



CITY OF

*Richmond* CALIFORNIA

## **Request for Proposals (RFP)**

### **DEVELOPMENT AND IMPLEMENTATION OF A HOUSING FIRST PROGRAM AND/OR SHORT- TERM EMERGENCY HOUSING ASSISTANCE PROGRAM**

Release Date: **Tuesday, September 27, 2022**

Deadline for Submittal: **Tuesday, November 1, 2022, at 5:00pm**

Contact: LaShonda White, Interim Director of Community Services

Email: [housingfirst@ci.richmond.ca.us](mailto:housingfirst@ci.richmond.ca.us)

Phone Number: 510.620.6512

City of Richmond  
City Manager's Office, Community Development and Community Services

## **INTRODUCTION**

Homelessness in Richmond, California has been increasing in recent years, with visible signs of its impact on individuals, families and neighborhoods. According to the 2022 annual Point-In-Time count and survey of persons experiencing homelessness, Richmond's total homeless population increased from 333 individuals in 2019 to 632 in 2022. This represents an almost 90 percent overall increase in Richmond's chronically homeless population. More information from Contra Costa County's Point-In-Time Survey of the unhoused can be found at: <https://cchealth.org/h3/coc/pdf/PIT-infographic-2022.pdf> and <https://cchealth.org/h3/coc/reports.php#PIT>.

The City of Richmond is releasing a Request for Proposals (RFP), seeking one or more qualified organization(s) (1) to develop and administer a **Housing First Program** that focuses on connecting unhoused individuals and/or families with permanent housing options, while providing access to supportive services, and (2) to develop and administer an **Emergency Housing Assistance Program** for unhoused individuals and/or families in need of short-term housing-related assistance. Organizations can respond to this RFP for one or both programs.

In Fiscal Year 2022-2023, the City allocated a total of \$425,000 in one-time funds to support the Housing First Program, and \$100,000 in one-time funds to support the Emergency Housing Assistance Program. It is expected that the majority of these funds will be used to provide housing and direct services, with a portion spent on program design, oversight and administration. It is important that the majority of these funds are used to meet the immediate and long-term housing needs of Richmond's unhoused community.

Although the primary focus of both programs is to meet housing needs, we also understand the importance of individuals having access to an array of supportive services that can help end the cycle of homelessness and assist individuals and families in sustaining housing, acquiring income and employment, and improving the quality of their lives.

This RFP describes the project, the required scope of services, the consultant selection process, and the minimum information that must be included in the proposal. Failure to submit information in accordance with the RFP requirements and procedures may be cause for disqualification. Vendors are required to read and understand all information contained within this entire Proposal package. By responding to this RFP, the vendor agrees to read and understand these documents.

## **ABOUT THE CITY**

The City of Richmond is a Charter City located in Contra Costa County, part of the San Francisco Bay Area with a population of 110,567 residents. Richmond is one of the region's most diverse communities: 42.5 percent of residents identify as Hispanic or Latino, 20.2 percent identify as Black or African American alone, 17.8 percent identify

as White alone (not Hispanic or Latino), and 15.4 percent identify as Asian alone. Richmond is home to a multi-modal transit hub that includes BART, Amtrak and AC Transit, marinas, shopping, recreational and cultural amenities, and 32 miles of shoreline. This all contributes to making Richmond among the most desirable up-and-coming communities in California.

The City of Richmond provides a full range of municipal services including police and fire protection; construction and maintenance of highways, streets and infrastructure; library and employment services; storm water and municipal sewer systems; operation of a wastewater treatment facility; and the administration of recreational activities and cultural events. The City also operates the Richmond Memorial Convention Center and the Port of Richmond.

## **DEFINITIONS**

**Housing First**<sup>1</sup>: Housing First is a rights-based approach to rehoming unhoused residents that does not make accessing housing contingent upon pre-conditions or compliance by the formerly unhoused resident(s). For example, housing is not conditioned on sobriety, minimum income requirements, lack of a criminal record, completion of treatment, participation in services, or other conditions. Instead, the model quickly moves people into permanent housing *first* and then provides wrap-around services for physical and mental health, education, employment, substance abuse and other supports. The model is grounded in the underlying principle that people are better able to stabilize their lives and address other issues if they are first housed.

Housing First should be a rights-based people-centered approach, meaning that unhoused residents exercise agency and choice regarding the location and type of housing as well the services they receive. Enabling self-determination is proven to result in an increased likelihood that individuals stay housed and participate in supportive services. Additionally, housing someone quickly and providing a foundation of stability safeguards against the adverse effects of prolonged homelessness.

As defined by the National Alliance to End Homelessness, Housing First programs share the following elements (<http://www.endhomelessness.org/library/entry/what-is-housing-first>):

- Focus on helping individuals and families access and sustain rental housing as quickly as possible and the housing is not time-limited;
- Deliver a variety of services are offered and if accepted, delivered primarily following a housing placement to promote housing stability and individual well-being; Such services are time-limited or long-term depending upon individual need; and

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<sup>1</sup> Previously through the Richmond's Mayor's Office, landlords that elected to participate in the "Housing First Program" were provided an advance of 1 year of rent for an unhoused individual or family. The average rent was ~\$2,000/month and the program was funded through private donations and not City of Richmond funds.

- Assure Housing is not contingent on compliance with services – instead, participants must comply with a standard lease agreement and are provided with the services and supports that are necessary to help them do so successfully.

Emergency Housing Assistance Program: Serves as short-term or immediate housing solution, often through rental subsidy or hotel/motel vouchers, until the person finds permanent housing through the private market or is housed in permanently supportive housing with wrap-around services. This program will be used on a short-term basis to provide support to move individuals and families experiencing homelessness as rapidly as possible into permanent housing. Intense but short-term case management is provided to help families stabilize and prepare to live independently.

The City of Richmond will work with the selected consultants to define “unhoused” or “homelessness,” and if needed, to further define both programs.

### **SCOPE OF SERVICES**

The primary intent of this RFP is to select and contract with qualified organization(s) that can: 1) demonstrate competencies in developing and implementing the Housing First Model and/or Emergency Housing Assistance Model; 2) offer unhoused individuals and families permanent housing options to support health and safety; 3) demonstrate efficient and responsible use of City funds by ensuring the majority of funds are used for direct services; and (4) develop innovate and successful methods for outreaching to and engaging potential landlords and/or other housing providers to participate in the program.

Organizations can submit proposals independently or in collaboration with other providers. Also, organizations may respond to (1) the Housing First Program, (2) Emergency Housing Assistance Program, or (3) both. Responses and budgets should be separate and clearly articulated so that the reviewers understand which component is being responded to.

The scope of services that the respondent should address via this RFP includes:

- **PROGRAM DEVELOPMENT AND IMPLEMENTATION:** Develop a Housing First and/or Emergency Housing Program, structure, and outlook that aligns with the City’s definitions of both programs.
- **OUTREACH AND INCLUSION:** The City expects the selected consultant(s) to include the voices of those with lived experience of homelessness in the development, implementation, and evaluation of the program. The programs should be delivered in a human-centered, trauma-informed, culturally and linguistically competent manner that respects those being served. The respondent should engage a broad range of community stakeholders, including the unhoused community, nonprofit providers, advocacy groups, elected officials, faith-based community, Contra Costa County, school district, businesses, and

city staff members. The consultant(s) should plan for a variety of methods and forums to engage stakeholders throughout the process.

Outreach to potential landlords is also a key component in developing a successful and long-lasting program. Unhoused individuals and families are in need of housing, but the Housing First program does not work without landlords that are willing to participate in the program. The consultant(s) should be able to articulate how they will conduct outreach, educate and incentivize landlords to participate in this program.

- **SUPPORTIVE SERVICES:** Create, in combination with the Housing First and/or Emergency Housing Assistance programs, a supportive services plan which will highlight the type of supportive services to be provided to participants, needs for services are identified and individual service plans are developed, and how your agency will help create linkages for participants to other community resources. The following types of supportive services to the unhoused community could include but is not limited to:
  - transportation assistance and referrals;
  - access to integrated health services, including medical, dental, vision, and pharmacy care;
  - assistance with acquiring and accessing benefits;
  - help with accessing psychiatric services, including group and individual therapy and substance use treatment;
  - employment and job training support;
  - referrals to food resources;
  - legal referrals and advocacy; and/or
  - case management.

There should be a data-driven coordinated assessment system for matching people experiencing homelessness to the most appropriate housing and services based on their needs.

- **EVALUATION:** The respondent should develop a system for evaluating the success of the program and tracking the housing options provided and supportive services provided. Also, it will be important to utilize data, evidence-based practices and system performance measures to collect data and adjust investments or approaches at a program and system level.
- **BUDGET MANAGEMENT:** The respondent should demonstrate responsible and efficient funds management. The City expects the selected organization to leverage city funds to increase the amount of money available to implement one or both programs. The Respondent should have knowledge of how to coordinate and leverage resources from various sectors, including external untapped resources. It is also expected that the majority of city funds will be used to provide housing and direct services, with a smaller portion spent on program

design, oversight and administration. It is important that the majority of these funds are used to meet the immediate and long-term housing needs of Richmond's unhoused community.

### **Qualifications of Applicants**

Proposers must demonstrate the knowledge, capacity, and experience to provide the services set forth in this RFP and to deliver a high-quality plan. The ideal proposer has practical knowledge or experience in:

- Richmond's homelessness context, including trends, key organizations, and roles;
- Developing community plans, particularly around homelessness;
- Federal, state, local, private, and mainstream programs for the homeless and affordable housing funding;
- Effective community outreach;
- National best practices in homelessness strategies and programs;
- Using Homeless Management Information System (HMIS) and other data assessing need and performance; and
- Implementing homeless and housing programs, solutions, funding, etc.

### **Consultant Responsiveness**

- Firms with or without subcontractors are encouraged to submit proposals which can be validated based on prior work experience, utilizing methodologies that ensure proper governance and process integrity.
- Proposers are welcome to include other professional recommendations to maximize outreach and engagement efforts that align with the intent of this RFP.
- The consultant services relative to this process must be administered in an independent, thorough, unimpaired, and unbiased manner.

### **RFP Schedule**

The proposed implementation timeline for the project is below. Applicants will be notified of any changes to the schedule via the City's BidsOnline system.

<b>Date</b>	<b>Activity</b>
Tuesday, September 27, 2022	Release RFP
Wednesday, October 12, 2022	Final Day to Submit Questions (5:00 PM)
Friday, October 14, 2022	Responses to Questions posted on BidsOnline
Tuesday, November 1, 2022	RFP Due Date (5:00 PM) via BidsOnline

November 16-18, 2022	Interviews (If determined necessary by City staff)
Tuesday, December 6 or 20, 2022	City Approval Processes *
Tuesday, January 2, 2023	Effective Date of Contract (date is subject to change depending on City Council approval date)

\* The City expects, but does not guarantee, that the contract award will be made by the City Council on the date indicated above.

The final design and timeline for all tasks will be agreed upon after final selection of the consultant(s).

### **Proposal Format Guidelines**

The Proposals should:

- Be concise, well-organized, and demonstrate the proposer's experience applicable to the program.
- Be limited to 20-pages on standard letter-sized paper (8.5 inches X 11 inches and 12-point font). This page limit is inclusive of graphics, forms, pictures, photographs, and dividers. Résumés, required forms, certifications, front and back covers will not count toward the proposals 20-page limit.
- Adhere to the "Proposal Elements and Format Requirements" order and content descriptions within each section.
- Be straightforward and provide "layman" explanations of technical terms that are used.

### **Proposal Elements and Format Requirements**

#### **1. Transmittal Letter**

- Address letter to LaShonda White, Interim Director of Community Services.
- Ensure an officer of the lead agency signs the letter.
- Include the name, title, phone number, and email address for the main staff contact for all communications regarding your proposal submission.
- Include a statement regarding the firm's ability to comply with the RFP and/or standard provisions of the City of Richmond's Standard Services Agreement including insurance requirements (See Attachments 1 and 2).
- Provide a very brief introduction to your organization, your motivation for seeking this project, and an overview of the skills and experiences your organization would contribute to this project. Also, describe your understanding of the scope of services to be done, and the objectives to be accomplished.
- Provide responses to the following items under the section entitled "General City Requirements": Item #4 (Previous Contracts with the City of Richmond), Item #5

(Exceptions to this Request for Proposals), and #6 (Statement of Impartiality and Disclosure).

- Include a stipulation that the proposal price will be valid for a period of at least 180 days.

## 2. Approach to Work (Methodology and Timeline)

Please describe in detail how you will address the project components as outlined in the Scope of Services section of the RFP. The section should include:

- Methodology: Provide a detailed description of the methodology to be used to accomplish the qualifications and scope of services specified in this RFP. Include the deliverables that should be incorporated into the proposer's approach, and any other project management or implementation strategies or techniques that the respondent intends to employ in carrying out the work. This section should also include information regarding outreach and engagement.
- Housing Options: Describe how you will recruit and support/maintain landlords and locate appropriate housing sites. How are you going to build a list of housing options to offer during this program?
- Supportive services: List the type of services clients will have access to, how you will track the services utilized by clients, and the process by which you will connect clients to services. Describe how your project will coordinate supportive services with other resources in the community to maximize the amount of assistance provided to the project's participants. Describe how you will communicate with clients whose primary language is not English.
- Partnerships: Provide a list of organizations that will provide support and their roles, and how will you select partners and hold them accountable to support the program and patrons. Include letters of commitment, letters of support and memoranda of understandings outlining coordination with other community resources. If partners are part of your RFP application, provide information on their history collaborating with your agency and how the partnership will facilitate a streamlined process for participant access to the housing assistance and/or services being offered. Describe how your program collaborates with the County and Continuum of Care planning process. Describe your current involvement with the local County Continuum of Care and with other public systems utilized by the identified target population.
- Performance Metrics: Describe your framework for ongoing performance measurements that will continually inform implementation and investments. Describe how you will share the information to city staff and the public.



- **Timeline:** Provide a detailed project schedule, identifying significant milestones all tasks and deliverables to be performed durations for each task, and overall time of completion.

### 3. Experience and References

The information requested in this section should describe the experience of the firm, key staff and sub-contractors performing projects within the past ten years (preferably within the past 2-5 years) that are similar in size and scope to demonstrate competence to perform these services. Information shall include:

- A summary of your firm's demonstrated capability, including length of time that your firm has provided the services being requested in this RFP.
- Provide a staffing plan demonstrating the qualifications and experience of the organization's management and key personnel assigned to perform work.
- Include three (3) references from past clients or partners that received similar services from your firm. Provide contact name(s), company, address, telephone number(s), and email address(es). Also include description of services provided including contract amount and project start and end dates. The City of Richmond reserves the right to contact any of the organizations or individuals listed.

### 4. Proposed Budget & Fund Management

- Include a not-to-exceed total budget amount.
- Provide a detailed budget spreadsheet indicating the cost of each major element identified in the Scope of Services and including all direct and indirect project costs associated with the budget narrative and Scope of Services.
  - Include a brief narrative to detail the costs for the projected budget as tied to the deliverables outlined in Scope of Services.
  - Include line items for each staff to be assigned to the project, the total projected hours, and hourly rate. Hourly rates shall be all-inclusive (*i.e., base salary, fringe benefits, overhead, etc.*).
  - Include costs associated with facilitating effective community engagement activities, including materials or reproduction costs, community outreach and engagement incentives, as well as subcontractor services and costs, if needed.
  - Clearly show the between direct service and program oversight and administration
- Describe how you will manage and leverage City funds

***Please note:** Proposers will be paid at the same rates set forth in their cost proposal and no additional funds will be paid above and beyond the original quote given by the selected Proposer unless further negotiated in writing and agreed to by the City of Richmond. These rates will also be used to negotiate other mutually agreed upon tasks that may be assigned. This is a negotiated procurement and as such, awards may not necessarily be made to the consultant submitting the lowest priced proposal. Awards*

*will be made to the consultant submitting the best responsive proposal satisfying the Department's criteria, including consideration of price and other indicated factors.*

## **5. Value Added Services**

Please provide any additional services of benefit not specifically required herein, which the proposer offers to provide.

## **6. Contractor Assignment of Sub-Contract**

The resulting contract shall not be assigned, transferred, or sublet, in whole or in part, without the prior written approval of the City of Richmond. If Offerors intend to subcontract any portion of the resulting contract, they must describe their process for selecting such subcontractor(s) and the quality control measures that the Offeror will employ to ensure that any subcontractor complies with the provisions of Offeror's contract with the City.

If including subcontractors, please provide addresses, telephone numbers and areas of expertise of each.

## **7. Exceptions to this Request for Proposal**

- The proposer shall state whether it takes any exception(s) to this RFP, including but not limited to the City of Richmond's Standard Services Agreement – RFP (Attachment 3). If the proposer does take exception(s) to any portion of the RFP or contract, the specific portion to which exception(s) is taken must be identified by section number and explained.
- Requests for changes or additions to sections of City of Richmond's Standard Services Agreement must be shown by requesting deletion of specific words and/or by providing new requested contract language. Requests for complete replacement of the City of Richmond's Standard Services Agreement for another contract will not be granted
- Failure to make exceptions to the RFP or Standard Services Agreement within the qualifications will be deemed a waiver of any objection. Exceptions will be considered during the proposal evaluation process.

## **Questions and Correspondence Concerning RFP**

### **Utilizing the City's BidsOnline System**

Interested parties may download copies of the above-mentioned proposal by visiting the City's web site, [www.ci.richmond.ca.us/bids](http://www.ci.richmond.ca.us/bids). To download the RFP, new vendors will be required to register. Once the vendor downloads any documents relative to a solicitation, that vendor's name will appear on the Prospective Bidders list for that project and will receive any addenda or notifications relating to the RFP.

## Questions & Answers

All questions must be submitted via the electronic BidsOnline system on the Q&A tab by 5:00 PM PST, Wednesday, October 12, 2022. Notification of answers to questions received by that date will be provided via BidsOnline by Friday, October 14, 2022.

## Addendums

If the City finds it necessary to issue an addendum, prospective proposers will receive e-mail notification of addendum. However, it is the proposer's responsibility to periodically check the BidsOnline website [www.ci.richmond.ca.us/bids](http://www.ci.richmond.ca.us/bids) for any possible addendums to the RFP that may have been posted.

## Submittal Instructions - Process for Submitting Proposals

Electronic Proposals shall be submitted via the City's secure online bidding system, BidsOnline. All required sections of the proposal must be submitted via the website. The Contractor is solely responsible for "on time" submission of their electronic proposal. The Bid Management System will not accept late proposals and no exceptions shall be made. Contractors will receive an e-bid confirmation number with a time stamp from the Bid Management System indicating that their bid was submitted successfully. The City will only receive those proposals that were transmitted successfully.

The proposal must be received no later than **5:00 PM, local time, on Tuesday, November 1, 2022.**

Proposals submitted by facsimile or e-mail are not acceptable and will not be considered. The proposal and any required certifications shall be signed by an individual or individuals authorized to execute legal documents on behalf of the proposer.

The City of Richmond reserves the right to waive inconsequential irregularities.

Any party submitting a proposal shall not contact or lobby any City Council member, City official, employee (except those specified for contact) or agent regarding the RFP. Any party attempting to influence or circumvent the RFP, bid submittal, and review process may have their proposal rejected for violating this provision of the RFP.

## Evaluation

The selection committee, comprised mainly of City of Richmond personnel, shall first review submittals to verify that the proposer has met the minimum requirements. Proposals that have not complied with requirements, do not meet minimum content and quality standards, or take unacceptable exceptions to the General Terms and Conditions of the Service Agreement, will be eliminated from further consideration.

Criteria upon which the evaluation of the proposals will be based include, but are not limited to, the following:

<b><u>Category</u></b>	<b><u>Score Percentage</u></b>	<b><u>Description</u></b>
<b>Quality, Completeness &amp; Attention to Requirements</b>	<b>5</b>	<ul style="list-style-type: none"> <li>• Proposal exhibits clarity, organization, detail, and responsiveness overall</li> <li>• Transmittal Letter is included and meets all requirements.</li> <li>• All submittal requirements are met and required information is provided in the format specified</li> <li>• All three references are provided</li> </ul>
<b>Scope/Approach to Work</b>	<b>40</b>	<ul style="list-style-type: none"> <li>• Demonstrated understanding and knowledge of the work required and ability to provide services as outlined in the RFP</li> <li>• Clearly articulated approach and proposed methodology to project scope</li> <li>• Innovative approaches and internal measures for services requested</li> <li>• Potential problems and suggestions of possible solutions are shared</li> <li>• Ability to effectively manage multiple community engagement activities throughout the duration of the planning process is demonstrated</li> <li>• Clear description of outreach and engagement of the unhoused community, landlords, and other stakeholders</li> <li>• Timeline provides sufficient detail for reviewers to analyze the feasibility of the scope of work, the robustness of activities and approach, and demonstrates Respondent's clear understanding of the requested scope of work</li> <li>• Special resources the team offers that are relevant to the successful completion of the project</li> </ul>
<b>Qualifications and Project Team</b>	<b>30</b>	<ul style="list-style-type: none"> <li>• Firm's experience in performing similar work, years in business, past and current client references are relevant, and technical expertise and professional competence in areas directly related to this RFP</li> <li>• Prior experience and capacity of firm in leading community engagement in diverse communities, community needs assessments, strategic planning, public funding allocation, or similarly relevant environments is described</li> </ul>

		<ul style="list-style-type: none"> <li>• Unique qualifications of key personnel and successful involvement with projects of similar scope and magnitude</li> <li>• Professional background and qualifications of all team members comprising the team are clearly demonstrated</li> <li>• Availability of staff to conduct tasks within required timeframe</li> <li>• Résumés included and organizational structure makes sense</li> </ul>
<b>Cost Proposal</b>	<b>25</b>	<ul style="list-style-type: none"> <li>• Budget is sufficiently detailed, clear, and includes all specified requirements such as pricing for staff, including direct and indirect labor expenses</li> <li>• Budget demonstrates that the majority of City funds are for direct services</li> <li>• Proposed Budget and Costs include narrative and line-item budgets</li> <li>• Description of fund management and opportunities to leverage or support ongoing programming</li> </ul>
<b>TOTAL</b>	<b>100</b>	

Upon request of the City of Richmond, short-listed vendors may be requested to participate in interview/ presentation/demonstration on the vendor's proposal, which would include a detailed analysis of how the RFP requirements would be addressed should Offeror receive the award. Presentations may be conducted either in-person or via video conferencing software (i.e., Zoom) The presentation shall be conducted at no cost to the City. Vendors may be eliminated from consideration based solely on the inability to meet minimal requirements and/or review of written proposals.

The total points for both the interview and the written proposal combined shall be used to determine the top candidate(s). The selection committee may then consider references and responsibility before selecting the finalist. The selection committee shall select the Proposer that is evaluated to be most competitive, and whose response is deemed to be in the best interest of this requirement.

### Pre-Award Negotiations

After the proposals are opened, but prior to award, the City may elect to conduct negotiations with the highest ranked proposer for purposes of:

- Resolving minor differences and information
- Clarifying necessary details and responsibilities
- Emphasizing important issues and points
- Receiving assurances from proposers
- Clarifying cost/budget

If the City cannot successfully negotiate a contract with the highest ranked proposer, the City may begin negotiations with the second highest ranked proposer.

Selection may be made without further discussion, negotiations, or proposer's presentations; therefore, proposer shall offer the most favorable terms in response to this RFP. Proposer must demonstrate an understanding of the Scope of Service to be provided and the ability to accomplish the tasks set forth. Proposer shall include information that will enable the City to determine the proposer's overall qualifications. The City reserves the right to request additional information or clarification on any matter included in the proposal response, to enable the City to arrive at the final award decision.

The City reserves the right to reject any or all proposals, or to make no award. The City also reserves the right to require modifications follow-up with requests for additional information, including, but not limited to, follow-up interviews. The City may request Best and Final offers based upon improved understanding of the offers or changed Scope of Service. The City will negotiate with the vendor to determine final pricing, and contract form. Because this proposal is negotiable, all pricing data will remain confidential until after award is made, and there will be no public opening and reading of proposals.

### **Award**

When the selection committee has completed its work, Department staff will then recommend a firm to the City Manager and City Council for approval. The services provided by the successful bidder shall be governed by a Standard Services Agreement (Attachment 1).

## **General City Requirements**

### **1. General Information**

This RFP does not commit the City of Richmond to award a contract, to defray any costs incurred in the preparation of a proposal pursuant to this RFP, or to procure or contract for work. The City of Richmond may reject a proposal without providing the reason(s) underlying the declination. A failure to award a contract to the proposer with the lowest cost proposal shall not constitute a valid cause of action against the City of Richmond. The City shall not be responsible for work done, even in good faith, prior to final approval of the proposed contract. The City may investigate the qualifications of any proposer under consideration, require confirmation of information furnished by the proposer, and require additional evidence or qualifications to perform the Services described in this RFP.

The City reserves the right to:

1. Reject any or all proposals, or to make no award without providing the reason(s) underlying the declination.
2. Issue subsequent Requests for Proposals.
3. Postpone opening for its own convenience.
4. Remedy technical errors in the Request for Proposal process.

5. Negotiate with any, all, or none of the Respondents.
6. Solicit best and final offers from all or some of the Respondents.
7. Select one or more Respondents.
8. Accept other than the lowest proposed fees.
9. Waive informalities and irregularities in proposals.
10. Request additional information, including, but not limited to, follow-up interviews.

## **2. Public Records**

All proposals submitted in response to this RFP become the property of the City of Richmond and public records and, as such, may be subject to public review. Documents protected by law from public disclosure will not be disclosed by the City of Richmond if clearly marked with the word "confidential" on each applicable page. Trade secrets may be marked as confidential only to the extent they meet the requirements of California Government Code section 6254.7. Only information claimed to be a trade secret at the time of submittal to the City of Richmond and marked as "confidential" will be treated as a trade secret.

## **3. Contractor Assignment of Sub-Contract**

The resulting contract shall not be assigned, transferred, or sublet, in whole or in part, without the prior written approval of the City of Richmond. If proposers intend to subcontract any portion of the resulting contract, they must describe their process for selecting such subcontractor(s) and the quality control measures that the proposer will employ to ensure that any subcontractor complies with the provisions of proposer's contract with the City.

## **4. Previous Contracts with the City of Richmond**

The proposer shall submit a list which indicates all prime contracts and/or amendments awarded to the proposer by the City of Richmond for the last three (3) years. The list shall include a short description of the Project, the Project scope of work, award date, completion date, name of City of Richmond's assigned Project Manager, and contract value.

## **5. Exceptions to this Request for Proposals**

The proposer shall state whether or not it takes exception(s) to this RFP, including but not limited to the City of Richmond's Standard Services Agreement – RFP (Attachment 1). If the proposer does take exception(s) to any portion of the RFP or contract, the specific portion to which exception(s) is taken must be identified by section number and explained. Requests for changes or additions to sections of City of Richmond's Standard Services Agreement must be shown by requesting deletion of specific words and/or by providing new requested contract language. Requests for complete replacement of the City of Richmond's Standard Services Agreement for another contract will not be granted. Failure to make exceptions to the RFP or Standard Services Agreement within the proposal will be deemed a waiver of any objection. Exceptions will be considered during the proposal evaluation process.



## **6. Statement of Impartiality and Disclosure**

The nature of this Project requires an impartial unbiased approach on the part of the proposer's team. This proposal shall include a statement declaring that the proposer's and sub-consultants are not currently, and will not, during the performance of these services, participate in any other similar work involving a third-party with interests currently in conflict or likely to be in conflict with City of Richmond's interests. Additionally, proposer is required to disclose any pending or active investigations or litigation that may affect the reputation or ability of the proposer to carry out the Project.

## **7. Insurance Requirements**

The City of Richmond requires consultants doing business with it to obtain insurance, as shown in RFP Attachment 2. The required insurance certificates must comply with all requirements of the standards as shown and must be provided within fifteen (15) days of issuance of the Notice of Intent to Award and prior to the commencement of any work on the Project.

## **8. Business Licenses**

Proposer, at its sole expense, and all subcontractors shall obtain and maintain during the term of any agreement, all appropriate permits, certificates and licenses including, but not limited to, a [City of Richmond Business License](#), which will be required in connection with the performance of services hereunder.

## **9. Compliance with City Ordinances**

The contractor and all subcontractors shall comply with the City of Richmond Nondiscrimination Clauses in City Contracts Ordinance ([Richmond Municipal Code \(RMC\) Chapter 2.28](#)), Business Opportunity Ordinance ([RMC Chapter 2.50](#)), Local Employment Program Ordinance ([RMC Chapter 2.56](#)), Living Wage Ordinance ([RMC Chapter 2.60](#)) and Ordinance Banning the Requirement to Provide Information of Prior Criminal Convictions on all Employment Applications ("Ban the Box") ([RMC Chapter 2.65](#)), which are incorporated into the Contract Documents by this reference.

## **10. Collusion**

By submitting a proposal, each proposer represents and warrants that its proposal is genuine and not false or collusive or made in the interest of, or on behalf of any person not named therein; that the proposer has not directly or indirectly induced or solicited any other person to submit a false proposal, or any other person to refrain from submitting a proposal; and that the proposer has not, in any manner, sought collusion to secure any improper advantage over any other person submitting a proposal.

## **11. Withdrawal of Proposals**

A proposer may withdraw their proposal before the expiration of the time for submission of proposals by delivering to the City Manager's Office a written request for withdrawal signed by, or on behalf of, the proposer.

## **12. Ownership of Documents**



All reports, studies, information, data, statistics, forms, designs, plans, procedures, systems, and any other materials produced for the Project shall be the sole and exclusive property of the City. No such materials or properties produced in whole or in part for the Project shall be subject to private use, copyrights or patent rights by proposer in the United States or in any other country without the express written consent of the City. The City shall have unrestricted authority to publish, disclose (except as may be limited by the provisions of the Public Records Act), distribute, and otherwise use, copyright or patent, in whole or in part, any such reports, studies, data, statistics, forms or other materials or properties produced for this Project.

### **13. Sanctuary City Contracting Ordinance**

The Richmond Sanctuary City Contracting Ordinance No. 12-18 prohibits the City from granting and or retaining contracts with any person or entity that provides Data Broker or Extreme Vetting services to the U.S. Immigration and Customs Enforcement Division of the United States Department of Homeland Security ("ICE") (Attachment 4). Bidders/Proposers must submit the attached Sanctuary City Compliance Statement with their Bid or Proposal (Attachment 3).

### **14. Limited Liability Companies Disclosure Statement (LLCS)**

Resolution No. 86-21, approved by City Council on July 6, 2021, requires disclosure of the identities of beneficial & responsible owners of Limited Liability Corporations (LLC) (Attachment 5). Bidders/Proposers must submit the attached Disclosure Statement of Limited Liability Companies Form with their Bid or Proposal (Attachment 6).

### **15. Rejections**

All proposals will be reviewed to determine conformance with the RFP requirements. Failure to meet the requirements may be cause for rejection of the proposal. Any proposal which is incomplete, conditional or contains irregularities may also be rejected.

The City of Richmond reserves the right to:

- A. Select any proposal as a basis for written or oral communication with any or all of the companies or individuals when such action is considered to be in the best interest of the City of Richmond.
- B. Exercise discretion and apply its judgment with respect to selection of any proposals submitted.
- C. Reject all proposals.

## **ATTACHMENTS**

**ATTACHMENT 1: Standard Contract**

**ATTACHMENT 2: Insurance Requirements**

**ATTACHMENT 3: Sanctuary City Compliance Statement**

**ATTACHMENT 4: Sanctuary City Contracting Ordinance**

**ATTACHMENT 5: Resolution No. 86-21**

**ATTACHMENT 6: Disclosure Statement of Limited Liability Companies Form**