



City and County of San Francisco

Port of San Francisco
Engineering Division

REQUEST FOR QUALIFICATIONS FOR AS-NEEDED ENGINEERING AND RELATED PROFESSIONAL SERVICES RFQ# Port 2012-05.23

PRE-SUBMITTAL MEETING:

**JUNE 20, 2012 10:30 am Port Commission Hearing Room, 1 Ferry building
San Francisco, CA 94111**

CONTACT: Andres Acevedo, 415-274-0443, andres.acevedesfport-contracts@sfport.com

Background

The Port of San Francisco ("Port"), a department within the City & County of San Francisco ("City"), is a self-supporting, enterprise agency overseeing 7-1/2 miles of property along the San Francisco Bay. This property is held in "public trust" for the people of California. As trustee of this property since 1969, the Port is required to promote maritime commerce, navigation, and fisheries, as well as to protect natural resources and develop recreational facilities for public use.

The Port is seeking three highly qualified Engineering and Related Professional Services teams to provide contract services on an as-needed basis. The Port anticipates awarding three separate contracts, each with a three-year term (with option to renew for one year), and each not to exceed \$1.5 million in amount.

The Port seeks as-needed consulting services to assist in assessing and maximizing Port assets. Successful respondents must have experience working with ports, municipalities, or similar government agencies on complex assignments in specialized fields, as described later in this document.

Intent of this RFQ

Through this Request for Qualifications (RFQ), the Port intends to create a list of prequalified teams of consultants. The Port further intends to immediately select no fewer than three of the pre-qualified teams for contract award for as-needed services. If more than three teams are pre-qualified, contracts will be awarded to the three teams deemed most qualified based on the RFQ Evaluation Criteria and the selection process described herein.

Schedule*

RFQ Issued	06-13-2012
Deadline for RFQ questions	07-06-2012 (12pm PST)
Answers to RFQ questions posted online	07-11-2012
Deadline for RFQ responses	07-20- 2012 (12pm PST)
Intent to award notification	08-03-2012
Contract term commences	09-2012

*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, e-mail your questions to Andrés Acevedo at andres.acevedesfport-contracts@sfport.com.

Submittal questions must be in writing and received on or before July 06, 2012. No

questions will be accepted after this time with the exception of City vendor compliance or Human Rights Commission subconsulting requirement questions.

A summary of the questions and answers pertaining to this RFQ will be posted on the Port website at www.sfport.com under "RFPs / RFQs."

PRE-SUBMITTAL MEETING: JUNE 20, 2012, 10:30 am
at the Port Commission Hearing Room.

Addendum 1&2

Changes include:

Changed wording to match percentage (grammatical error)	Pg. 1
Removed inconsistent wording regarding services	Pg. 3
Included additional services in proposal	Pg. 4
Removed restriction on using Port staff as references	Pg. 8 &10
Inserted Billable hourly rate maximum	Pg. 11
Revised wording to clarify who should participate in the interviews	Pg. 13
Removed attachment I	Pg. 14
Change email address to reflect sfport-contracts@sfport.com	Pg. 15

1. Introduction

General terms used in this RFQ will have the following meanings. The “Respondent” refers to any entity submitting a response to this Request for Qualifications (“RFQ”). The “Submittal” or the “Statement of Qualifications” refers to a qualifications package submitted in response to this RFQ. The terms “Consulting Team”, “Prime Consultant”, and “Sub-consultant”, are also used throughout the document. A Consulting Team is a grouping of consultant firms consisting of a Prime Consultant who will serve as the prime contractor if selected by the Port for contract award, and a set of subconsultants. A “Master Agreement”, “Agreement” or “Contract” refers to a non-project specific, blanket contract between the Port and Prime Consultant. A “Contract Service Order”, or “CSO”, refers to a project-specific work assignment requested/authorized by the Port under the terms and conditions of the Master Agreement. A “pool” refers to selected and approved Consulting Teams.

1.1 Statement of Need and Intent

Through this Request for Qualifications (“RFQ”) the Port is seeking qualified consultants capable of providing engineering and related professional services in a timely and efficient manner to meet the Port’s capital project planning, development, property management, maintenance and maritime operations. The Port is embarking upon a major 10-Year Capital Plan and has the constant challenge of managing an aging infrastructure. Depending upon the project, consultants which receive contract awards may work in conjunction with the Port’s technical staff and/or other consultants hired by the Port as part of a project team. In the performance of these activities, the Port will require assistance in the form of specialized knowledge, expertise, and state-of-the-art techniques that are beyond the capabilities of its own staff and resources. Requested services may involve an entire project, several projects, and part of a project or for any project phase. The nature of these services will be primarily engineering related.

The Port desires to award three (3) separate and distinct contracts to supplement staff resources for engineering related services on an as-needed basis. A twenty-one percent (21%) Local Business Enterprise (LBE) subcontracting goal has been established by the San Francisco Human Rights Commission. Each contract will not exceed \$1,500,000 with three-year durations. In addition, the Port shall have the option to extend the term for one additional year, which the Port may exercise in its sole, absolute discretion. However, the Port does not guarantee any or all of the contract amount indicated nor the contract renewal.

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

1.2 Background

The Port previously solicited and procured contracts for these services under an RFQ entitled: "As-Needed Engineering Services" in 2009. Three contracts were awarded under that solicitation, which are due to expire June 30, 2012. These contracts were awarded to: 1) Creegan & D'Angelo/F.E. Jordan; 2) URS/AGS; and 3) Winzler Kelly (GHD)/Structural Design Engineers. While these firms are allowed to compete in this procurement, they shall have no preference in the selection process and thus must compete as all others.

The following are examples of projects awarded under Contract Service Orders (CSOs) for the current pool of As-Needed Architectural and Engineering Contracts.

CSO Project Description	CSO Amount
On-Call Scoping and Technical Advice	\$75,000
Pier 45/Taylor Street Drainage Design/Construction Review	54,525
Construction support for MSP11	131,857
Testing & Inspection for ISB	120,000
Ca HSR OCS Peer Review	19,650
Pier 27 Shoreside Power Estimator	2,791
Pier 33.5 Core and Shell Improvements	182,430
P70, Bldg 113 Structural Remediation Project	164,914
Seismic Engineering Studies for Piers	171,581
P70, Bldg 113 Structural Remediation Project	135,341
Portwide Demolition/Fill Removal	15,393
On Call Project Scoping, Technical Advice, Peer Review & Plan Checking	25,000
CCTV Project	119,130
Pier 19 Roofing Project Migratory Bird Treaty Act Compliance	55,015
Portwide Photovoltaic (PV) System Study	49,952
BSW CEQA/Permitting	49,845
Sea Level Rise and Mitigation Study	193,952
Container Cranes Paint & Demo	36,917
Physical Hardening and Advance Security Awareness Training	186,312
Pier 35 Superstructure (Shed) Repair	282,877
On Call Scoping, Technical Advice, Peer Review and Plan Checking	100,000
Pier 19 roof repair estimate	8,108
Berth 35 dredging inspection services	74,314
Berth 27 Dredging Inspection Services	26,874
Enrg Srvc for Pile Driver #4 Barge Structure	119,374
Downtown and china basin ferry terminal float CP design	28,128
JOS Cost Estimate	7,682
China Basin (Ferry Terminal) Float Repairs	82,025
Pier 35 North Berth Improvments	141,874
On-Call Technical Advice Engineering Services Related to AC34 Event	174,885
P33 & P35 Special Inspection & Testing Servcies	70,823
Port of SF Seismic Engineering Standard for Piers, Wharfs & Seawall Structers	14,814
4th party independent quality control inspector dredging at Pier 27	32,961
Pier 33.5 Improvements Estimate	7,323
4th party independent quality control inspector dredging at Pier 35	\$39,306
Average CSO Amount	\$59,425

2. Scope of Work

The Scope of Work described below shall provide a general guide but is not intended to be a complete list of all work that may be required. Firms awarded contracts from this solicitation process may be requested to develop, design, perform analysis and/or assist in preparing engineering, construction or related documents for a variety of large Port projects that will later be completed.

To minimize duplication of effort and to allow the Port to coordinate data requests and data distribution for the multiple projects that may be included in the eventual contract scopes, as

well as for previous and future projects, the selected Contractors' findings and data may be shared by the City with other City contractors, as deemed appropriate by the City.

The selected as-needed consultants will provide comprehensive engineering -and related professional services (~~site engineering, mechanical, electrical, architectural, landscape, civil, structural, transportation, geotechnical, design-related environmental, data management, claims and parking consulting~~) to support the Port in its on-going efforts to effectively and economically develop, utilize and maintain its varied infrastructure and facility assets as well as conduct related operations. This work is primarily engineering related.

Due to the nature of as-needed services, it is not feasible to define the precise scope of work in advance. Instead, the Port can only indicate the types of professional disciplines and work that might be required. Services may include full design services, partial specialized services or partial design services to supplement Port staff. The selected Consulting Teams will include civil or structural engineering firms as the Prime Consultant (contracting entity).

The type of work and disciplines will likely include the following:

MAJOR CATEGORIES OF WORK	MINOR CATEGORIES OF WORK
Structural Engineering	Elevator/Escalator Consulting
Civil Engineering	Construction Management Services
Mechanical Engineering	Special Inspection & Testing
Electrical Engineering	Project Programming and Planning
Utility and Energy Efficiency	Scheduling
Green Building	Tidal Wave Evaluation
LEED Certification and Standards	Geotechnical Engineering
Historic Preservation Architect	Fire Protection
Cost Estimating	Security
Specification Writer (Construction & Professional Services)	Cruise Terminal Operations
Marine Engineering	ADA Design and Inspections
Coastal Engineering	Transportation and Traffic Engineering
Dredging Inspection	Peer Reviews
Constructability Reviews	Project Management
Archeologist	Corrosion Engineering
Railroad Consulting	

The Port does not guarantee that any or all of the above sample of services or disciplines will be required under the as-needed contract. The above categories are to be used as a guide only. Respondents to the RFQ may propose other services as well.

Design and engineering services may be related but not limited to the following types of activities and facilities:

- Roadways, parking lots and guardrails
- Dredging
- Piling – marine and land based
- Bridges
- Harbors
- Seawall and breakwaters
- Piers and wharfs
- Buildings and other structure including ADA compliance, superstructure, roof, and etc.

- Fire protection, alarm and sprinkler systems
- General utilities including electrical and mechanical such as electrical distributions, controls, lightings, HVAC, piping systems, sewage, pump stations, boilers and etc.
- Stormwater and wastewater systems
- Marine vessels
- Marine fender systems
- Security enhancements
- Heavy Railroad Improvements

2.2 Additional Services

The Port may require other specialty consultant services for the completion of projects, as requested by the Port. Please be sure to include additional services in your proposal, if you do not your submittal will be deemed non-responsive. If such services are required, the Port will provide specific definition of the services and written authorization from the Port Executive Director or his/her designee. Once the scope of work and fees have been established for a project assignment, the Prime Consultant is responsible for staying within budget, scope, and schedule. During work progress, the Prime Consultant may be required to make minor changes in the scope of work at no additional expense to the Port. The final decision as to what constitutes a minor change rests with the Port Executive Director or his/her designee. Should major changes in the Scope of Work be necessary after the Master Contract and/or CSO has been issued, the Port will negotiate appropriate amendments to the Master Agreement (Contract) or CSO pursuant to Port policy.

The selected consultant team will be required to perform at their own expense the redesign or revision of drawings, specifications, or other materials furnished under the agreement, if the Port determines that such revision is necessary to correct errors or deficiencies for which the Consulting Team is responsible.

Other specialized services may include:

- General Architecture
- Landscape Architecture
- Surveying
- Environmental engineering
- Container crane consulting
- Project Management
- AutoCAD
- Subsurface Utility Engineering
- Aerial/Photogrammetric Services
- Community Relations
- Value Engineering

2.3 General Standards of Work

The Port will determine the actual scope of work and specific assignments on an as-needed basis and may determine assignments through an informal Request for Proposal. The Port reserves the right to award work related to as-needed services as described in this solicitation through a separate formal competitive solicitation. All Consulting Teams will be required to review the standard City and County of San Francisco contract for all professional services referred to as the P-500 (see Appendix C – Agreement for Professional Services dated P-500 05/10), contract review requirements are further discussed in the following sections (see §3.3

part 1). Additionally, consulting teams must sign a non-collusion affidavit (see Appendix D– Non-collusion affidavit).

2.4 Means of Engagement

Firms will receive a confirmation once they have been accepted to the pool of as-needed Consulting Teams herein referred to as a Notice of Intent to Establish a Pre-qualified List (see § 4 Evaluation for more specifics on acceptance to the pool). This notification will outline the requirements and timelines needed to prepare each Consulting team for as-needed work.

Although teams have been accepted to the pool, work will not be awarded until the Port determines that the required services cannot be performed by existing Port/City staff. The Port will send a Notice of Intent to Award to one or all Consulting Teams stating the Port's intent to use the as-needed pool, describing the nature, purpose, anticipated scope, and particulars of the proposed engagement. The Port and the selected Consulting Team shall then, through cooperation and negotiation, establish the agreed upon scope of services, personnel resources, project schedule, deliverables, conditions and restrictions, and compensation (based upon the fee schedule set by the as-needed contract) required and appropriate to meet the agreed upon, purpose and goals of the engagement. The Port reserves the right to request and require additional detailed proposals from its as-needed consultants to assist in the selection of a Consulting Team.

When the scopes of services and fees have been established a Contract Service Order (CSO) will be issued. Once the CSO has been certified by the Controller's office a Notice to Proceed (NTP), a short memo stating the chosen consulting firm can begin work, will be issued. Unless a CSO specifies work to be performed on a time and materials basis, all CSOs issued under the as-needed contracts shall be compensated on a firm fixed fee basis.

Fee increases may be considered only if change orders require a major design or specification change based upon the following change order conditions and subject to the Port's written approval by way of a written CSO amendment:

- Owner initiated major changes in scope; or
- Materially different conditions that were unforeseeable;
- All other considerations for fee increases will be evaluated by the Port on a case by case basis and as circumstances warrant.

3. Response Requirements

3.1 Time and Place for Submission of Responses

Responses to this RFQ must be **received** no later than **12:00 p.m.**, on Friday **July 20, 2012**. **Submittals may be delivered in person and date stamped at the Port of San Francisco's reception desk located at Pier 1, San Francisco, CA** or mailed to:

Andrés Acevedo
Contracts Manager
Port of San Francisco
Pier 1

San Francisco, CA 94111

Postmarks will not be considered in judging the timeliness of submissions. Responses submitted by e-mail 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

Respondents shall submit **seven unbound copies of their submittal** in a sealed envelope clearly marked **As-Needed Engineering and Related Professional Services, Port of San Francisco**. Double-sided printing on recycled or recyclable white paper and 11-point font is preferred.

The entire submittal shall include an electronic submission on CD with the narrative, contract documents, and HRC forms submittal in Adobe Acrobat PDF format.

Two hard copies of the HRC forms shall be submitted in a separate sealed envelope marked "HRC Forms" along with the firm name.

The Port may disqualify any submittal as non-responsive for the following reasons:

- a. Submittals that are provided via fax or e-mail.
- b. Submittals that are late.
- c. The RFQ Submittal fails to meet the specified LBE goals and fails to include documented good faith effort outreach as required in the RFQ Appendix A.
- d. The RFQ Submittal does not meet the minimum qualifications requirements as specified in RFQ Section IV Evaluation and Selection Criteria.
- e. Acceptance of the submittal would otherwise violate applicable City and County of San Francisco Codes and Ordinances or other State or Federal laws.
- f. The Fee Schedule Submittal is not in the format required by the RFQ.
- g. The submittal is not in compliance with the following Format and Content of Submittals in Section 3.3.

3.3 Format and Content of Submittals

Firms interested in responding to this RFQ must submit the following information, in the order specified below:

1. Introduction and Executive Summary (up to 3 pages)

Submit a letter of introduction and executive summary of the submittal. The letter must be signed by a person authorized by your firm to obligate your firm to perform the commitments contained in the proposal. The letter should address the firm's commitment to provide services requested under the Port's As-Needed Engineering and Related Professional Services Agreement. It should summarize the consultant team's approach to as-needed professional services and the scope of the services contain in this RFQ. Submission of the letter will constitute a representation that your firm is willing and able to perform the commitments contained in the submittal. The letter should identify a contact (with contact information including fax, telephone, mailing address and e-mail address) for future communications regarding the submittal and acknowledge all addenda to the RFQ. One page shall include a Project Team Service Matrix identifying team members providing each of the major and minor discipline categories listed in the RFQ under Section II. Scope of Work.

Proposers must acknowledge having read the P-500 Draft Contract attached as Appendix C and agree to execute a contract in substantially the same form. Proposers must confirm that the Insurance requirements, listed in Appendix E. and in Appendix C: P-500 Agreement for Professional Services; (paragraph 15) have been discussed with the firm's insurer or insurer representative to determine the ability to comply within seven (7) business days from the notification of acceptance to the as-needed consultant pool. **The receipt of any and all addenda must be acknowledged in the cover letter.**

2. Approach (up to 6 pages)

Describe the services and activities that your firm proposes to provide to the Port. Include the following information:

- a. Overall approach to an "as-needed" contract including discussion of how your firm can support the Port based on your understanding of engineering issues that might be pertinent to the Port; and
- b. Ability to complete work assignments involving multiple disciplines in a timely and cost effective manner; and
- c. Approach to assignment of work within your firm's work team and how your team will complete tasks and deliverables to assure high quality end product, and
- d. State any constraints, problems and issues that should be anticipated during execution of the services to be provided and suggest approaches to resolving these constraints, problems and issues.
- e. Demonstrated understanding and acceptance of contract service orders when used for firm fixed price services versus time and materials services as applicable to the Port.
- f. Project management and contract administration approach to facilitate smooth and cost effective (to Port) contract service order and invoice processing i.e. earned value, project status reports, monthly billing (including subconsultant invoices) and budget/schedule/task completion accountability.

3. Prime Consultant /Firm Qualifications (up to 6 pages; 12 pages if Joint Venture is proposed)

Provide information on the Prime Consultant firm's background and qualifications which addresses the following:

- a. A brief description of the firm and background summary;
- b. List of professional licenses, certifications and qualifications of the Prime Consultant;
- c. Evidence of adequate staffing to perform work assignments in timely and high quality manner;
- d. Provide the address of the San Francisco office where staff assigned to this project will work;
- e. A description of not more than three projects performed by your firm similar in size and scope to the largest (dollar value contract) size and type of services historically required under the Port's as-needed contract . If a joint venture (also see additional note below), describe three such projects for each member of the joint venture entity. Descriptions are limited to one page per project and must identify the client, who in your firm worked on the project, their role, project budget (consultant contract amount and construction budget), schedule, reference contact information, and current status (date completed or anticipated to be completed); and

It is the respondent's responsibility to assure that all contact information is current and includes names, telephone numbers, fax numbers and e-mail addressed. If contact information is not provided or incorrect for the purposes of verifying project experience, submission may be deemed non-responsive. **Current Port staff may not be listed as references for these projects.**

Note for Respondents forming a Joint Venture:

Respondents should submit the Joint Venture Agreement as specified by the San Francisco Human Rights Commission Requirements as cited in RFQ Appendix A. In any event, the Joint Venture Agreement shall be submitted by no later than within four weeks after the Port's Notice of Intent to Award (see §2.4 for a description of the Notice of Intent to Award).

- f. Experience in providing project management and contract administration for as-needed contracts as well as experience tracking contract progress using earned value.

4. Team Qualifications (up to 6 pages)

Please refer to Minimum Qualifications in Section 4.2 for additional information on team qualifications. It is critical that the submittal clearly explain how the Consulting Team will organize and assemble an available team that will meet the RFQ needs.

Please be specific in addressing the following:

- a. Provide a list identifying: (i) each key person (staff who will spend at least 25% of their employment time on this contract) on the Consulting Team, (ii) the project manager, (iii) the role each will play in the project, and (iv) a written assurance that the key individuals listed and identified will be performing the work and will not be substituted with other personnel or reassigned to another project without the Port's prior approval (v) provide at least one alternate subconsultant resource on the team for construction management, electrical engineering, and structural engineering. If these disciplines are being used to meet the Human Rights Commission (HRC) Local Business Enterprise (LBE) subconsulting goal of this RFQ, then the alternate subconsultant must also be a certified LBE or micro-LBE. The Port prefers that where the two subconsultants listed for the aforementioned disciplines, primes include one each of an HRC certified LBE and micro-LBE.

Each Prime Consultant is required to include two highly qualified coastal engineering firms on its team.

- b. Provide a brief background on all subconsultant firms included as a part of the contract team as well as a description of the experience and qualifications for each project team member, including summary of proposed assigned staff qualifications. More detailed resumes are to be included in an Appendix and must include education, licenses and verifiable related experience expressed in years.
- c. Provide an organization chart identifying the key team members.
- d. Commitment and availability of key staff at the prime and subconsultant levels. (Indicate percentage of work time each key member will be able to spend on the as-needed contract work awarded from this RFQ.
- e. Describe the team's commitment to include certified Local Businesses Enterprises (LBEs) and other qualified subconsultant experts on the team. Where there is not a previous working relationship or Port of San Francisco contract experience, describe how these subconsultant experts will be integrated as part of the team.
- f. Describe any previous working relationship with team members and how those working relationships will enhance the team synergy and quality of deliverable work product to the Port.

5. Professional References

Provide references for the proposed Prime Consultant and all key subconsultants, including the project title/agency, contract name, address and telephone/fax number as well as e-mail addresses of three recent clients (preferably other public agencies). **No current Port of San Francisco employees may be listed as references.** These references will not be scored, but will be used to determine minimum qualifications.

6. Fee Schedule

The Port intends to award contracts to the firms that it considers will provide the best overall program services and value. The Port reserves the right to accept a submittal without the lowest priced fee schedule and to reject any submittal where the fee schedule is deemed not responsive to this request. As such, the Port's Contract Manager will review the fee schedule submittal to assure responsiveness to the fee schedule submittal requirements. Any fee schedule that is not in compliance with the fee schedule submittal requirements can be deemed non-responsive to the RFQ.

The submittal shall include fee schedules applicable for a three-year period. **Such fee schedules shall be provided in a separately sealed envelope together with the submittal.** Fee schedules shall be provided for the **prime and all subconsultants**. If the prime consists of a joint venture, fee schedules must be provided for each joint venture member or partner. The fee schedule should include billable hourly rates for all team members including subconsultants.

Include licenses, education and experience for any variances within the same classifications. Employees with different titles that perform basically the same work may be included in the table with an added column (parallel) to reflect any "working" job titles that might be different. Some work will be security sensitive and may require a Transportation Worker Identification Credential (TWIC). Visit the Transportation Security Administration (www.tsa.gov) website for more information. Identify which employees meet the TWIC requirements.

Complete, but concise responses, are recommended for ease of review by the Evaluation panel (See Section 4.1). Responses should provide a straightforward, concise description of the Respondent's capabilities to satisfy the requirements of the RFQ. Marketing and sales type information should be excluded. All parts, pages, figures, and tables should be numbered and clearly labeled.

The following page illustrates an example fee schedule.

Example Fee Schedule

Assigned Staff Name	Professional Discipline/Job Classification	Job description*	Billable Hourly Rates
	Principal	This class represents division managers and supervises senior engineers (Section Managers)	
	Senior Engineer	This class represents section managers and typically supervises group leaders referred as "Engineers" in the City's Engineering Series.	
	Structural Engineer	This class is parallel to Engineer class but requires a SE license. Some jurisdictions such as City and County of San Francisco provide a premium pay for SE license. So the salary is about 10% more than Engineer	
	Engineer	This class represents group leaders typically supervises associate engineers	
	Associate Engineer	First Engineering Class in the engineering series that require a PE license	
	Staff Engineer	Engineers that are not licensed. These engineers typically do the bulk of the work. They may do the assignments under the supervision of licensed engineers (Associate Engineers, Engineers, Structural Engineers etc.)	
	Project Manager	The Project Manager (PM) has overall responsibility for the project work scope, schedule and budget. He is the project team's liaison to the client (project sponsor). He has overall responsibility for delivering the project on time with available funds. For smaller projects the Project Engineer and Project Manager could be the same person.	
	Project Engineer	This person is from the lead discipline of the project and has overall responsibility for all technical aspects of the project. The Project Engineer (PE) reports to the Project Manager for project budget, schedule and coordination issues. PE is responsible for documenting engineering progress information obtained from Design Lead Engineers and other support groups, including consultants and other City engineering groups. The PE ensures the integrity for completion of the critical Engineering Calculations. He/She coordinates activities among various disciplines (structural, civil, mechanical, electrical etc.) involved in the project.	
	Technician	The word engineering technician is generally used do designate all support engineering personnel (such as CADD Designer, CADD Drafter, Surveyor, Cost estimator, Scheduler etc.) who perform CADD work and other duties such as field surveys, quantity estimate, cost estimate etc.). This class does not require any BS degree in engineering fields but may require associate degrees from community colleges.	
	CADD Designer	CADD person with some engineering knowledge, does not require any BS degree in engineering fields but may require associate degrees from community colleges	
	CADD Drafter	lower level CADD staff	
	Cost Estimator	Person that prepares cost estimate for projects.	
	Scheduler	Person that prepares the project schedule. This is typically be done by either a project manager or project engineer.	
	Project Controls	Person that oversees the project contract administration (other than contract administration included in overhead such as RFIs)	
	Quality Control	Person that reviews the deliverables. This is typically done by the senior engineers or other licensed engineer	
	Other (Describe)		

Note: Billable hourly rates should not exceed \$210-

4. Evaluation Criteria

This section describes the City's criteria for analyzing and evaluating the responses and for Respondent pre-qualification. It is the City's intent to pre-qualify for Master Agreements those Respondent(s) that will provide the best overall service packages to the City. Consultant firms selected for pre-qualification are not guaranteed a contract. This RFQ does not in any way limit the City's right to solicit contracts for similar or identical services if, in the City's sole and absolute discretion, it determines the pre-qualified consultant firms are not fully capable to satisfy its needs.

4.1 Evaluation panel

The Port of San Francisco will follow the City and County of San Francisco's guidelines for administering a competitive bid process by allowing no more than 50% of the selection panel to consist of Port staff. Other City representatives approved by the Contract Manager will serve as the Evaluation panel responsible for evaluating Respondents. Specifically, the team will be responsible for the evaluation and rating of the responses for pre-qualification and for interviews. Reference checks will be conducted by Port administrative staff.

4.2 Minimum Qualifications

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

Prime Consultants must have verifiable experience of at least seven continuous years consulting on complex maritime/port related projects. The Prime Consultant's Project/Contract Manager must have a valid California engineering license in Civil or Structural engineering; five (5) continuous years' experience managing design contracts and at least two years' experience overseeing contract administration as the Contract Liaison for a contract fee valued at a minimum of \$1.5 million over three years; or a minimum \$500,000 in one year. References will be used to verify these minimum qualifications.

Subconsultants shall have at least three (3) years' experience as an established business providing services that would familiarize the firm with public sector work or work on Port property of the nature described in RFQ Section II – Scope of Work. References may be used to verify qualifications.

All disciplines specified in RFQ Section II Scope of Work must be included in the team qualifications and shown on the Cover Letter - Project Team Services Matrix.

Each professional discipline represented on the team must have relevant experience in the field of work proposed. Where State of California licenses or other professional licenses are required for applicable discipline or services offered, such licenses must be current and listed in the team qualifications.

All firms responding to this RFQ must meet the requirements of the City and County of San Francisco's Local **Business Enterprise (LBE) Program set forth in the S.F. Administrative**

code 14B in order to be deemed eligible for consideration beyond the minimum qualification of the evaluation and selection process (see RFQ Section V. Terms and Conditions for Receipt of Qualification Submittals – paragraph N.) The City’s Human Rights Commission (HRC) has established a 21% LBE subconsulting participation goal for this project. Any proposal that does not meet this goal and demonstrate substantial good faith effort outreach compliance as defined by the HRC on Forms 2A and 2B, by the deadline for submittal of proposals, will be considered non-responsive and will not be eligible for award of the contract.

Respondents to this RFQ must carefully review all RFQ submittal requirements for a complete response. Failure to submit any of the required documents may be grounds for a determination of non-responsiveness to the RFQ. Fee schedules will be opened by the Port’s Contract Manager to determine responsiveness to the RFQ submittal format and re-sealed without disclosure to the evaluation panel.

4.3 Selection Processes

Selection for Interview

The top ranked teams scoring at least 75% on the written evaluation phase of the selection process to be invited to interviews.

Interview Evaluation

Through the interview, the selection committee will evaluate and score selected firms according to a standardized set of questions. Interviews will consist of a 30 minute question and answer session and 10 minutes for a team presentation.—~~Key members of the team (e.g., Project Managers, Principals, lead engineers), and a representative of all key LBE firms must be present at the interview. It is not necessary to bring both teams where alternates or two subconsultant were requested to be included in the team interviews.~~ No audio or visual equipment will be provided by the Port for the interviews.

LBE Incentive Credit Points

All certified Local Business Enterprise (LBE) credits shall be added to raw scores before ranking at each phase of the selection process. Refer to Section N of this RFQ.

The written and interview scores will be combined as follows.

Written Proposal Phase Maximum Score	Interview Phase Maximum Score	Combined Maximum Score
Qualifications: 100 points	Interview: 100 points	Total Score = 200 points
Must get 75 points to qualify for an interview.		Only the top (3) ranked Proposers will be selected for contract.

Please carefully consider the above scoring as the Port desires to receive well thought out and complete responses to this RFQ. Teams must achieve a score of at least 75% (75 points) in order to be eligible for interviews.

4.4 Selection Criteria

After elimination of submittals that do not meet the minimum qualifications stated above, the submittals and interviews will be evaluated and scored using the following criteria to determine which Consultant firms/teams are most qualified to perform the required services:

Evaluation Criteria	Points	
	Submittal	Interview

As-Needed /Technical Approach	30	30
<ul style="list-style-type: none"> • Understanding of the nature and implementation of As-Needed professional services contracts required of the Port; • Approach to addressing and completing the tasks to be assigned on an as-needed basis; • Project Management and Contract Administration capability; and • Demonstrated ability to work the public agency owner as a team, including other consultants hired to represent the owner. 		
Prime Consultant and Team Experience	20	20
<ul style="list-style-type: none"> • Expertise of the Consultant/team in the fields necessary to complete the tasks listed in this RFQ; • Experience and results with similar professional services contracts involving the nature of work anticipated under this RFQ; and • Demonstrated capability to design projects within the agreed upon budget and timeline. 		
Assigned Project Staff	20	20
<ul style="list-style-type: none"> • Relevant experience of staff assigned to the type of work anticipated in the RFQ; • Professional qualifications; • Availability of assigned staff; and • Demonstrated capability in producing cost effective project results. 		
Organization	20	20
<ul style="list-style-type: none"> • Current workload and resources; • Capacity and flexibility to complete high quality work in a timely manner; • Ability to perform on short notice and manage multiple disciplines; and • Presentation, clarity, organization of submittal, and responsiveness to project approach submittal requirements. 		
<ul style="list-style-type: none"> • Depth of available subconsultant resources in each specified discipline and commitment to the contract 	10	--
<ul style="list-style-type: none"> • Demonstrated commitment to cost effective and accountable contracting process 	--	10
References (Minimum qualifications; not scored)		
TOTAL POINTS	100	100

Reference Checks

Reference checks will be used to verify the Respondent's experience to the services the City 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, communication abilities, performance on deliverables and outcomes, effectiveness in meeting or exceeding project objectives. References are required for project verification in order to meet the minimum qualifications, but are not part of the proposers overall score. Port staff will contact references via phone in order to verify the details of project and overall client satisfaction.

~~Please see Attachment I, Section 14, Release of Liability.~~

5. Terms and Conditions for Receipt of RFQ Submittals

5.1 Errors and Omissions in RFQ

Respondents to the RFQ are responsible for reviewing all portions of this RFP, including addenda posted on the Port of San Francisco and Office of Contract Administration websites. Prospective respondents are to promptly notify the Port of San Francisco, in writing, if the prospective respondent discovers any ambiguity, discrepancy, omission, or other error in the RFQ. Any such notification should be directed to the Port promptly after discovery, but in no event later than five working days prior to the date for receipt of proposals. Modifications and clarifications will be made by addenda as provided below.

5.2. Inquiries Regarding RFQ

Inquiries regarding the RFQ and all oral notifications of intent to request written modification or clarification of the RFQ must be directed to:

Andres Acevedo, Contracts Manager
Port of San Francisco
Pier 1 – The Embarcadero
San Francisco, Ca. 94111
~~andres.acevedo@sfport.com~~—sfport-contracts@sfport.com

5.3 Objections to RFQ Terms

Should a prospective respondent object on any ground to any provision or legal requirement set forth in this RFQ, the prospective respondent must, not more than ten calendar days after the RFQ is issued, provide written notice to the Port of San Francisco setting forth with specificity the grounds for the objection. The failure of a prospective respondent to object in the manner set forth in this paragraph shall constitute a complete and irrevocable waiver of any such objection.

5.4 Change Notices

The Port of San Francisco may modify this RFQ prior to the proposal due date by issuing a written addendum to the RFQ or change notice. All addenda will be posted on the Office of Contract Administration website: <http://www.ci.sf.ca.us/purchase/> and the Port's website at www.sfport.com. Prospective respondent shall be responsible for ensuring that its proposal reflects any and all Change Notices issued by the Port of San Francisco prior to the submittal due date regardless of when the submittal is submitted. Therefore, the City recommends that prospective respondents consult the aforementioned websites frequently, including shortly before the proposal due date to determine if the prospective respondent has downloaded all Addenda/Change Notices.

5.5 Term of RFQ Submittal

Submission of a proposal signifies that the proposed services and prices are valid for 120 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.

5.6 Revision of RFQ Submittal

A respondent to the RFQ may revise a submittal on the respondent's own initiative at any time before the deadline for RFQ submittals. The respondent to the RFQ must submit the revised submittal in the same manner as the original. A revised submittal must be received on or before the submittal due date.

In no case will a statement of intent to submit a revised submittal, or commencement of a revision process, extend the submittal due date for any RFQ Respondent.

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

5.7 Errors and Omissions in Proposal

Failure by the Port of San Francisco to object to an error, omission, or deviation in the submittal will in no way modify the RFQ or excuse the vendor from full compliance with the specifications of the RFQ or any contract awarded pursuant to the RFQ.

5.8 Financial Responsibility

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

5.9 Proposer's Obligations under the Campaign Reform Ordinance

Proposers must comply with Section 1.126 of the S.F. Campaign and Governmental Conduct Code, which states:

No person who contracts with the City and County of San Francisco for the rendition of personal services, for the furnishing of any material, supplies or equipment to the City, or for selling any land or building to the City, whenever such transaction would require approval by a City elective officer, or the board on which that City elective officer serves, shall make any contribution to such an officer, or candidates for such an office, or committee controlled by such officer or candidate at any time between commencement of negotiations and the later of either (1) the termination of negotiations for such contract, or (2) three months have elapsed from the date the contract is approved by the City elective officer or the board on which that City elective officer serves.

If a respondent to this RFQ is negotiating for a contract that must be approved by an elected local officer or the board on which that officer serves, during the negotiation period the proposer is prohibited from making contributions to:

- the officer's re-election campaign
- a candidate for that officer's office
- a committee controlled by the officer or candidate.

The negotiation period begins with the first point of contact, either by telephone, in person, or in writing, when a contractor approaches any city officer or employee about a particular contract, or a city officer or employee initiates communication with a potential contractor about a contract.

The negotiation period ends when a contract is awarded or not awarded to the contractor. Examples of initial contacts include: (1) a vendor contacts a city officer or employee to promote himself or herself as a candidate for a contract; and (2) a city officer or employee contacts a contractor to propose that the contractor apply for a contract. Inquiries for information about a particular contract, requests for documents relating to a Request for Proposal/Qualifications, and requests to be placed on a mailing list do not constitute negotiations.

Violation of Section 1.126 may result in the following criminal, civil, or administrative penalties:

1. **Criminal.** Any person who knowingly or willfully violates section 1.126 is subject to a fine of up to \$5,000 and a jail term of not more than six months, or both.
2. **Civil.** Any person who intentionally or negligently violates section 1.126 may be held liable in a civil action brought by the civil prosecutor for an amount up to \$5,000.
3. **Administrative.** Any person who intentionally or negligently violates section 1.126 may be held liable in an administrative proceeding before the Ethics Commission held pursuant to the Charter for an amount up to \$5,000 for each violation.

For further information, proposers should contact the San Francisco Ethics Commission at (415) 581-2300.

5.10 Sunshine Ordinance

In accordance with S.F. Administrative Code Section 67.24(e), contractors' bids, responses to RFQs and all other records of communications between the City and persons or firms seeking contracts shall be open to inspection immediately after a contract has been awarded. Nothing in this provision requires the disclosure of a private person's or organization's net worth or other proprietary financial data submitted for qualification for a contract or other benefits until and unless that person or organization is awarded the contract or benefit. Information provided which is covered by this paragraph will be made available to the public upon request.

5.11 Public Access to Meetings and Records

If a proposer is a non-profit entity that receives a cumulative total per year of at least \$250,000 in City funds or City-administered funds and is a non-profit organization as defined in Chapter 12L of the S.F. Administrative Code, the proposer must comply with Chapter 12L. The proposer must include in its proposal (1) a statement describing its efforts to comply with the Chapter 12L provisions regarding public access to proposer's meetings and records, and (2) a summary of all complaints concerning the proposer's compliance with Chapter 12L that were filed with the City in the last two years and deemed by the City to be substantiated. The summary shall also describe the disposition of each complaint. If no such complaints were filed, the proposer shall include a statement to that effect. Failure to comply with the reporting requirements of Chapter 12L or material misrepresentation in proposer's Chapter 12L submissions shall be grounds for rejection of the proposal and/or termination of any subsequent Agreement reached on the basis of the proposal.

5.12 Reservations of Rights by the City

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

1. Waive or correct any defect or informality in any response, submittal, or submittal procedure;
2. Reject any or all submittals;
3. Reissue a Request for Qualifications;
4. Prior to submission deadline for submittals, 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 RFQ, or the requirements for contents or format of the submittals;
5. Procure any materials, equipment or services specified in this RFQ by any other means; or
6. Determine that no project will be pursued.

5.13 No Waiver

No waiver by the City of any provision of this RFQ shall be implied from any failure by the City to recognize or take action on account of any failure by a proposer to observe any provision of this RFQ.

5.14 Local Business Enterprise Goals and Outreach

A. Subcontracting Goal

- 1) Starting September 1, 2006, the City and County of San Francisco implemented chapter 14B "Local Business Enterprise and Non-Discrimination in Contracting Ordinance" of the San Francisco Administrative Code. According to the Local Business Enterprise Ordinance, a subcontracting goal must be established for every contract on a case-by-case basis.

The LBE subconsultant participation goal for this contract is **21%** of the total value of the services to be procured.

RFQ Respondents are further advised that they may not discriminate in the selection of subconsultants on the basis of race, gender, or any other basis prohibited by law, and that they shall undertake all required good faith outreach steps in such a manner as to ensure that no qualified firm is unfairly or arbitrarily excluded from the required outreach.

- 2) Only Human Rights Commission certified LBEs can be utilized to comply with the subconsulting goal.
- 3) The City will monitor the amounts paid to verify compliance throughout the life of the contract.

Each firm responding to this solicitation shall demonstrate in its response that it has used good-faith outreach to select LBE subconsultants as set forth in S.F. Administrative Code §§14B.8 and 14B.9, and shall identify the particular LBE subconsultants solicited and selected to be used in performing the contract. For each LBE identified as a subconsultant, the response must specify the value of the participation as a percentage of the total value of the goods and/or services to be procured, the type of work to be performed, and such information as may reasonably be required to determine the responsiveness of the proposal. LBEs identified as subconsultants must be certified with the San Francisco Human Rights Commission at the time the proposal is submitted, and

must be contacted by the proposer (prime contractor) prior to listing them as subconsultants in the proposal. Any proposal that does not meet the requirements of this paragraph will be non-responsive.

In addition to demonstrating that it will achieve the level of subconsulting participation required by the contract, a proposer shall also undertake and document in its submittal the good faith efforts required by Chapter 14B.8(C)&(D) and HRC Attachment 2, Requirements for Architecture, Engineering and Professional Services Contracts.

Proposals which fail to comply with the material requirements of S.F. Administrative Code §§14B.8 and 14B.9, HRC Attachment 2 and this RFP will be deemed non-responsive and will be rejected. During the term of the contract, any failure to comply with the level of LBE subconsultant participation specified in the contract shall be deemed a material breach of contract. Subconsulting goals can only be met with HRC-certified LBEs located in San Francisco. An LBE participating as a prime consultant or prime consultant Joint Venture partner cannot be counted in meeting the subconsulting goal.

- 4) Questions regarding the subconsultant participation goal for this contract may be directed to the HRC contract compliance officer at the following address:

Finbarr Jewell
Human Rights Commission
c/o Port of San Francisco
Pier 1, The Embarcadero
San Francisco, CA 94111
Telephone: (415) 274-0511 Fax (415) 544-1711
E-mail: Finbarr.Jewell@sfgov.org

B. References

Chapters 12B and 14B of the San Francisco Administrative Code and the implementing rules and regulations are incorporated herein by reference and made a part of the Contract. Copies of these documents are available upon request at the HRC Office, and on their website: www.sf-hrc.org

C. LBE Participation

The City strongly encourages proposals from qualified LBEs. Pursuant to Chapter 14B, the following rating discount will be in effect for the award of this project for any proposers who are certified by HRC 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 HRC at (415) 252-2500. The rating discount applies at each phase of the selection process. The application of the rating discount is as follows:

- (1) A 10% discount to an LBE; or a joint venture between or among LBEs; or
- (2) A 5% discount to a joint venture with LBE participation that equals or exceeds 35%, but is under 40%; or
- (3) A 7.5% discount to a joint venture with LBE participation that equals or exceeds 40%; or
- (4) A 10% discount to a certified non-profit entity.

If applying for a rating discount 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.

D. HRC Forms to be Submitted with Proposal

(1) All proposals submitted must include the following Human Rights Commission (HRC) Forms contained in the HRC Attachment 2:

- a) HRC Contract Participation Form 2A
- b) HRC "Good Faith Outreach" Requirements Form 2B
- c) HRC Non-Discrimination Affidavit Form 3
- d) HRC Joint Venture Form 4 (if applicable), and
- e) HRC Employment Form 5.

You may obtain the above listed HRC Forms at the following Website:
http://www.sfgov.org/site/sfhumanrights_page.asp?id=45141

If these forms are not returned with the proposal, the proposal may be determined to be non-responsive and may be rejected.

(2) Please submit only two copies of the above forms with your proposal. The forms should be placed in a separate, sealed envelope labeled HRC Forms.

If you have any questions concerning the HRC Forms, you may call Finbarr Jewell, the Human Rights Commission Contract Compliance Officer for the Port of San Francisco at (415) 274-0511.

6. City Contract Requirements

6.1. Standard Contract Provisions

The successful respondent to this RFQ will be required to enter into a contract substantially in the form of the Agreement for Professional Services, attached hereto as Appendix C. Failure to timely execute the contract, or to furnish any and all insurance certificates and policy endorsement, surety bonds or other materials required in the contract, shall be deemed an abandonment of a contract offer. The City, in its sole discretion, may select another firm and may proceed against the original selectee for damages.

Respondents to this RFQ are urged to pay special attention to the requirements of Administrative Code Chapters 12B and 12C, Nondiscrimination in Contracts and Benefits, (§34. Nondiscrimination; Penalties in the Agreement); the Minimum Compensation Ordinance (§43 Requiring Minimum Compensation for Covered Employees in the Agreement); the Health Care Accountability Ordinance (§44 Requiring Health Benefits for Covered Employees in the Agreement); the First Source Hiring Program (§45 First Source Hiring Program in the Agreement); and applicable conflict of interest laws (§23 Conflict of Interest in the Agreement), as set forth in paragraphs B, C, D, E and F below.

6.2. Nondiscrimination in Contracts and Benefits

The successful respondent to this RFQ will be required to agree to comply fully with and be bound by the provisions of Chapters 12B and 12C of the San Francisco Administrative Code. Generally, Chapter 12B prohibits the City and County of San Francisco from entering into contracts or leases with any entity that discriminates in the provision of benefits between employees with domestic partners and employees with spouses, and/or between the domestic partners and spouses of employees. The Chapter 12C requires nondiscrimination in contracts in public accommodation. Additional information on Chapters 12B and 12C is available on the HRC's website at: <http://www.sf-hrc.org>

6.3 Minimum Compensation Ordinance (MCO)

The successful respondent to this RFP will be required to agree to comply fully with and be bound by the provisions of the Minimum Compensation Ordinance (MCO), as set forth in S.F. Administrative Code Chapter 12P. Generally, this Ordinance requires contractors to provide employees covered by the Ordinance who do work funded under the contract with hourly gross compensation and paid and unpaid time off that meet certain minimum requirements. For the contractual requirements of the MCO, see §43 requiring Minimum Compensation for Covered in the Agreement.

For the amount of hourly gross compensation currently required under the MCO, see www.sfgov.org/olse/mco. Note that this hourly rate may increase on January 1 of each year and that contractors will be required to pay any such increases to covered employees during the term of the contract.

Additional information regarding the MCO is available on the web at: www.sfgov.org/olse/mco.

6.4 Health Care Accountability Ordinance (HCAO)

The successful respondent to this RFQ will be required to agree to comply fully with and be bound by the provisions of the Health Care Accountability Ordinance (HCAO), as set forth in S.F. Administrative Code Chapter 12Q. Contractors should consult the San Francisco Administrative Code to determine their compliance obligations under this chapter. Additional information regarding the HCAO is available on the web at www.sfgov.org/olse/hcao

6.5 First Source Hiring Program (FSHP)

If the contract is for more than \$50,000, then the First Source Hiring Program (Admin. Code Chapter 83) may apply. Generally, this ordinance requires contractors to notify the First Source Hiring Program of available entry-level jobs and provide the Workforce Development System with the first opportunity to refer qualified individuals for employment.

Contractors should consult the San Francisco Administrative Code to determine their compliance obligations under this chapter. Additional information regarding the FSHP is available on the web at www.sfgov.org/moed/fshp.htm and from the First Source Hiring Administrator, (415) 401-4960.

6.6 Conflict of Interest

The successful proposer will be required to agree to comply fully with and be bound by the applicable provisions of state and local laws related to conflicts of interest, including Section

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

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

6.7 Insurance Requirements

See Appendix C. § 15. and Appendix E. for insurance requirements.

6.8 Business Tax Registration

In accordance with City and County of San Francisco Ordinance 345-88, all firms conducting business with the Port are required to maintain a valid business tax registration number. A Notice of Intent to Award can not be issued to any firm that does not have a valid business tax registration number or at least has applied for such a number by the schedule date for issuance of the Notice of Intent to Award. Prospective Respondents to this RFQ may contact the Tax Collector's office at (415) 554-4470 to confirm the validity of or apply for a valid business tax registration number. Each prospective respondent must provide a taxpayer federal identification number as well.

6.9 Signature Requirements

An unsigned or improperly signed submittal will be rejected. A submittal may be signed by an agent of the Respondent to this RFQ if he/she is properly authorized by a power of attorney or equivalent document submitted to the Port prior to the submission of the RFQ response or with the submittal to bind the RFQ response.

7. Protest Procedures

7.1 Protest of Non-Responsiveness Determination

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

7.2 Protest of Establishment of Pre-Qualified Consultant List

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

7.3 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 the City 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:

Andrés Acevedo
Port of San Francisco
Pier 1 – The Embarcadero
San Francisco, CA 94111

8. Disclaimer

1. The Port reserves the right to modify and/or suspend any and all aspects of the RFQ, to waive any technical defect as to form or content of the RFQ and any response thereto, and to reject any and all responses.
2. The Port does not accept financial responsibility for any costs incurred by Respondents to this RFQ. All submittals shall become the property of the Port and may be used in any way deemed appropriate. No respondent to the RFQ shall obtain any claim or right of action against the Port by reason of defects or abnormalities in the RFQ or the selection process; the rejection or acceptance of any submittals; any statements, acts or omissions by the Port; the exercise of any Port discretion; any and all matters arising out of the foregoing.
3. Changes or additions to this RFQ will be made by written addendum which shall become part of the RFQ.
5. If a satisfactory contract cannot be negotiated within four weeks from the Notice of Intent to Award and all of the Respondent's requirements necessary to enter into a Controller-certified contract have not concluded, the Port will elect to negotiate with the next highest ranked firm on the listed to be considered. The selection of any team for contract negotiations shall not imply acceptance by the Port of all terms of the submittal, which shall be subject to further approvals before the Port may be legally bound thereby.

The Port, in its sole discretion, may terminate the unsuccessful negotiations and begin contract negotiations with the next highest ranked respondent(s) to the RFQ. The Port will negotiate with other qualified firms according to their ranking until it has reached satisfactory contractual agreements.