



Request for Qualifications (RFQ)
RFQ # 2020-02

Training, Technical Assistance, and Rating Services for
Early Childhood Quality Improvement System

RFQ issue date:	Wednesday, September 16, 2020
Non-mandatory bidders' conference date:	Monday, September 28, 2020
Mandatory letter of intent due:	Wednesday, September 30, 2020
Proposal due date:	Friday, October 16, 2020 at 5:00 pm
Contact email:	RFQ@first5sf.org

Purpose of this RFQ

The purpose of this Request for Qualifications (RFQ) is to identify a pool of qualified entities, organizations, and consultants from which First 5 San Francisco may choose prospective contractors to provide training, technical support, and resources for the early childhood education quality improvement system. Specifically, it is First 5 San Francisco's intent to pre-qualify Respondent(s) that demonstrate qualifications to: coordinate and implement coaching, training, technical assistance, assessment and rating services that are effective in assisting early childhood educators in family child care homes and/or center-based programs to meet common standards of quality.

Consultant firms selected for pre-qualification are not guaranteed a contract. Consultant firms and consultants selected under this RFQ may be asked to respond to additional screening processes prior to being awarded a contract. Alternatively, First 5 San Francisco may choose to contract with a consulting firm or consultant based on their selection through this RFQ.

This RFQ does not in any way limit First 5 San Francisco's right to solicit contracts for similar or identical services if in First 5 San Francisco's sole and absolute discretion, it determines to do so is in its best interest.

Background

In November 1998, California voters passed Proposition 10, the California Children and Families Act, to help make sure that our youngest children receive the best possible start. The proposition increased the tax on tobacco products to fund local health care and early care and education programs that promote early child development, targeting children-from prenatal to age five-and their families. First 5 San Francisco is the public entity responsible for receiving and disbursing San Francisco's Proposition 10 funds. Currently, First 5 San Francisco receives approximately \$8 million annually in state revenues, with which it makes grants to both public and private entities. Funds are intended to promote, support and improve early childhood development, health and parental support through coordinated resources and programs.

First 5 San Francisco has a staff of twelve and is governed by a nine-member Commission, which includes experts in the fields of health, children's services and early care and education (ECE), some of whom represent city agencies and the Board of Supervisors. Additional information can be found on our website: [wwwfirst5sf.org](http://www.first5sf.org).

Research and practice confirm that readiness and achievement disparities can be documented long before children enter kindergarten. Research has also shown us how to design high-quality early education programs that will enable all children to build a solid foundation for school success and lifelong learning. For years, we have known that waiting until kindergarten is too late to begin extending educational opportunities to all children, especially children with high needs. Now the evidence is indisputable: we can reduce school failure, realize cost savings, create more equitable opportunities, and enhance all children's school readiness and lifelong success by enhancing and expanding early childhood learning opportunities.

San Francisco County, and First 5 San Francisco specifically, has more than a decade of investing in local early childhood quality improvement efforts for licensed ECE settings and community-based programs. This investment has resulted in a robust and comprehensive system of training, capacity-building and professional development supports for all city-funded early care and education sites.

A driving force behind San Francisco's quality improvement efforts has not only been to ensure quality early learning for every child in San Francisco, but also to ensure that the early care and education workforce is well supported in achieving the excellence they desire for all of the children in their care.

In collaboration with the Office of Early Care and Education, First 5 San Francisco will continue grow and strengthen this system of supports blending local funds with funds from Quality Counts California (QCC) – a partnership between First 5 California and California Department of Education. San Francisco's quality improvement system, locally known as Quality Connections, integrates select elements of the state and Regional QRIS Hybrid Matrix with a local set of embedded quality standards, which together form the backbone of a continuous quality improvement pathway.

Project Objectives

San Francisco Quality Connections is an initiative of First 5 San Francisco, in partnership with San Francisco's Office of Early Care and Education (OECE). The Quality Connections vision is a city where all families have access to the highest quality of care and education for their children beginning at birth.

Through Quality Connections, First 5 San Francisco is working to ensure that all early learning settings are guided and supported in their quality improvement efforts. Quality Connections helps define and measure specific quality indicators for participating early learning programs. In this way Quality Connections supports educators, and those supporting and partnering with them, to reflect on strengths and challenges and then focus on those areas that will systematically improve quality, while also striving to be feasible, targeted and not overly burdensome on providers to the greatest extent possible.

Quality Partners are organizations dedicated to supporting early care providers with the training, technical assistance, coaching, and professional development support they need to elevate their quality of care for San Francisco children. Entities who meet minimum qualifications through this RFQ will be eligible to participate in planning, program development, evaluation, coordination activities, delivery of professional development and overall system improvement efforts.

Funding and Contract Term

First 5 San Francisco will make funds available to projects funded through this RFQ on an as needed basis. Respondents are not guaranteed a contract if pre-qualified as a consultant of this RFQ. Respondents will not be compensated for costs incurred to respond to this RFQ.

Contracts may be project based, annual or for multiple years. Specific contract activities, budgets and length of contract term may be negotiated for each individual project initiated utilizing consultants identified through this RFQ.

Contract renewal and award amounts are subject to First 5 San Francisco staff review of the project, negotiation of contracts and scope of work, and continued availability of funds. Also, the contract award in future years may be decreased or eliminated. Funding renewal and amount of funds allocated to the purposes of this RFQ are at the sole discretion of First 5 San Francisco.

Selected respondents will remain eligible for consideration and contract negotiation on an as-needed basis via a pre-qualified list that will remain active for two years, beginning December 31, 2020 through December 31, 2022.

Contracts issued to pre-qualified entities will have terms of varying lengths depending on First 5 San Francisco's needs, but in no case longer than 5 years, with an option to extend for an additional 4 years.

Submission Process and Timeline

The application submissions for this RFQ will be electronic only. The online application can be accessed at: <https://www.surveymonkey.com/r/TTA-RFQ2020-02>

All forms and attachments will also be submitted via the above online attachment link. The forms can be downloaded at www.first5sf.org.

All submissions are due on **Friday, October 16, 2020 at 5:00 pm SHARP**. The online application will close at that time, and no late applications will be allowed to be submitted.

All forms and attachments are also due on **Friday, October 16, 2020 at 5:00 pm SHARP**. Late attachments and/or attachments submitted via other mechanisms outside the online application will not be considered.

Applicants are responsible for checking for updates, corrections, clarifications and other changes to this RFQ at www.first5sf.org.

Additional note about online submission via SurveyMonkey: A PDF of the application will be provided for download at www.first5sf.org. This application template **is not intended for submission use; only for viewing**. First 5 SF also asks that any test applications created on the SurveyMonkey application link, **be deleted as soon as possible in order to avoid confusion**. Two mechanisms have been embedded in the application to certify them as final (one at the beginning and one at the end). All applications with boxes not checked to indicate they are valid submissions and/or applications with apparent "dummy" or "test" information will be deleted at the close of each business day up until the application due date in order maintain a clean submission list.

The timeline for this RFQ is in the table below:

ESTIMATED TIMELINE	
RFQ Issued	September 16, 2020
Non-Mandatory Bidders' Conference	September 28, 2020
Mandatory Letter of Intent Due	September 30, 2020
Proposals Due	October 16, 2020
Anticipated Notice of Qualification	November 13, 2020

Dates and times are subject to change

Scope of Work

First 5 San Francisco seeks responses from entities with excellent qualifications and demonstrated successful delivery in conducting training and technical assistance for family child care and center based early care and education sites in specific core content areas. These three areas, as initially organized in California's Quality Continuum Framework, include: Child Development and School Readiness; Teachers and Teaching; and Program and Environment.

Each Core Area has multiple content focuses arising from San Francisco's local Embedded Quality Standards, the Continuous Quality Improvement Pathways, and the CA Hybrid Matrix. The table below identifies the elements and tools that are relevant in San Francisco.

San Francisco Embedded Quality Standards	Quality Improvement Pathway	Rated Elements/Indicators In Hybrid Matrix
CORE I: Child Development & School Readiness		
<ul style="list-style-type: none"> • Standard 1: Child Observation • Standard 2: Developmental Screening • Standard 7: Curriculum Adoption 	<ul style="list-style-type: none"> • Infant/Toddler and Preschool Learning Foundations and Curriculum Frameworks • California Collaborative for the Social-Emotional Foundations of Early Learning (CCSEFEL) • Health and Nutrition (USDA Child and Adult Food Program), physical education/activity, and tobacco cessation training • <i>Inclusion (Universal Design)*</i> 	<ul style="list-style-type: none"> • Child Observational Assessments (DRDP System) • Developmental & Health Screenings (ASQ & ASQ SE)

San Francisco Embedded Quality Standards	Quality Improvement Pathway	Rated Elements/Indicators In Hybrid Matrix
CORE II: Teachers and Teaching		
<ul style="list-style-type: none"> • Standard 3: Quality Improvement Plan • Standard 4: Quality Counts CA Quality Rating and Improvement System • Standard 9: Interactions • Standard 10: Professional Development in Equity, Inclusion & Family Engagement 	<ul style="list-style-type: none"> • CLASS or PITC Program Assessment Rating Scale (PARS) • Teaching For Equity • Antiracism Training Series • Dual Language Learning Personalized Oral Language Learning Approach • In-depth Empathy Training 	<ul style="list-style-type: none"> • Lead Teacher/FCCH Owner Education and Professional Development • Classroom Assessment Scoring System (CLASS) Assessments
CORE III: Program and Environment		
<ul style="list-style-type: none"> • Standard 5: Parent Teacher Partnership and Communication • Standard 6: Director, Lead Teacher and FCC Qualifications • Standard 8: Environment 	<ul style="list-style-type: none"> • Program Administrative Scale (PAS) or Business Administrative Scale (BAS) • FCC Business Development Center-based Administrative Leadership • SF Connecting Children to Nature Initiative • Family Engagement (<i>Strengthening Families / Protective Factors</i>)* <i>Equity & Diversity (Soy Bilingue, Dual Language Learning, Anti-bias curriculum)</i>* 	<ul style="list-style-type: none"> • Environment Rating Scales (ERS) • Ratios & group size Director Qualifications and professional development (Centers only)

Anticipated Activities

First 5 San Francisco anticipates conducting training and technical support activities to assist providers in meeting common quality standards of the Quality Connections System. To expediently complete and respond to a continuum of San Francisco’s Program and Professional Development Pathway needs, this RFQ seeks to prequalify entities, consultants, and organizations who can be counted on to implement supports through a range of activities that align with the Core Areas highlighted above. These activities are anticipated to vary in size and complexity. Further, actual projects may differ from the descriptions herein, including all or some of the listed activities, and not all activities have yet been defined, but rather may continue to evolve as common standards evolve. However, an anticipated set of training and technical assistance activities has been provided in Appendix B, grouped by Core Areas.

It is the intent of First 5 San Francisco to maintain a multilingual, multiracial pool of professional development specialists who reflect the diversity and lived experience of the early childhood workforce and San Francisco’s neighborhoods. It is of particular importance that

specialists have professional and/or personal experience with Black, Indigenous, People of Color and other historically marginalized and oppressed populations. Pre-qualified entities will be selected for their ability to challenge racism in all its forms, as well as their understanding of the impact of systemic racism and its effects in the early childhood system. We will seek entities who can articulate demonstrated effectiveness through professional experience, equity literacy, and actionable commitment to the disruption of racialized outcomes for young children and families.

All activities and modalities will be offered in multiple languages and may be required in multiple formats and times. Actual projects in Core Areas may include some or all of the listed activities. Additionally, as the state and local quality improvement frameworks evolves, actual projects may include activities not currently listed.

Pre-qualified entities will also be expected to complete activities in the areas of evaluation, reporting, documentation/administration, and overall systems improvement, as requested or outlined in final negotiated scopes of work and contracts. All prequalified entities are expected to participate in CA State Coach Competency Training and Certification efforts.

Service Modalities

This RFQ also seeks to prequalify a pool of entities, consultants, and organizations who represent expertise in a multitude of different training and technical assistance modalities, including large and small group trainings, Professional Learning Communities and Cohorts, Leadership Development Cohorts, practice-based coaching, and site-based consultation.

In addition to training and technical assistance modalities, this RFQ seeks to prequalify entities that have the ability and capacity to provide rating and assessment service modalities within and across the above Core Areas. Rating and assessment modalities can include anchoring, recertification, and calibration checks as well as other validation supports of quality monitoring processes for the city. This is not an exhaustive list of modalities and other desired modalities may emerge as the system evolves.

Settings Served

Services outlined in this RFQ are intended to be provided to city-funded center-based early care and education sites and family child care homes serving infants and toddlers and/or preschool age children. In some cases, services may also be provided to alternative early childhood settings such as FRCs and family friend and neighbor programs that are key platforms for early childhood programs in San Francisco.

This scope of work is a general guide to the work the City anticipates and is not a complete listing of all services that may be required or desired. The City is soliciting qualifications to create a pre-qualified list of consultants to provide a comprehensive range of services as Continuous Quality Improvement Pathways evolve for family child care, infant toddler and preschool programs. Respondents will be asked to identify one or more areas of expertise in: a) Core Content; b) Modality; c) Prioritized Early Care and Education Setting.

Respondents pre-qualified to work in any core area may be asked to assist in planning, facilitation, implementation, evaluation and documentation of training and technical assistance activities.

Entities Eligible to Apply

All of the following entities are eligible to apply under this RFQ:

- Community-based organization that is nonprofit and tax-exempt under Section 501(c)(3) of the Internal Revenue Code, a part of the San Francisco Unified School District, City College of San Francisco, San Francisco State University or other educational institution.
- Sole Proprietorship, even if business registration is in process
- General or Limited Partnership, even if business registration is in process
- Limited Liability Corporation (LLC), even if business registration is in process
- S Corporation (S Corp), even if business registration is in process
- Joint Powers Authority (JPA)

Application will ask for entity type for organizational purposes; entity type responses will not be factored into minimum eligibility or scoring.

Minimum Eligibility

Applicants responding to this RFQ must have the qualifications, experience, competency and ability to successfully provide fiscal and administrative oversight for early childhood quality improvement initiatives. Minimally applicants must meet the below criteria in order to be eligible for funds available through this RFQ.

- Applicants must have a physical presence in a state eligible for contracting with the City and County of San Francisco (See the “Contractors Unable to do Business with the City” section) and must have capacity to provide in-person services throughout San Francisco County.
- Applicants must have a minimum of two years verified direct prior experience specific to technical assistance and training for the early care and education and/or early childhood sector.
- Applicant must be a San Francisco City-approved supplier/vendor at the time the contract is executed. If not already a vendor at time of application submission, applicant must provide assurances that they will be compliant with City-approved supplier/vendor process within 45 days of qualifying award notice, or First 5 San Francisco reserves the right to revoke the qualification.
- Applicants working directly in early care and education facilities must provide proof of TB Clearance at the time the contract is executed. If contract indicates direct work and supervision of children, proof of fingerprinting will also be required for contract execution.

Desired Qualifications

Agencies or individuals seeking to be pre-qualified as a training, technical assistance entity should demonstrate the following qualifications:

- Relevant experience in providing selected Core Content Area activities, in selected technical assistance modalities, within selected site settings to a diverse ECE workforce.
- Capacity to coordinate with other partners and organizations; capacity to perform tracking, data collection, reporting and other administrative tasks.
- Ability to stay within allowable and unallowable costs.
- Specialists/staff have relevant work history, qualifications, and/or certifications and experience providing training and technical assistance to a diverse early care and education workforce.
- Specialists/staff reflect the diversity and lived experience of the early childhood workforce and San Francisco's neighborhoods and have professional and/or personal experience with Black, Indigenous, People of Color and other historically marginalized and oppressed populations.

Contractors Unable to do Business with the City

Generally

Contractors that do not comply with laws set forth in San Francisco's Municipal Codes may be unable to enter into a contract with the City. Some of the laws are included in this RFQ. There are also resources available at the following Office of Contract Administration link, <https://sfgov.org/oca/qualify-do-business>.

Companies Headquartered in Certain States

This Contract is subject to the requirements of Administrative Code Chapter 12X, which prohibits the City from entering into contracts with companies headquartered in states with laws that perpetuate discrimination against LGBT populations or where any or all of the work on the contract will be performed in any of those states. Proposers are hereby advised that Proposers which have their United States headquarters in a state on the Covered State List, as that term is defined in Administrative Code Section 12X.3, or where any or all of the work on the contract will be performed in a state on the Covered State List may not enter into contracts with the City. A list of states on the Covered State List is available at the website of the City Administrator.

RFQ Submission Requirements

This will be an entirely electronic submission process. Please read all instructions carefully to ensure a successful and timely submission process.

A. Mandatory Letter of Intent

The letter of intent is **due by Wednesday, September 30, 2020**, emailed to RFQ@first5sf.org. The number of Letters of Intent greatly assists staff in planning the proposal review process during this time of remote work and global health crisis.

B. On-line Application

Application via online submission is due on **Friday, October 16, 2020 at 5:00 pm SHARP**. The online application will close at that time, and no late applications will be allowed to be submitted. The application link is below and content details are provided in the next sections: <https://www.surveymonkey.com/r/TTA-RFQ2020-02> .

C. Forms and Attachments

All requested forms and attachments are due by **Friday, October 16, 2020 at 5:00 pm SHARP**, also submitted via the above online application link. No late attachments or attachments submitted via other mechanisms will be considered. Content details are provided in the next sections.

Content, Scoring, and Instructions

The proposal application consists of four sections: 1) Coversheet and Contact Information (no point value); 2) Verification of Minimum Eligibility; 3) Experience and Capacity; and 4) Staffing Expertise and Qualifications. An overview of all required attachments is provided in the next section.

The proposal applications will be scored using the following scale:

Verification of Minimum Eligibility	25 points
Experience and Capacity	40 points
Staffing Expertise and Qualifications	35 points

Respondents scoring 75 points and above will be added to the pre-qualified list for as-needed technical assistance and training services in the Core Content Areas, Modalities, and Settings selected on application. Due to the varied nature of the services to be performed, the City reserves the right to contract with any, none or all pre-qualified Respondents.

Selection Interviews

Following the Response Evaluation process, Respondents may be invited to interviews for further review and assessment of qualifications. Interviews, if pursued by the City, will consist of standard questions asked of selected Respondents, and specific questions regarding individual proposals. The City has sole and absolute discretion over whether interviews will be conducted or not to select Respondents for contract negotiations.

Reference Checks

Reference checks, including, but not limited to, prior clients as indicated in Appendix B Prior Project Description(s), may be used to determine the applicability of Respondent 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 and communication abilities, as well as performance on deliverables and outcomes, and effectiveness in meeting or exceeding project objectives.

Work Samples

Work samples of previous projects may be requested from Respondents by the Evaluation team to assist their review of an applicant’s previous project experience. Additionally, pre-qualified

entities/consultants may be asked to provide previous project materials to assist First 5 San Francisco in selecting a pre-qualified consultant for a contract for a specific project. A request for previous project materials does not require that the materials be reviewed in their entirety to assess their relevance toward pre-qualifying an entity/consultant or selecting a pre-qualified consultant for a contract.

Other Terms and Conditions

The selection of any pre-qualified Respondent for contract negotiations shall not imply acceptance by the City of all terms of the response, which may be subject to further negotiation and approvals before the City may be legally bound thereby.

If a satisfactory contract cannot be negotiated in a reasonable time with any pre-qualified Respondent, then the City, in its sole discretion, may terminate negotiations and begin contract negotiations with any other remaining pre-qualified Respondents.

The City, in its sole discretion, has the right to approve or disapprove any staff person assigned to a training entity's projects before and throughout the contract term. The City reserves the right at any time to approve, disapprove, or modify proposed project plans, timelines and deliverables.

1. Coversheet

Complete the information as requested for the on-line application Coversheet. The contact information provided will be used by the Commission to communicate with applicants.

No point value for this section.

SurveyMonkey online application link: <https://www.surveymonkey.com/r/TTA-RFQ2020-02>

2. Verification of Minimum Eligibility

Verify all Minimum Eligibility Requirements and provide complete responses to verification questions, including business location of record/physical presence and capacity to serve San Francisco County; minimum prior experience in technical assistance and training, with contact information provided for at least one reference; statement of city-approved vendor status; statement regarding TB clearance and, if applicable, fingerprinting.

Completion of all eligibility sections earns a total of 25 points. Failure to complete any single eligibility criteria earns a score of 0.

SurveyMonkey online application link: <https://www.surveymonkey.com/r/TTA-RFQ2020-02>

3. Experience and Capacity

Provide complete responses to all Experience and Capacity Questions. Responses should include and address the below:

- Applicant selects one or multiple: Core Content Areas of Expertise; Modalities; and Settings and includes descriptions that either individually or in whole demonstrate experience and expertise in all selected Core Content Areas; Modalities; and Settings. *(Points: earn full 25 points for project descriptions that demonstrate experience in selected Content Areas, Modalities, and Settings. Partial points if only some of the selected are demonstrated. No points if there is no observable match between project descriptions and selected Content Areas, Modalities, and Settings.)*
- Capacity to collaborate with other partners and with organizations *(Points: additional 5 points possible for satisfactory completion)*
- Capacity to perform tracking, data collection, reporting and other administrative tasks. *(Points: additional 5 points possible for satisfactory completion)*
- Articulated ability to stay within allowable and unallowable costs. *(Points: additional 5 points awarded for satisfactory completion)*

Completion of this section earns a total of 40 points based on the above criteria.

SurveyMonkey online application link: <https://www.surveymonkey.com/r/TTA-RFQ2020-02>

4. **Staffing Expertise and Qualifications**

Provide complete responses to all Staffing Expertise and Qualifications Questions. Responses should include and address the below.

- List key staff with statement of qualifications and certifications that matches the selected Core Content Areas; Modalities; and Settings and upload staff resumes in the required upload section of the application. *(Points: earn full 20 points for staffing structure that matches all the selected Core Content Areas; Modalities; and Settings. Partial points if staffing structure matches only some of the selected. No points awarded if there is no match between staffing structure and selected Content Areas, Modalities, and Settings.)* **Note: staff resumes must be uploaded in order to earn full points.**
- Staff/specialists have articulated racial equity stance and demonstrated ability to provide linguistically, ethnically, and culturally concordant training and technical assistance to San Francisco’s diverse workforce. Staff/specialists have demonstrated personal and/or professional experience with Black, Indigenous, People of Color and other historically marginalized and oppressed populations. Staff/specialists have demonstrated experience and ability to challenge racism in all its forms, as well as understanding of the impact of systemic racism and its effects in the early childhood system. *(Points: additional 15 points possible for effective demonstration through response as well as submitted resumes).*

Completion of this section earns a total of 35 points based on the above criteria.

SurveyMonkey online application link: <https://www.surveymonkey.com/r/TTA-RFQ2020-02>

Submission Attachments Overview

Upload all attachments via the online application: (<https://www.surveymonkey.com/r/TTA-RFQ2020-02>) by **5:00 p.m. SHARP on October 16, 2020**. No late attachment submissions or attachments submitted via other mechanisms will be considered.

Overview of required attachments and preferred labeling and submission format is provided below.

- A. Application Required Attachment A - Resumes of Key Staff: Include resumes of key project staff. These documents should provide sufficient detail to permit Commission staff to assess how their experience will contribute to the project's objectives. These should all be put into a single PDF and labeled as "Required Attachment A - Staffing with Applicant Name".
- B. Application Required Attachment B - Signature Page Form (provided in Appendix C of application): Appendix C can be downloaded at www.first5sf.org. Print, sign, scan and label as "Required Attachment B - Signature Page Form with Applicant Name".

Please include the following optional financial attachments only if applicable.

- C. Optional Attachment C - IRS 501(c)(3) Letter of Determination: This should be put into PDF and labeled as "Optional Attachment C - IRS 501(c)(3) Letter of Determination with Applicant Name".
- D. Optional Attachment D - Form 990: This should be put into PDF and labeled as "Optional Attachment D - Form 990 with Applicant Name".
- E. Optional Attachment E - Most recent audited financial statement: This should be put into PDF and labeled as "Optional Attachment E - Audited Financial Statement with Applicant Name".
- F. Optional Attachment F - Global agency budget: This should be put into PDF labeled as "Optional Attachment F - Global Agency Budget with Applicant Name".

Non-Mandatory Bidders' Conference

A non-mandatory bidders' conference will be held on September 28, 2020, from 1pm - 2pm via Zoom (Join Zoom Meeting <https://zoom.us/j/97268461488>). The purpose of the bidders' conference is to review the program scope with applicants and answer any questions about the RFQ process. The meeting will give participants the opportunity to seek clarification from Commission staff. Applicants are strongly encouraged to attend.

Terms and Conditions for Receipt of Proposals

Errors and Omissions in RFP

Applicants are responsible for reviewing all portions of this RFQ. Applicants are to promptly notify First 5, in writing, if the applicant discovers any ambiguity, discrepancy, omission, or other error in the RFQ. Any such notification should be directed to First 5 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.

Inquiries Regarding the RFQ

All inquiries regarding this RFQ and all oral notifications of an intent to request written modification or clarification of the RFQ must be directed to RFQ@first5sf.org.

Objection to RFQ Terms

Should an applicant object on any ground to any provision or legal requirement set forth in this RFQ, the applicant must, not more than ten calendar days after the RFQ is issued, provide written notice to First 5 setting forth with specificity the grounds for the objection. The failure of an applicant to object in the manner set forth in this paragraph shall constitute a complete and irrevocable waiver of any such objection.

Change Notices

First 5 may modify this RFQ, prior to the proposal due date, by issuing an Addendum to the RFQ, which will be posted on the website. The proposer shall be responsible for ensuring that its proposal reflects any and all Addendum(s) issued by First 5 prior to the proposal due date regardless of when the proposal is submitted. Therefore, the City recommends that the applicant consult the website frequently, including shortly before the proposal due date, to determine if the applicant has downloaded all Addendum(s). It is the responsibility of the applicant to check for any addendum, questions and answers, and updates, which will be posted on the First 5 website, www.first5sf.org.

Term of Proposal

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.

Revision of Proposal

An applicant may revise a proposal on the applicant's own initiative at any time before the deadline for submission of proposals. The applicant must submit the revised proposal in the

same manner as the original. A revised proposal must be received on or before the proposal due date.

Errors and Omissions in Proposal

Failure by First 5 to object to an error, omission, or deviation in the proposal will in no way modify the RFQ or excuse the applicant from full compliance with the specifications of the RFQ or any contract awarded pursuant to the RFQ.

Financial Responsibility

The 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.

Proposer's Obligations under the Campaign Reform Ordinance

Applicants 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 an applicant 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 supplier 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 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.

Sunshine Ordinance

In accordance with S.F. Administrative Code Section 67.24(e), contractors' bids, responses to RFP/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.

Public Access to Meetings and Records

If an applicant 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 applicant must comply with Chapter 12L.

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, proposal, or proposal procedure;
2. Reject any or all proposals;
3. Reissue a Request for Qualifications;
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 RFQ, or the requirements for contents or format of the proposals;
5. Procure any materials, equipment or services specified in this RFQ by any other means; or
6. Determine that no project will be pursued.

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 an applicant to observe any provision of this RFQ.

Local Business Enterprise Goals and Outreach

Per Section 14B.2 of the Admin Code, Chapter 14B requirements do not apply to grants, whether funded by the City or by Federal or State grant funds, to a nonprofit entity to provide services to the community.

Other Requirements

Below is a partial list of significant requirements that will be part of each funded contractor's contract.

1. Contractor must be a Registered Business (or have verified waiver) within San Francisco and City-approved supplier/vendor, if a contract is entered into.
2. Contractor must comply with any monitoring and evaluation requirements detailed in the contracting process.
3. Contractor must have current insurance coverage (workers compensation, general liability, fidelity bond and automobile) or applicable waivers, if contract is entered into.
4. Contractor must comply with the criminal screening requirement set forth below.
5. Contractor must prepare monthly online invoices through the Contract Management System for reimbursement of actual expenses, or alternative mutually agreed to method.
6. Appropriate contractor staff members must attend all mandatory meetings.

Applicants that are not yet a Registered Business or City-approved vendors should begin the certification process as soon as possible, in order to ensure that they are able to meet this requirement if awarded a grant. The San Francisco City Partner's "Become a Supplier" is a guide on its website, which can be found at <https://sfcitypartner.sfgov.org/pages/become-a-supplier.aspx>. Subcontractors are not required to be City-approved vendors; only the lead organization must be.

The City and County of San Francisco requires all funded agencies and entities to comply with a number of regulatory and legal requirements. Some of these requirements are described below. Others can be found at <https://sfgov.org/oca/qualify-do-business>.

Firms contracting with the city must agree to the most recent standard personal service contract or individual service contract agreements. A list of possible City contract templates can be found at: <https://sfgov.org/oca/resources>.

Criminal Screening Requirement

The City and County of San Francisco requires that all contractors and subcontractors comply with California Penal Code section 11105.3 and request from the Department of Justice records of all convictions or any arrest pending adjudication involving the offenses specified in Welfare and Institution Code section 15660(a) for any person who applies for a paid or volunteer position with the organization, or any subcontractor, in which the individual would have supervisory or disciplinary authority over a minor under his or her care.

If the contractor, or any subcontractor, is providing services at a City park, playground, recreational center or beach (separately and collectively known as "Recreational Site"), the

organization shall not hire, and shall prevent its subcontractors from hiring, any person for employment or a volunteer position if that person has been convicted of any offense that was listed in former Penal Code section 11105.3 (h)(1) or 11105.3(h)(3).

If the organization, or any of its subcontractor, hires an employee or volunteer to provide services to minors at any location other than a Recreational Site, and that employee or volunteer has been convicted of an offense specified in Penal Code section 11105.3(c), then the contractor or its subcontractor must comply with that section and provide written notice to the parents or guardians of any minor who will be supervised or disciplined by the employee or volunteer not less than ten (10) days prior to the day the employee or volunteer begins his or her duties or tasks. The contractor shall provide, or make its subcontractors provide, First 5 San Francisco with a copy of any such notice at the same time that it provides notice to any parent or guardian.

The contractor must expressly require all of its subcontractors with supervisory or disciplinary authority over a minor to comply with this requirement as a condition of its contract with the subcontractor.

Other requirements of agencies receiving grant funds include:

- The contractor must comply with the Domestic Partners or Equal Benefits Ordinance. For further information regarding compliance, respondents are encouraged to consult the Human Rights Commission.
- The contractor must comply with the first source hiring program including developing agreements with the City to consider hiring economically disadvantaged individuals for entry-level positions.
- The contractor must comply with the San Francisco Children and Families Commission Tobacco-Free Policy (Appendix D).

Compliance with Other Laws

Grantee shall keep itself fully informed of City's Charter, codes, ordinances and regulations and all state, and federal laws, rules and regulations affecting the performance of the grant Agreement and shall at all times comply with such Charter codes, ordinances, and regulations rules and laws.

Reservations of Rights by First 5 San Francisco

Issuance of this RFQ does not constitute a commitment by First 5 San Francisco to award a contract. First 5 San Francisco reserves the right to reject any or all proposals received in response to this RFQ, or to cancel this RFQ if it is in the best interest of the funding agencies to do so.

The City expressly reserves the right at any time to:

- Waive or correct any defect or informality in any response, proposal, or proposal procedure;
- Reissue a Request for Qualifications;
- 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 RFQ, or the requirements for contents or format of the proposals;
- Procure any materials, equipment or services specified in this RFQ by any other means; or
- Determine that no project will be pursued.

Actual award of funding is dependent on a successful contract negotiation. During the contract negotiation, First 5 San Francisco may seek modifications to the proposed activities and budget. If a contract cannot be completed within a reasonable time frame, determined by First 5 San Francisco, First 5 San Francisco may terminate negotiations and pursue a contract with a different applicant.

Applicants submitting a proposal agree that by submitting a proposal they authorize First 5 San Francisco to verify any or all information contained in the proposal.

First 5 San Francisco's decision to award a contract to an organization that proposes to use subcontractors to perform the work funded by the grant does not waive First 5 San Francisco's right to approve or disapprove the subcontractors selected.

First 5 San Francisco reserves the right, after contract award, to amend the resulting contract as needed throughout the term of the contract to best meet the needs of all parties.

The applicant will comply with all requirements of the City and County of San Francisco and the Funding Agencies.

Allowable Costs

First 5 San Francisco grant awards and contracts are cost reimbursement for expenditures described in pre-approved budgets. Except for advances of funds, agencies/entities must incur expenses in pursuit of activities prior to reimbursement by First 5 San Francisco.

- Requested funding must be used to implement the types of activities described in the Scope of Work.
- Funds shall be used only to supplement, enhance, or augment existing levels of service or create new services. Funds may be used to continue First 5 San Francisco funded programming.
- The funds shall only be used for services to children 0 -5 years old, their families or caregivers, or expecting parents.
- Additional allowable costs may be stipulated in executed contract agreement.

Unallowable Costs

- Indirect and Administrative costs may not exceed an amount equal to 15% of the total grant amount.
- No grant funds shall be used to supplant state or local general fund money for any purpose. In other words, this funding cannot replace other federal, state, or local funds currently used or already planned and committed for expansion activities, nor may grant funds be used to replace existing program revenues.
- Funds cannot be used for activities outside the negotiated Scope of Work.
- Funds cannot be used for capital expenditures.
- Accruals for staff vacation and sick time off.
- Additional unallowable costs may be stipulated in executed contract agreement.

Appeal Process

The decision of First 5 San Francisco is final and there is no appeal process. However, applicants can request to see copies of reviewers' comments. In order to make your request please RFQ@first5sf.org.

Sample Page One of Online Application Template – Do not use for submission. Application can be accessed at:

<https://www.surveymonkey.com/r/TTA-RFQ2020-02>

Section 1: Coversheet and Contact Information
The contact information provided will be used by the Commission to communicate with applicants.

1. Please check this box to indicate that this is a valid application submission. All applications with this box not checked or with apparent "dummy" or "test" information will be deleted at the end of each day up until application deadline in order to maintain a clean submission list.

This is a valid application submission. Do not delete.

* 2. Name of Applicant/Organization

* 3. Applicant Primary Contact Person Name

* 4. Primary Contact Person Email

* 5. Primary Contact Person Phone Number (please use xxx-xxx-xxxx format)

6. Applicant Secondary Contact Person Name

7. Secondary Contact Person Email

8. Secondary Contact Person Phone Number (please use xxx-xxx-xxxx format)

* 9. Entity type - please select one response that is best fit. (This will not factor into minimum eligibility or scoring; it is only for organizational purpose)

Other (please specify)

Scope of Work: Core Content Areas

Actual projects in this service area may include some or all of the listed activities. Additionally, actual projects may include activities not currently listed.

CORE I: Child Development & School Readiness

Activities that could be requested in this service area include:

1. Child Observational Assessments
 - Conducting DRDP Training (trainer certification required)
 - Facilitation of Observation and Assessment study groups
 - Short term technical assistance (individuals who have participated in DRDP Study Group or Training of Trainers preferred)

2. Developmental & Health Screenings
 - Conducting of ASQ and ASQ-SE related training in Spanish, English and Chinese (trainer certification required or in progress)
 - Provision of technical assistance in use of ASQ and ASQ-SE
 - Development of informational brochures on developmental screening

3. Infant/Toddler and Preschool Learning Foundations and Curriculum Frameworks (CPIN (certification required or in process))
 - Facilitation of Infant Toddler and Preschool Learning Foundations and Curriculum Frameworks training in multiple formats (one-day, series, cohort) (certified trainers required)
 - Design and Facilitation of Communities of Practice in support of Curriculum Implementation
 - Facilitation of approved and aligned curriculum training and technical assistance such as Creative Curriculum, Project-Based Learning, Highscope, Program for Infant Toddler Care (PITC). (certified , experienced trainers preferred)

4. California Collaborative for the Social-Emotional Foundations of Early Learning (CSEFEL trainer and coach certification required)
 - Facilitation cohort training and leadership group for adoption of CSEFEL PreK and Infant Toddler Framework
 - for centers and family child care providers
 - Provision of onsite technical assistance/coaching for implementing CSEFEL model (CSEFEL Coach certification desired)
 - Hosting of CSEFEL Professional Learning Community workshops and training. (CSEFEL experience required)
 - Adaptation of Family Child Care at Its Best CSEFEL training. (CSEFEL trainer certification required or in process/Family Child care at Its Best Trainer Authorization required) or delivery of CSEFEL for Family Child Care

5. Health and Nutrition (USDA Child and Adult Food Program), physical education/activity

- Facilitation of training or technical assistance to improve activities and environments for optimal health of children 0-5.
- Facilitation or training or technical assistance to connect children to nature through curriculum, indoor and outdoor environments.
- Delivery of training and technical assistance on implementation of Covid 19 health and safety guidelines for early care and learning settings.

6. Inclusion/Universal Design

- Design and delivery of cohort based training to support best inclusive practice in centers
- Design and delivery of cohort based training to support best inclusive practice in family child care

CORE II: Teachers and Teaching

Activities that could be requested in this service area include:

7. Lead Teacher/FCCH Owner Education and Professional Development

- Development of unit-bearing coursework for FCC providers on child development, observation and assessment in three languages
- Offering unit bearing training in partnership with institution of higher learning
- Delivery of curriculum adoption and implementation training with ongoing community of practice supports.
- Creation and delivery of teacher or administrator mentorship programs.
- Provision of practice-based coaching services to improve instructional practice.

8. Interactions as measured by the (CLASS) (Certified trainers preferred)

- Facilitation of Teachstone Making Most of Child Interactions (MMCI) certified training and coaching (trainer certification required or in process)
- Facilitation of Professional Learning Community focused on Instructional Support
- Use of Practice Based Learning (PBL) coaching on specific class domains in various settings
- Training on Powerful Interactions

9. CLASS or PITC Program Assessment Rating Scale (PARS) for Instruction (Coaching & TA) (Certification required)

- Provision of reliable CLASS assessments and follow-up reflection for technical assistance purposes
- Reliable use of PITC PARS for onsite reflection or evaluation of PITC implementation (Authorization required)

CORE III: Environment and Program

Activities that could be requested in this service area include:

10. Training and technical assistance to improve indoor and outdoor Environments in centers and family childcare
11. Ratios & group size
 - Technical assistance on restructuring environments for mixed aged settings in FCC
 - Technical assistance for running concurrent classrooms in ECE centers.
12. Director Qualifications (Centers only) and Professional Development for Leadership
 - Provision of Administrator training using SEQUAL
 - Facilitation of brown-bag lunches on managerial or administrative topics
 - Facilitation of Professional Leadership Networks for Implementation of Curriculum
13. Administration and Leadership
 - Provision of business technical assistance and supports for family child care administration
 - Provision of leadership coaching for center-based administrators
 - Training and coaching for use of practice-based coaching for administrators
14. Family Engagement (Strengthening Families / Protective Factors – (certification required))
 - Delivery of Protective Factors and Strengthening Families training in Mandarin, Cantonese, Spanish, and English
 - Technical assistance to deliver Strengthening Families training (certification preferred)
 - Introducing Strengthening Families workshops in specific topic areas
 - Provision of Parent Cafes and Abriendo Puertas interventions for families in ECE settings (certification required)
15. Equity & Diversity (Soy Bilingue, Dual Language Learning, Anti-bias curriculum)
 - Facilitation of Implicit Bias Training and Workshops
 - Provision of in-depth Dual Language Learning one day workshops in multiple languages
 - Creation of Anti-bias Curriculum cohort in partnership with institutions of higher learning
 - Supporting Professional Learning Community for Equity Learning in ECE

Signature Page Form - Sample

(Please download this form from First 5 SF Website: www.First5sf.org)

**First 5 San Francisco
RFQ 2020-02
Training, Technical Assistance, and Rating Services for Early Childhood Quality
Improvement System**

Complete, sign and PDF this page.
An official authorized to bind the entity must sign.

Name of Person or Entity:	
Business Address:	
Contact Person, Title & Email:	
Alternate Contact Person, Title & Email:	
Authorized Signatory & Title:	
Signature of Authorized Signatory:	

Application Deadline:

Friday, October 16, 2020, 5:00 pm

First 5 San Francisco

<https://www.surveymonkey.com/r/TTA-RFQ2020-02>

First 5 San Francisco Tobacco Free Policy

Section 1. Definitions.

As used in this Policy the term:

“City” shall mean the City and County of San Francisco.

“Commission” shall mean the Commission of First 5 San Francisco.

“Contract” shall mean an agreement for grants to be provided, or for goods or services to be purchased out of the San Francisco Children and Families Trust Fund under the control of the Commission and does not include property grants, agreements entered into pursuant to settlement of legal proceedings, or contracts for a cumulative amount of \$5,000 or less per vendor in each fiscal year.

“Contractor” or “Grantee” means any person or persons, firm, partnership, corporation, or combination thereof, who enters into a contract all or part of the funding of which comes from the San Francisco Children and Families Trust Fund.

“Director” shall mean the Executive Director of First 5 San Francisco.

“Subcontract” shall mean an agreement to provide goods and/or services, including construction, labor, materials or equipment, to a grantee, if such goods or services are procured or used in the fulfillment of the grantee's obligations arising from a contract subject to this Policy.

“Subcontractor” or “Subgrantee” means any person or persons, firm, partnership, corporation or any combination thereof, who enters into a subcontract with a grantee. Such term shall include any person or entity who enters into an agreement with any subgrantee for the performance of 10 percent or more of any subcontract.

Section 2. Tobacco-Free Policy

(a) Policy Every contract awarded by the Commission shall incorporate by reference and require grantee to comply with the provisions of this section. In addition, all grantees must include or incorporate by reference in all subcontracts and require subgrantees to comply with the requirements of this Policy; failure to do so shall constitute a material breach of contract.

In the performance of a contract, the grantee or subgrantee shall agree as follows:

(1) Smoke-Free Workplaces

The Grantee shall prohibit smoking in its offices, automobiles or at Grantee-sponsored events located in the City and County of San Francisco.

(2) Tobacco Hazards Education and Smoking Cessation Referrals

The Grantee shall make available to clients, employees and community members educational materials, provided by the Commission, on the health hazards of tobacco.

The Grantee shall make available to clients, employees and community members, at the Grantee's offices and service delivery and event sites, information provided by the Commission, regarding smoking cessation services.

(3) Divestment

The Grantee shall divest from any investment in companies that, at the time the Grantee responds to a solicitation of bids from the Commission, derive more than 15 percent of their revenues from tobacco products.

(4) Disclosure of Tobacco Industry Funding

The Grantee shall report annually to the Commission the receipt of any moneys from a person, persons, firm, partnership, corporation, or combination thereof that derives more than 15 percent of its revenue from the production or sales of tobacco products. The report shall include the name of the entity, the amount received, the percentage of the agency's total budget the amount represents, the purpose of the contribution, and any efforts made to obtain alternative funding.

(b) Penalties

(1) Whenever the Director determines that a person or entity under contract with the Commission has violated any provision of the Tobacco-Free Policy described in section, the Director shall have the authority to impose such sanctions or take such other actions as are designed to ensure compliance with the provisions of this Policy which shall include, but are not limited to:

(A) Suspension or termination of a contract;

(B) Ordering the withholding of funds due the grantee under any contract with the Commission;

(C) Disqualification of a bidder or grantee from eligibility for providing commodities or services to the Commission for a period not to exceed five years, with a right to review and reconsideration by the Commission after two years upon a showing of corrective action indicating violations are not likely to reoccur.

(2) All contracts shall provide that in the event any grantee fails to comply in good faith with any of the provisions of this Article the grantee shall be liable for liquidated damages in an amount up to five percent of the grantee's net profit under the contract, or ten percent of the total amount of the contract dollars whichever is greater. All contracts shall also contain a provision whereby the grantee acknowledges and agrees that the liquidated damages assessed shall be payable to the Commission upon demand and may be set off against any monies due to the grantee from any contract with the Commission.

Section 3. Waivers and Exceptions

(a) Sole source.

The Director may waive the requirements of this Policy whenever the Director finds that the needed goods or services are available only from a sole source and the prospective grantee is not

otherwise currently disqualified from doing business with the City, or from doing business with any governmental agency based on any contract compliance requirements.

(b) No qualified bidders who comply and service/project is essential to City/residents.

After taking all reasonable measures to find an entity that complies with the Policy, the Director may waive any or all of the requirements of this Policy for any contract or bid package advertised and made available to the public, or any competitive or sealed bids received by the Commission as of the date of the enactment of this Policy where the Director determines that there are no qualified responsive bidders or prospective grantees who could be certified by the Commission as being in compliance with the requirements of this Policy and that the contract is for goods, a service or a project that is essential to the City or City residents.

(c) Bulk purchasing arrangements through federal, state, regional or City entities.

The Director may waive the requirements of this Policy where the Director determines that transactions entered into pursuant to bulk purchasing arrangements through federal, State, regional or City entities that actually reduce the Commission's purchasing costs would be in the best interest of the Commission.

(d) Contract serves public benefit.

The Director may waive the requirements of this Policy where the Director determines that the benefit of the contract to the public and the Commission's ability to carry out its charge pursuant to state and local law outweigh the harm in the grantee's noncompliance with the Policy.

(e) Contractor is a public entity.

This Policy shall not apply where the prospective grantee is a public entity or City department and the Director finds that the proposed contract is necessary to serve a substantial public interest.

(f) Requirements violate public agency grant and good faith attempt has been made to change conditions of grant.

This Policy shall not apply where the Director finds that the requirements of this Policy would violate or be inconsistent with the terms or conditions of a grant, subvention or agreement with a public agency or the instructions of an authorized representative of any such agency with respect to any such grant, subvention or agreement, provided that the Director has made a good faith attempt to change the terms or conditions of any such grant, subvention or agreement to authorize application of this Policy.

(g) Retirement and Pension Plans

This Policy shall not apply to a grantee or subgrantee's investment of funds where the funds are held in trust for the benefit of employees or third parties.

(h) Federal or State law

This Policy shall be construed and applied so as not to conflict with applicable federal or State laws, rules or regulations.

Section 4. Effective Date

This policy shall apply to all contracts entered into on or after July 1, 2001.