The proposer must comply with the County Ordinance requiring that the contractor have and adhere to a written policy that provides its full-time employees who live in San Mateo County with no fewer than five days of regular pay for actual jury service in San Mateo County. This policy may provide that employees deposit any fees received for such jury service with the contractor or that the contractor deduct the from the employee's regular pay the fees received for jury service. If the proposer has no employees that qualify for jury duty in San Mateo County, the proposer may satisfy this requirement by providing the Department with written confirmation of the fact that (1) it has no such employees and (2) its policy is to comply with the jury duty pay ordinance with respect to any future qualifying employees.
10. **Insurance.** The County has certain insurance requirements that must be met. Depending on the nature of the work being performed some of these requirements may not be applicable, or alternatively, additional requirements may need to be met. In most situations those requirements include the following: the contractor must carry \$1,000,000 or more in comprehensive general liability insurance; the contractor must carry motor vehicle liability insurance, and if travel by car is a part of the services being requested, the amount of such coverage must be at least \$1,000,000; if the contractor has two or more employees, the contractor must carry the statutory limit for workers' compensation insurance; if the contractor or its employees maintains a license to perform professional services (e.g., architectural, legal, medical, psychological, etc.), the contractor must carry professional liability insurance; and generally the contractor must name the County and its officers, agents, employees, and servants as additional insured on any such policies (except workers compensation).
11. **Incomplete Proposals May be Rejected.** If a proposer fails to satisfy any of the requirements identified in this RFP, the proposer may be considered non-responsive and the proposal may be rejected.
12. **Contact with County/Department Employees.** As of the issuance date of this RFP and continuing until the final date for submission of proposals, all proposers are specifically directed not to hold meetings, conferences, or technical discussions with any County or Department employee for purposes of responding to this RFP except as otherwise permitted by this RFP. Any proposer found to be acting in any way contrary to this directive may be disqualified from entering into any contract that may result from this RFP.

Proposers should submit questions or concerns about the process as outlined in Section 5 above. The proposer should not otherwise ask any County/Department employees questions about the RFP or related issues, either orally or by written communication, unless invited to do so.

13. **Miscellaneous.** This RFP is not a commitment or contract of any kind. The County/Department reserves the right to pursue any and/or all ideas generated by this RFP. The County/Department reserves the right to reject any and all proposals and/or terminate the RFP process if deemed in the best interest of the County and/or Department. Further, while every effort has been made to ensure the information presented in this RFP is accurate

and thorough, the County/Department assumes no liability for any unintentional errors or omissions in this document. The County/Department reserves the right to waive or modify any requirements of this RFP when it determines that doing so is in the best interest of the County/Department.