

City and County of San Francisco

San Francisco City and County Employees' Retirement System

Request for Proposals for: San Francisco Deferred Compensation Plan Third Party Administration

This Solicitation can be viewed on the Retirement System's website at:
<https://mysfers.org/about-sfers/request-for-proposal/>



Proposal Phase	Tentative Date
Request for Proposals Issued	November 13, 2025
Written Questions re: RFP Due Date	December 3, 2025, at 5:00 pm PDT
Answers to Written Questions Posted on the SFERS Website	December 17, 2025
Online Submission of Proposal Due Date	January 21, 2026, at 5:00 pm PDT
Hard Copy of Written Proposal Due Date	January 26, 2026 at 5:00pm PDT
Finalists Presentations	April 2026
Finalists On-Site Visits	May/June 2026
Notice of Intent to Award	June 2026
Period for Protesting Notice of Intent to Award	Within three (3) business days of SFDCP's issuance of a Notice of Intent to Award.
Contact Information:	Greg Ungerman Callan LLC One Bush St. Suite 700 San Francisco, CA 94104 (415)291-4175 ungerman@callan.com Jana Steele Callan LLC 120 N. LaSalle St. Suite 2400 Chicago, IL 60602 (312)346-3263 steelej@callan.com

Attachments

- Attachment 1: SFDCP's Contract Terms
- Attachment 2: Description of SFDCP
- Attachment 3: SFDCP Custom RFP Questionnaire
- Attachment 4: Pricing/Fee Matrix

MANDATORY MINIMUM QUALIFICATION DOCUMENTATION

Proposers must submit with their proposal documents in support of each Minimum Qualification (MQ) listed below. A proposal that fails to provide the following documentation will not be eligible for further consideration.

MQ #	Description
MQ1	As of December 31, 2025, Proposer must have at least \$40 billion in assets under administration for governmental deferred compensation programs.
MQ2	As of December 31, 2025, Proposer must have at least ten (10) years' experience providing administration and plan management to governmental deferred compensation programs with more than \$1B in plan assets.
MQ3	Proposer must have a System and Organization Controls (SOC) report audit conducted at least annually for at least the past 7 years.
MQ4	As of December 31, 2025, Proposer must provide, directly, through an affiliated trust company or through a sub-contracted coordinated services arrangement, trustee/custodial services. Trustee/custodian must have at least \$10 billion under trust/custody.
MQ5	Trust/custodial services must have been provided to deferred compensation plans for at least five years and the trustee/custodian must have a System and Organization Controls (SOC) report audit conducted at least annually for at least the past 7 years.
MQ6	The assigned primary contact for the Proposer must have at least ten (10) years' experience in recordkeeping and administrative services with governmental deferred compensation programs.
MQ7	Proposer must be directly responsible for the administration and plan management services outlined in this RFP, and all personnel responsible for the recordkeeping and administrative services must be employees of the firm.
MQ8	Proposer's proposed changes to Attachment 1, SFDCP's Contract Terms, if any, by the Proposal Due Date
MQ9	Completed Attachment 3 SFDCP Custom RFP Questionnaires and Attachment 4 Pricing/Fee Matrix

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I. INTRODUCTION AND SOLICITATION SCHEDULE

A. Introduction

1. General

This Request for Proposals (hereinafter “RFP” or “Solicitation”) is being issued by the San Francisco Employees’ Retirement System (hereinafter, “SFERS”) of the City and County of San Francisco (hereinafter the “City”). SFERS is seeking qualified plan administrators (“Proposers”) to provide proposals (“Proposal”) for recordkeeping and administrative services for the San Francisco Deferred Compensation 457(b) Plan (SFDCP). Proposers (“You” or “Your”) are invited to present proposals for deferred compensation recordkeeping, trustee/custodial and administrative services. The term “SFDCP” shall be used herein to refer collectively to SFERS and the San Francisco Deferred Compensation 457(b) Plan.

2. Selection Overview

SFDCP shall award a contract to the Proposer that meets the Minimum Qualifications of this Solicitation whose Proposal receives the highest-ranking score. Responsive Proposals will be evaluated by a panel (“Evaluation Panel”) consisting of one or more parties with expertise related to goods and/or services being procured through this Solicitation. The Evaluation Panel may include staff from SFERS and Callan, the SFDCP’s consultant. Proposals will be evaluated based on the criteria outlined herein.

3. Objectives

SFDCP seeks to achieve the following objectives through the search process:

- Identify the most qualified business partner to deliver record-keeping administration as well as trustee, participant and plan sponsor services.
- Identify a Proposer whose costs are reasonable and commensurate with the services that are being provided.
- Identify a Proposer that assigns an experienced service team that is proactive and integrated to address new market trends and service provider offerings and ideas for discussion.
- Identify a Proposer with the flexibility to meet the SFDCP’s and participants’ current and future needs.
- Identify a Proposer with proactive and intuitive tools that educate and encourage participants to plan for retirement and solve for participant retirement income needs.
- Identify a Proposer whose quality assurance practices are able to ensure that the Plan is administered in accordance with plan documents and applicable regulations.
- Ascertain which Proposer best meets SFDCP’s service needs.

B. Anticipated Contract Term

A contract awarded pursuant to this Solicitation shall be non-exclusive with an original term of five (5) years. SFDCP at its sole, absolute discretion, shall have the option to extend the term for four additional one-year terms, for a total of nine (9) years.

C. Anticipated Contract Not to Exceed Amount

The not to exceed (“NTE”) amount for a contract awarded pursuant to this Solicitation cannot be anticipated at the time of this Solicitation but shall be based on the selected Proposal.

D. Solicitation Schedule

The anticipated schedule for this Solicitation is set forth below. These dates are tentative and subject to change. It is the responsibility of the Proposer to check for any Addenda to this Solicitation or other pertinent information posted on SFERS's website.

Proposal Phase	Tentative Date
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Notice of Intent to Award	June 2026
Period for Protesting Notice of Intent to Award	Within three (3) business days of SFDCP's issuance of a Notice of Intent to Award.

E. Contract Terms and Negotiations

The successful Proposer will be required to enter into a contract substantially in the form attached hereto as Attachment 1, SFDCP's Contract Terms. **If Proposer is unable to accept SFDCP's Contract Terms substantially in the form presented, Proposer shall include a revised copy of SFDCP's Contract Terms with its Proposal.** The revised copy of SFDCP's Contract Terms must clearly:

- (1) Mark those sections to which it objects;
- (2) Set forth Proposer's alternative terms with respect to each such section; and
- (3) Explain the basis for each proposed change.

If a satisfactory contract cannot be negotiated in a reasonable time, SFDCP, in its sole discretion, may terminate negotiations. Upon termination of negotiations, SFDCP may begin negotiation with the Proposer that meets the Minimum Qualifications of this Solicitation whose Proposal receives the next highest-ranking score.

II. SERVICES REQUESTED

A. Services Requested

This Solicitation is being issued by SFERS. SFERS is seeking qualified Proposers to provide Proposals for record-keeping and administrative services for the SFDCP.

III. LOCAL BUSINESS ENTERPRISE (LBE) PROGRAM (OPTIONAL)

A. CMD Contact Information

Contract Monitoring Division
City and County of San Francisco
Tel: 415.581.2310
Website: www.sfgov.org/cmd.

B. LBE Subcontracting Participation Requirements

There shall be no LBE Subcontracting Requirement for any Contract awarded pursuant to this Solicitation. SFERS strongly encourages responses from qualified Local Business Enterprises (LBEs) as defined in Chapter 14.B of the San Francisco Administrative Code.

IV. PROPOSAL EVALUATION CRITERIA

Evaluation Phase	Maximum Points
Minimum Qualifications Documentation	Pass/Fail
Written Proposal	80 Points
- Proposer's Organization and Staff	10 points
- Administrative Capabilities and Technology	25 points
- Communications and Service Plan	20 points
- Fee Proposal	25 Points
Finalist Presentations	20 Points
TOTAL	100 Points

SFDCP expects to make its selection based on organization, administrative capabilities and technology, communication and service plan, and fees. These criteria include, but are not limited to, the following:

- Organizational stability and commitment to the retirement plan administration business
- Experience with plan administration and trustee/custodial services for plans of a similar size and type
- Strong data security & disaster recovery
- Services in line with specifications
- Strong compliance and oversight with rigorous controls
- Adherence to professional standards and accountability for errors, omissions and failures
- Robust reporting capabilities and data retrieval
- Appropriate integrated processes and controls to manage quality and ensure proper plan administration and trust accounting
- Flexibility in meeting plan needs with a focus on SFDCP tailored, customization and flexibility
- Technical DC knowledge and skills
- Experienced, responsive, and client-focused servicing team
- Leading edge web products and services, including robust participant web capabilities
- Strong communication capabilities
- Investment flexibility/open architecture
- Ability to recordkeep existing fund lineup
- Fee and operations transparency and accountability
- Reasonable fees and availability of methodologies to empower fee leveling, revenue recapture, and similar administration features

- Managed Account service transition capabilities
- Pension integration for holistic retirement benefits
- Participant and Plan Data mining

V. MINIMUM QUALIFICATIONS DOCUMENTATION REQUIRED WITH PROPOSAL (PASS/FAIL)

Proposers must provide documentation that clearly demonstrates each Minimum Qualification (MQ) listed below has been met. Minimum Qualification documentation should be clearly marked as “MQ1”, MQ2”, etc.... to indicate which MQ it supports. Each Proposal will be reviewed for initial determination on whether Proposer meets the MQs referenced in this section. **This screening is a pass or fail determination and a Proposal that fails to meet the Minimum Qualifications will not be eligible for further consideration in the evaluation process.** SFDCP reserves the right to request clarifications from Proposers prior to rejecting a Proposal for failure to meet the Minimum Qualifications.

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MQ8	Proposer’s proposed changes to Attachment 1, SFDCP’s Contract Terms, if any, by the Proposal Due Date

MQ9	Completed Attachment 3 SFDCP Custom RFP Questionnaires and Attachment 4 Pricing/Fee Matrix
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VI. WRITTEN PROPOSAL (80 POINTS)

In addition to submitting documents supporting each Minimum Qualification as required by this Solicitation, Proposers shall also submit a complete Proposal consisting of three parts, as described below:

1. **General Questionnaire:** The Callan 2025 Recordkeeping Questionnaire will be used for general questions. Proposers will need to indicate which market segment (core, large, mega, tax-exempt, or public) of the questionnaire is applicable to SFDCP. The annual questionnaire will be re-opened so that vendors may review and change their responses as necessary. The General Questionnaire is available via ProposalTech.
2. **SFDCP Custom RFP Questionnaire:** Proposers' response to the SFDCP Custom RFP Questionnaire should provide answers that are tailored to the required services for SFDCP. Some questions may be duplicates of questions in the general questionnaire that require more in-depth explanations applicable to SFDCP. The SFDCP Custom RFP Questionnaire is attached as Attachment 3, and also found in Proposal Tech.
3. **SFDCP Pricing/Fee Matrix:** Proposers' proposed fees are to be included as part of the RFP response. A Pricing/Fee Matrix found in ProposalTech. The Pricing/Fee Matrix must cover all required services for SFDCP. Any services that require additional or ad hoc fees must be explicitly provided for in the SFDCP Pricing/Fee Matrix. SFDCP reserves the right to request of that the Proposers provide a best and final fee proposal. Should a best and final fee proposal be requested, scores for the best overall service proposal will be adjusted to reflect any new information contained in the revised fee proposals. The SFDCP Pricing/Fee Matrix is attached as Attachment 4.

Submit a letter of introduction and executive summary of the proposal. A person authorized by Proposer to obligate Proposer to perform the commitments contained in the proposal must sign the letter. Submission of the letter must include a representation by Proposer that Proposer is willing and able to perform the commitments contained in the proposal. Any exceptions should be fully described in this letter of introduction. Proposer should describe how the exception will not jeopardize the integrity of the SFDCP and its operation or impair its goals and objectives. Include in the letter of introduction a summary of Proposer's qualifications and experience (including specifically confirming that Proposer meets each of the minimum qualifications identified in this RFP), why Proposer should be selected, and Proposer's proposed number of dedicated representatives and local staffing to reside within the SFDCP office.

Responses to specific RFP questions should be brief and to the point. Where a response of 'yes' for example, will suffice, please respond accordingly. More importantly, make sure to provide an answer that specifically addresses the question.

COMPLETENESS, CLARITY, AND BREVITY ARE IMPORTANT. PROPOSERS SHOULD SUBMIT ALL INFORMATION REQUESTED IN THIS RFP IN THE SPECIFIED FORMAT. RESPONSES NOT MEETING FORMAT REQUIREMENTS OR THAT ARE INCOMPLETE IN

ANY WAY MAY BE REJECTED. CANDIDATES ARE URGED TO READ THIS RFP CAREFULLY, TO TAKE CARE IN THE PREPARATION OF RESPONSES, AND TO CAREFULLY PROOFREAD THE FINAL VERSIONS FOR ACCURACY AND COMPLETENESS.

VII. FINALIST PRESENTATION (20 POINTS)

Following the evaluation of the Written Proposals and Price Proposals, SFDCP may select up to three (3) Proposers with the highest Written Proposal scores who will be invited to present a presentation to the Deferred Compensation Committee in April 2026 at a meeting open to members of the public. SFDCP reserves the right to limit participation in the presentation to Proposers' key/lead team members and to exclude, for example, sub-consultants on multiple teams. Each Proposer will be given the same amount of time for their presentation, not including any questions that the Deferred Compensation Committee or Evaluation Panel may ask. The Evaluation Panel may ask follow-up questions if clarification of Proposer's presentation is necessary. The Evaluation Panel will proceed to evaluate each Proposer based on each Proposer's presentation and responses. The Finalist Presentation score may also be adjusted to reflect any relevant information obtained during onsite visits conducted after the Finalist Presentation, as well as any reference checks.

VIII. SUPPORTING DOCUMENTATION REQUIRED PRIOR TO CONTRACT EXECUTION

Proposers must provide each Required Supporting Documentation ("RSD") identified below prior to Award. Failure to do so may result in the Proposal being deemed Non-Responsive.

RSD 1	Evidence that Proposer is compliant or likely to become compliant within 30 calendar days of the Proposal Due Date with San Francisco Labor and Employment Code Articles 131 and 132.
RSD 2	Insurance in accordance with Article 5 of Attachment 1, SFDCP's Contract Terms.
RSD 3	Non-Profit Entities: If Proposer is a non-profit organization and receives a cumulative total per year of at least \$250,000 in City funds or City-administered funds: (1) a statement describing Proposer's efforts to comply with the Chapter 12L provisions regarding public access to Proposer's meetings and records, and (2) a summary and disposition 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. If no such complaints were filed, the Proposer shall include a statement to that effect. <i>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.</i>

IX. FAILURE TO PROVIDE INSURANCE

Unless otherwise stated, within ten business days of the receipt of a notice of award of a Contract, the Proposer to whom the contract is awarded shall deliver the specified insurance certificates and policy endorsements to SFDCP. If the Proposer fails or refuses to furnish the required insurance within ten days after receiving notice to award a Contract, SFDCP may, at its option, determine that the Proposer has abandoned its Proposal. Thereupon the tentative award of

said contract to this Proposer shall be canceled. The foregoing in no way limits the damages which are recoverable by SFDCP whether or not defined elsewhere in the contract documents.

X. CITY'S SOCIAL AND ECONOMIC POLICY REQUIREMENTS

The San Francisco Municipal Code establishes a number of requirements for people seeking to do business with the City ("Social and Economic Policy Requirements"). These Social and Economic Policy Requirements can be found in Attachment 1, SFDCP's Contract Terms, which Proposers are encouraged to carefully review. The Social and Economic Policy Requirements set forth below are not intended to be a complete list of all Social Policy Requirements applicable to this Solicitation and any contracts awarded from it.

A. Nondiscrimination Requirements

A Proposer selected pursuant to this Solicitation may not, during the term of the Contract, in any of its operations in San Francisco, on real property owned by San Francisco, or where work is being performed for SFDCP elsewhere in the United States, discriminate in the provision of bereavement leave, family medical leave, health benefits, membership or membership discounts, moving expenses, pension and retirement benefits or travel benefits, as well as any benefits other than the benefits specified above, between employees with domestic partners and employees with spouses, and/or between the domestic partners and spouses of such employees, where the domestic partnership has been registered with a governmental entity pursuant to state or local law authorizing such registration, subject to the conditions set forth in San Francisco Labor and Employment Code Articles 131 and 132. *Refer to Attachment 1, SFDCP's Contract Terms for additional details related to the application of this Ordinance to a contract awarded pursuant to this Solicitation.*

B. Non-Profit Entities

To receive a contract under this Solicitation, any nonprofit Proposer must be in good standing with the California Attorney General's Registry of Charitable Trusts by the time of contract execution and must remain in good standing during the term of the agreement. Upon request, Proposer must provide documentation to SFDCP demonstrating its good standing with applicable legal requirements. If Proposer will use any nonprofit subcontractors to perform the agreement, Proposer will be responsible for ensuring they are also in compliance with all requirements of the Attorney General's Registry of Charitable Trusts at the time of Contract execution and for the duration of the agreement.

C. Other Social Policy Provisions

Attachment 1, SFDCP's Contract Terms, identifies the applicable social policy provisions related to a contract awarded pursuant to this Solicitation. Proposers are encouraged to carefully review these terms and ensure they are able to comply with them.

XI. TERMS AND CONDITIONS FOR RECEIPT OF PROPOSALS

A. Proposal Questions and Submissions

1. Proposer Questions and Requests for Clarification

Proposers shall address any questions regarding this Solicitation to the persons whose names and contact information appear on the cover page of this Solicitation under "Contact Information." Proposers who fail to submit questions concerning this Solicitation and its

requirements will waive all further rights to protest based on the specifications and conditions herein. **Questions must be submitted by email to the persons whose names and contact information appear on the cover page of this Solicitation no later than Written Questions Due Date.** A written Addendum will be executed addressing each question and answer and posted publicly. It is the responsibility of the Proposer to check for any Addenda and other updates that will be posted on SFERS's website: <https://mysfers.org/about-sfers/request-for-proposal/>

2. **Proposal Format**

Proposals must be created using a word processing software (e.g. Microsoft Word or Excel) and typed in a serif font (e.g.-Times New Roman). The document must have page margins of at least .5" on all sides. Information must be provided at a level of detail that enables effective evaluation and comparison between Proposals. Failure to follow formatting, submission, or content requirements, as well as page limit restrictions (if any), may negatively impact the evaluation of your Proposal.

3. **Time and Place for Submission of Proposals**

Responses to this RFP must be submitted as follows. Both the online submission and hard copy submissions must be timely submitted in order to constitute a complete submission.

(a) **Online Submission of General Questionnaire** – Proposers must use ProposalTech to submit responses. Interested bidders may self-register at:

<http://www.proposaltech.com/home/app.php/register>

Alternatively, Proposers may email Jana Steele (steelej@callan.com), or Greg Ungerman (ungerman@callan.com) to receive access and a registration code for the SFDCP TPA RFP.

Online responses via ProposalTech are due by 5:00 p.m. PT on January 21, 2026.

(b) **Hardcopy Submission of SFDCP Custom RFP Questionnaire and SFDCP Pricing/Fee Matrix** – Proposers must submit:

- **one (1) hardcopy** proposal to Greg Ungerman of Callan LLC at the address set forth on the cover sheet to this RFP,
- **three (3) hardcopy** proposals and **two (2) flash drive** proposals to SFDCP at the following address:

Diane Chui Justen
Deferred Compensation Director
San Francisco Employees' Retirement System
1145 Market Street, 5th Floor
San Francisco, CA 94103

All hard copies and flash drives described above must be received by Mr. Ungerman and Ms. Chui Justen, respectively, no later than 5:00 p.m. PT on January 26, 2026.

In providing your company's (hard copy) responses to the SFDCP questionnaire, restate each question in bold face type with Proposer's response directly below. Responses should be brief and provide requested information only. Proposer's proposal and responses to the questionnaires may be incorporated into the contract between Proposer and the SFDCP.

Place hard copy proposals in three-ring binders. Please use three-hole recycled paper, print double-sided to the maximum extent practical, use recycled paper that is comprised of minimum of 30% post-consumer materials, and bind the proposal with a binder clip, rubber band, or single staple. Please do not bind your proposal with a spiral binding, glued binding, or anything similar. You may use tabs or other separators within the document. Each proposal must include a table of contents.

B. RFP Addenda

SFDCP may modify this Solicitation, prior to the Proposal Due Date, by issuing an Addendum to the Solicitation, which will be posted on the SFERS website. **The Proposer shall be responsible for ensuring that its Proposal reflects any and all Addenda issued by SFDCP prior to the Proposal Due Date regardless of when the Proposal is submitted.** Therefore, SFDCP recommends that the Proposer consult the website frequently, including shortly before the Proposal Due Date, to determine if the Proposer has downloaded all Solicitation Addenda. It is the responsibility of the Proposer to check for any Addenda, Questions and Answers documents, and updates, which may be posted to the subject Solicitation.

THE SUBMITTAL OF A RESPONSE TO THIS SOLICITATION SHALL EXPLICITLY STIPULATE ACCEPTANCE BY PROPOSERS OF THE TERMS FOUND IN THIS SOLICITATION, ANY AND ALL ADDENDA ISSUED TO THIS SOLICITATION, AND THE PROPOSED CONTRACT TERMS.

C. Public Disclosure

All documents under this solicitation process are subject to public disclosure per the California Public Records Act (California Government Code Section §6250 et. Seq) and the San Francisco Sunshine Ordinance (San Francisco Administrative Code Chapter 67). Contracts, Proposals, responses, and all other records of communications between SFDCP and Proposers shall be open to inspection immediately after a contract has been awarded. Nothing in this Administrative Code 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 benefit until and unless that person or organization is awarded the contract or benefit.

If SFDCP receives a Public Records Request ("Request") pertaining to this solicitation, SFDCP will use reasonable efforts to notify the affected Proposer(s) of the Request and to provide the Proposer with a description of the material that SFDCP deems responsive and the due date for disclosure ("Response Date"). If the Proposer asserts that some or all of the material requested contains or reveals valuable trade secret or other information belonging to the Proposer that is exempt from disclosure and directs SFDCP in writing to withhold such material from production ("Withholding Directive"), then SFDCP will comply with the Withholding Directive on the condition that the Proposer seeks judicial relief on or before the Response Date. Should Proposer fail to seek judicial relief on or before the Response Date, SFDCP shall proceed with the disclosure of responsive documents.

D. Limitation on Communications During Solicitation

From the date this Solicitation is issued until the date the competitive process of this Solicitation is completed (either by cancelation or final Award), Proposers and their subcontractors, vendors, representatives and/or other parties under Proposer's control, shall communicate solely with the persons whose names appear on the cover page of this Solicitation.

Any attempt to communicate with any party other than such persons – including any SFDCP official, representative or employee – is strictly prohibited. Failure to comply with this communications protocol may, at the sole discretion of SFDCP, result in the disqualification of the Proposer or potential Proposer from the competitive process. This protocol does not apply to communications with SFDCP regarding business not related to this Solicitation or to communications with SFDCP staff regarding scheduling presentations for semi-finalists.

E. Proposal Selection Shall not Imply Acceptance

The acceptance and/or selection of any Proposal(s) shall not imply acceptance by SFDCP of all terms of the Proposal(s), which may be subject to further approvals before SFDCP may be legally bound thereby.

F. Cybersecurity Risk Assessment

As part of SFDCP's evaluation process, SFDCP may engage in Cybersecurity Risk Assessment (CRA). CRA may be performed for each entity manufacturing the product, performing technical functions related to the product's performance, and/or accessing SFDCP's networks and systems. Where a prime contractor or reseller plays an active role in each of these activities, CRA may also be required for the prime contractor or reseller.

To conduct a CRA, SFDCP may collect as part of this Solicitation process one of the following two reports:

- **SOC-2 Type 2 Report:** Report on Controls at a Service Organization Relevant to Security, Availability, Processing Integrity, Confidentiality or Privacy; or
- **SFDCP's Cyber Risk Assessment Questionnaire:** Proposer's responses to SFDCP's Cyber Risk Assessment Questionnaire.

The above reports may be requested at such time SFDCP has selected or is considering a potential Proposer. The reports will be evaluated by SFDCP and/or the City's Department of Technology to identify existing or potential cyber risks to SFDCP and/or City. Should such risks be identified, SFDCP may afford a potential Proposer an opportunity to cure such risk within a period of time deemed reasonable to SFDCP. Such remediation and continuing compliance shall be subject to SFDCP's on-going review and audit through industry-standard methodologies, including but not limited to: on-site visits, review of the entities' cybersecurity program, penetration testing, and/or code reviews.

G. Solicitation Errors and Omissions

Proposers are responsible for reviewing all portions of this Solicitation. Proposers are to promptly notify SFDCP, in writing and to the Solicitation contact person if the Proposer discovers any ambiguity, discrepancy, omission, or other error in the Solicitation. Any such notification should be directed to SFDCP promptly after discovery, but in no event later than the deadline for questions. Modifications and clarifications will be made by Addenda as provided below.

H. Objections to Solicitation Terms

Should a Proposer object on any ground to any provision or legal requirement set forth in this Solicitation, the Proposer must, no later than the deadline for questions, provide written notice to SFDCP setting forth with specificity the grounds for the objection. The failure of a Proposer to object in the manner set forth in this paragraph shall constitute a complete and irrevocable waiver of any such objection.

I. Protest Procedures

1. Protest of Non-Responsiveness Determination

Within three (3) business days of SFDCP's issuance of a Notice of Non-Responsiveness, a Proposer may submit a written Notice of Protest 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 Notice of Protest must be signed by an individual authorized to represent the Proposer, and must cite the law, rule, local ordinance, procedure or Solicitation provision on which the protest is based. In addition, the Notice of Protest must specify facts and evidence sufficient for SFDCP to determine the validity of the protest.

2. Protest of Non-Responsible Determination

Within three (3) business days of SFDCP's issuance of a Notice of Non-Responsibility, a Proposer may submit a written Notice of Protest of Non-Responsibility. The Notice of Protest must include a written statement specifying in detail each and every one of the grounds asserted for the protest. The Notice of Protest must be signed by an individual authorized to represent the Proposer, and must cite the law, rule, local ordinance, procedure or Solicitation provision on which the protest is based. In addition, the Notice of Protest must specify facts and evidence sufficient for SFDCP to determine the validity of the protest.

3. Protest of Contract Award

Within three (3) business days of SFDCP's issuance of a Notice of Intent to Award, a Proposer may submit a written Notice of Protest of Contract Award. The Notice of Protest must include a written statement specifying in detail each and every one of the grounds asserted for the protest. The Notice of Protest must be signed by an individual authorized to represent the Proposer, and must cite the law, rule, local ordinance, procedure or Solicitation provision on which the protest is based. In addition, the Notice of Protest must specify facts and evidence sufficient for SFDCP to determine the validity of the protest.

4. Delivery of Protests

A Notice of Protest must be written. Protests made orally (e.g., by telephone) will not be considered. A Notice of Protest must be delivered by mail or email to the persons whose names and contact information appear on the cover page to this Solicitation and received by the due dates stated above. A Notice of Protest shall be transmitted by a means that will objectively establish the date SFDCP received the Notice of Protest. If a Notice of Protest is mailed, the protestor bears the risk of non-delivery within the deadlines specified herein.

J. Proposal Term

Submission of a Proposal signifies that the proposed products, services and prices are valid for 180 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. At Proposer's election, the Proposal may remain valid beyond the 180-day period in the circumstance of extended negotiations.

K. Revision to Proposal

A Proposer may revise a Proposal on the Proposer's own initiative at any time before the deadline for submission of Proposals. The Proposer must submit the revised Proposal in the same manner as the original. A revised Proposal must be received on or before, but no later than the Proposal Due Date and time. In no case will a statement of intent to submit a revised Proposal, or commencement of a revision process, extend the Proposal Due Date for any Proposer. At any time during the Proposal evaluation process, SFDCP may require a Proposer to provide oral or written

clarification of its Proposal. SFDCP reserves the right to make an award without further clarifications of Proposals received.

L. Proposal Errors and Omissions

Failure by SFDCP to object to an error, omission, or deviation in the Proposal will in no way modify the Solicitation or excuse the Proposer from full compliance with the specifications of this Solicitation or any contract awarded pursuant to this Solicitation.

M. Financial Responsibility

SFDCP accepts no financial responsibility for any costs incurred by a Proposer in responding to this Solicitation. Proposers acknowledge and agree that their submissions in response to this Solicitation will become the property of SFDCP and may be used by SFDCP in any way deemed appropriate.

N. Proposer's Obligations under the Campaign Reform Ordinance

If a contract awarded pursuant to this Solicitation has (A) a value of \$100,000 or more in a fiscal year and (B) requires the approval of an elected City official, Proposers are hereby advised:

1. Submission of a Proposal in response to this Solicitation may subject the Proposers to restrictions under Campaign and Governmental Conduct Code Section 1.126, which prohibits City contractors, Proposers, and their affiliates from making political contributions to certain City elective officers and candidates; and
2. Before submitting a Proposal in response to this Solicitation, Proposers are required to notify their affiliates and subcontractors listed in the awarded contract or Proposal of the political contribution restrictions set forth in Campaign and Governmental Conduct Code section 1.126.

This restriction applies to the party seeking the contract, the party's board of directors, chairperson, chief executive officer, chief financial officer, chief operating officer, any person with an ownership interest greater than ten percent, and any political committees controlled or sponsored by the party, as well as any subcontractors listed in the awarded contract or Proposal. The law both prohibits the donor from giving contributions and prohibits the elected official from soliciting or accepting them.

The people and entities listed in the preceding paragraph may not make a campaign contribution to the elected official at any time from the submission of a Proposal for a contract until either: (1) negotiations are terminated and no contract is awarded; or (2) twelve months have elapsed since the award of the contract.

A violation of Section 1.126 may result in criminal, civil, or administrative penalties. For further information, Proposers should contact the San Francisco Ethics Commission at (415) 252-3100 or go to <https://sfethics.org/compliance/city-officers/city-contracts/city-departments/notifying-bidders-and-potential-bidders>.

O. Reservations of Rights by SFDCP

The issuance of this Solicitation does not constitute a guarantee by SFDCP that a contract will be awarded or executed by SFDCP. SFDCP expressly reserves the right at any time to:

1. Waive or correct any defect or informality in any response, Proposal, or Proposal procedure;
2. Reject any or all Proposals;
3. Reissue the Solicitation;
4. Prior to submission deadline for Proposals, 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 Solicitation, or the requirements for contents or format of the Proposals;
5. Procure any materials, equipment or services specified in this Solicitation by any other means; or
6. Determine that the subject goods or services are no longer necessary.

P. No Waiver

No waiver by SFDCP of any provision of this Solicitation shall be implied from SFDCP's failure to recognize or take action on account of a Proposer's failure to comply with this Solicitation.

Q. How to Register as a City Supplier

If necessary, Proposer will register its business with City's Office of the Treasurer and Tax Collector, and submit a declaration of compliance under Article 131 of City's Labor and Employment Code with City's Contract Monitoring Division.

R. Other

1. SFDCP may make such investigation, as it deems necessary, prior to the award of this contract to determine the conditions under which the goods are to be delivered or the work is to be performed. Factors considered by SFDCP shall include, but not be limited to:
 - a. Any condition set forth in this Solicitation;
 - b. Adequacy of Proposer's plant facilities and/or equipment, location and personnel location to properly perform all services called for under the Purchase Order; and
 - c. Delivery time(s).
2. SFDCP reserves the right to inspect an awarded Proposer's place of business prior to award of and/or at any time during the contract term (or any extension thereof) to aid SFDCP in determining an awarded Proposer's capabilities and qualifications.
3. Failure to timely execute a contract, or to furnish any and all insurance certificates and policy endorsements, surety bonds or other materials required in the contract, shall be deemed an abandonment of a contract offer. SFDCP, in its sole discretion, may select another Proposer and may proceed against the original selectee for damages.
4. SFDCP reserves the right to reject any Proposal on which the information submitted by Proposer fails to satisfy SFDCP and/or if Proposer is unable to supply the information and documentation required by this Solicitation within the period of time requested.
5. Any false statements made by a Proposer or any related communication/clarification may result in the disqualification of its Proposal from receiving further evaluation and a contract award.