

Question and Answers for RFP OLSE 2017-02

RFP Questions

Q: How many clients do you expect to use these services per year?

A: The goal of this RFP to provide services to as many workers as possible in as many languages as possible. There is not a defined number of clients.

Q: Will City of SF provide the office space? If so, where?

A: The City and County of San Francisco will not provide office space.

Q: Is there special consideration for Veteran-Owned bidders?

A: No, there is no scoring bonus given for Veteran-Owned bidders.

Q: Also, how many employees do you expect the contractor to hire?

A: There is not a set number of employees. Proposals should meet or exceed the minimum requirements for experience and provide innovative strategies for Worker Rights Protection and Labor Law Enforcement

Q: Does this office currently exist?

A: The proposer is expected to provide services under the direction of the Office of Labor Standards Enforcement (OLSE) as a contractor.

Q: Is there is an incumbent?

A: Chinese Progressive Association

Q: In scope of work section 5, Settlement Assistance, what is the role of the contractor in settlement assistance?

A: The contractor is expected to provide assistance with carrying out the terms of case settlements, including, but not limited to, communication, distributing settlement funds, and providing information about ongoing compliance issues.

Q: In scope of work section 2, Consultation and Referral Services, previously there was a set number but in the proposal there is not? Is there is a different focus?

A: There is not a set number of consultation prescribed in the RFP. OLSE anticipates the proposer will provide an estimate of the worker consultations. OLSE does not expect the proposer to state the number of cases.

Q: Cost is weighted 10 points in the evaluation. How will that be used?

A: The lowest fee proposed will receive the total 10 points available. All other fee proposals will be scored by dividing the amount of the lowest fee by the fee proposal being scored and multiplying the

result by the 10. For example, if the lowest fee proposal received is for \$90,000 per year, a fee proposal of \$100,000 per year would receive a score of 9.

Q: How should the cost be broken down in the proposal? Is there a template, should it include staff hourly rates and subproject costs?

A: The proposal may include hourly rates as discussed in Part D of the Proposal Template – Attachment I. Also, please see the Sample Contract (Attachment IV), Appendix B.

Q: In the outreach component, how sophisticated in terms of digital media or other outreach strategies should they be?

A: This is up to the proposer. OLSE encourages innovative outreach that is culturally competent and effective.

Contract Management Division (CMD) Questions:

Q: Is it possible where you have a Micro-LBE and SBE apply for both at the same time?

A: The SBE program does not apply to City Contracts under Administrative Chapter 14(B). CMD also certifies SBA LBEs, for which the benefits are described in [CMD Attachment II](#), Section 2.01.

Q: Does the SBE program apply to City Contracts?

A: No. See above.

Q: One can get credit for Micro-LBE and LBE at the same time, correct?

A: It is possible for an LBE to be a Micro-LBE for one service category and a Small-LBE in another service category. LBE credit is awarded when the scope of work for which a firm is listed on Form 2A corresponds to their certification category. To learn more about LBE Certification, including eligibility thresholds and service categories, please visit [CMD's Certification page](#).

Q: If you are a Micro-LBE, you would still have to comply with the LBE subcontracting component?

A: Yes. All prime proposers, including LBE prime proposers, must comply with the LBE subcontracting requirement. Additionally, LBE prime proposers may not count self-performed work towards meeting the LBE subcontracting requirement.

Q: IS there a specific category that we should be searching from?

A: Proposers should examine the scope of work to determine opportunities for subcontracting. The formulation of one's team is a business decision so long as LBE requirements are met.

Q: How many steps or deep down to go in the back and forth need to be logged to meet the good faith effort? Is there a standard rule?

A: A bidder/proposer who performs follow-up contact with interested LBEs and negotiates in good faith with interested LBEs will receive up to 20 points. An “interested LBE” means an LBE firm that expresses an interest in being a subcontractor/subconsultant to the bidder/proposer.

a) The bidder/proposer must include documentation (i.e., phone logs, emails, faxes, etc.) to verify that follow-up contacts were made. For each interested LBE firm that the bidder/proposer does not follow-up with, a point will be deducted.

b) A bidder/proposer who does not perform any follow-up contact with interested LBEs and does not negotiate in good faith with all interested LBEs will receive no points.

Negotiations in good faith refers to a Prime providing sufficient information to a prospective subcontractor in order for the subcontractor to either submit proposals and/or qualification to the Prime for consideration. Prime proposers shall in good faith consider the qualifications of and respond to any interested LBE.

Q: If you get a response and they don't qualify and you respond to sub that they don't meet requirements then is the documentation is good enough?

A: See answer above.

Q: What is the last day to ask questions about the proposal and CMD?

A: Proposal is today, CMD is any time.

Q: Would you entertain this double check or final check before the proposal is submitted?

A: CMD is always available to provide technical assistance regarding CMD requirements. CMD cannot give business advice or declare in advance of submission that a proposers forms are compliant.

Q: Can an LBE use their own work towards satisfying the 35% approach to good faith outreach?

A: LBEs may use their own work towards meeting the 35% approach to good faith outreach but not towards meeting the subcontracting requirement. See also answer above.

Q: Any special considerations for joint ventures?

A: The rating bonus for a Joint Venture (“JV”) with LBE participation is as follows:

a. 10% for each JV among Small and/or Micro LBE prime proposers.

b. 5% for each JV which includes at least 35% (but less than 40%) participation by Small and/or Micro-LBE prime proposers.

c. 7.5% for each JV that includes 40% or more in participation by Small and/or Micro-LBE prime proposers.

The rating bonus will be applied by adding 5%, 7.5%, or 10% (as applicable) to the score of each firm eligible for a bonus for purposes of determining the highest ranked firm. Pursuant to Chapter 14B.7(F), SBA-LBEs are not eligible for the rating bonus when joint venturing with a non LBE firm. However, if the SBA-LBE joint ventures with a Micro-LBE or a Small-LBE, the joint venture will be entitled to the joint venture rating bonus only to the extent the JV meets the Criteria listed in Attachment II Sec. 2.02 (A)

Each Small and/or Micro-LBE Joint Venture (“JV”) partner must be responsible for a clearly defined portion of the work to be performed. The rating bonus is applied only when the Small and/or Micro-LBE partner has sufficient skill, experience, and financial capacity to perform the portion of the work identified for the Small and/or Micro-LBE JV partner. This portion must be set forth in detail separately from the work to be performed by the non-LBE JV partner. Each JV partner must meet the minimum qualifications listed for the Prime or Joint Venture Partner as outlined in the bid/proposal. Each Joint Venture partner must be listed to perform prime level work and each JV partner must possess the license required by the RFP (if applicable). The LBE partner(s) must be CMD LBE certified in that area that they are listed to perform in order to be eligible for the rating bonus. The joint venture partners must be jointly responsible for the overall project management, control, and compliance with 14B requirements.

Q: If you are part owner of one LBE and you own another, you are not allowed to use both?

A: Correct. In essence, a firm cannot subcontract with oneself.

Q: Two of the organizations I want to work with are fiscally sponsored projects, would they as NPEs qualify for LBE subcontractor credit?

A: It depends. Please contact the LBE Certification Manager to check the nuanced certification requirements for NPE-LBEs when fiscal sponsorship is involved.

Q: Draft contact says 5% subcontracting requirement?

A: The sample contract provided is merely a sample. The subcontracting requirement for this project is 20%.

Q: Why are PUC LBEs not eligible?

A: In order to be awarded this contract, you must be an approved City of San Francisco vendor.

Q: Signing authority can be manager or must it be owner?

A: It can be owner or officer with authority.

Q: If we needed to update expired certification who should we contact?

A: Contact Stephanie Tang stephanie.tang@sfgov.org