

## Sole Source Waiver Request

Administrative Code Section 21.5(b) provides that commodities or services available only from a sole source shall be procured in accordance with Purchaser's regulations. Purchaser's regulations provide that, "If a department needs a commodity or service which is unique and which is known to be provided by only one vendor, then only one price quotation is solicited from the single vendor. The requesting department must submit documentation to the Purchaser justifying the transaction as a sole source. From time to time, the Purchaser may conduct a formal bid to determine the continuing validity of the sole source determination." (Procurement Instruction 12.06, Exhibit A, Section IX.D, dated April 28, 1989)

**Directions:** Use this form to justify a sole source transaction. The department requestor must complete the information below and attach a written memo with appropriate supporting documentation to justify this request. The memo must provide specific and comprehensive information that explains why the requested transaction should be considered a sole source. Departments are encouraged to consult with the Human Rights Commission and the City Attorney prior to submitting this request.

Department: Department of Homelessness and Supportive Housing Date Submitted: April 3, 2018

Contact: Gigi Whitley, Deputy Director for Administration and Finance Phone: 415.355.5210

Vendor Name: The Tides Center Vendor # 41576

Type of Contract: Commodity \_\_\_\_\_ Professional Service **XX** Non-Professional Service \_\_\_\_\_  
Other \_\_\_\_\_

Amount: \$ 7,233,872 ADPICS Doc #: \_\_\_\_\_

Describe the product or service:

**Delivering Innovation in Supportive Housing (DISH) services from July 1, 2018 to June 30, 2019**

Has the Contract Monitoring Division granted a sole source waiver on this transaction? n/a, 12B compliant; 14B exempt due to state and federal funds

If yes, when was the sole source granted? \_\_\_\_\_ Please attach a copy of the HRC Waiver.

Check the appropriate statement. Attach a memo and documentation to address the questions following each statement.

Goods or services are available from only one source.

Explain why this is the only product or service that will meet the City's needs. Why is this the only vendor or contractor that can provide the services or products? What steps were taken to verify that the goods or services are not available from another source? Explain what efforts were made to obtain the best possible price. Why do you feel the price to be fair and reasonable? How was this vendor chosen? How long has the vendor been providing goods or services for your department?

Only one prospective vendor is willing to enter into a contract with the City.

Explain why no other vendors are willing to contract with the City. If there are compliance issues, what have you done to get other possible sources to become compliant? Have you contacted HRC? Have you received a waiver from HRC?

Item has design and/or performance features that are essential to the department, and no other source satisfies the City's requirements.

Explain why the design/performance features are essential. Have you contacted other suppliers to evaluate items/services with similar features and capabilities? If no, explain why not. If yes, list the suppliers and explain why their goods or services do not meet the department's needs.

Licensed or patented good or service.

Provide proof that the license or patent limits the availability of the product or service to only one source.

**Other: Requesting authorization to amend existing agreement for an additional year while conducting competitive process**

**INSTRUCTIONS:**

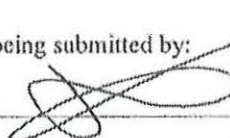
The Sole Source request must be approved before the department makes a commitment to the vendor, and before funds are encumbered. If the Sole Source request is denied, the department will be advised to conduct a competitive process to select the vendor/contractor. If the Sole Source request is to extend an existing professional service contract, attach a copy of the original contract and any prior sole source determinations made by HRC or Purchasing. When processing professional service contracts and modifications for signature, attach the approved sole source waiver form to the contract documents.

This form is required for every transaction, contract, or contract modification that the department wishes to be treated as a sole source. For additional information call the Purchaser assigned to your department.

The Department Head must sign this request before it is sent to OCA-Purchasing.

This Sole Source request is being submitted by:

Department Head Signature: \_\_\_\_\_



Date: \_\_\_\_\_

4/3/2018

Name of Department: **Department of Homelessness and Supportive Housing**

OCA Review and Approval:

Sole Source Approved: \_\_\_\_\_



Sole Source Denied: \_\_\_\_\_

Reason for Determination

Approving to allow the for a new  
Solicitation.

OCA Staff: \_\_\_\_\_



Date: \_\_\_\_\_

4/19/18

OCA Staff: \_\_\_\_\_

Date: \_\_\_\_\_

OCA Director: \_\_\_\_\_

Attorney for Jaa Fong

Date: \_\_\_\_\_

4/12/18

RECEIVED  
18 APR - 5 AM 8:27  
PURCHASING DEPARTMENT

**Dantes, Connie (ADM)**

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**From:** Reyes2, Esther (HSA)  
**Sent:** Wednesday, April 04, 2018 2:35 PM  
**To:** Gainey, William (ADM); Dantes, Connie (ADM)  
**Cc:** Degrafinried, Alaric (ADM); Kemper, Gilda (HOM)  
**Subject:** RE: Homelessness and Supportive Housing sole source contract extensions

Hi,  
That is Jeff's signature on the OCA waiver form. Please advise.

Thanks,  
Esther

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**From:** Gainey, William (ADM)  
**Sent:** Wednesday, April 04, 2018 2:33 PM  
**To:** Dantes, Connie (ADM); Reyes2, Esther (HSA)  
**Cc:** Degrafinried, Alaric (ADM); Kemper, Gilda (HOM); Gainey, William (ADM)  
**Subject:** RE: Homelessness and Supportive Housing sole source contract extensions

Hi Connie,  
HOM is now a separate department so it would not be Trent Rorer or Dan Kaplan signing. The director of HOM is Jeff Kositsky.

Esther,  
Please ask Jeff to sign the waiver.

Thanks you,  
Bill  
Bill Gainey  
*Supervising Purchaser, Office of Contract Administration*  
**City and County of San Francisco**  
San Francisco, CA 94102  
E-mail: [William.Gainey@sfgov.org](mailto:William.Gainey@sfgov.org)  
OCA Central - Tel. (415) 554-7799  
MTA - Tel. (415) 701-4706

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**From:** Dantes, Connie (ADM)  
**Sent:** Wednesday, April 04, 2018 2:24 PM  
**To:** Reyes2, Esther (HSA) <[esther.reyes2@sfgov.org](mailto:esther.reyes2@sfgov.org)>  
**Cc:** Degrafinried, Alaric (ADM) <[alaric.degrafinried@sfgov.org](mailto:alaric.degrafinried@sfgov.org)>; Gainey, William (ADM) <[william.gainey@sfgov.org](mailto:william.gainey@sfgov.org)>; Kemper, Gilda (HOM) <[gilda.kemper@sfgov.org](mailto:gilda.kemper@sfgov.org)>  
**Subject:** RE: Homelessness and Supportive Housing sole source contract extensions

Esther,

Per your request, OCA is unable to process your sole source waiver. Your signature is not on the list per Trent Rhorer's letter (see attached).

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**From:** Reyes2, Esther (HSA)

**Sent:** Wednesday, April 04, 2018 1:37 PM

**To:** Dantes, Connie (ADM) <[connie.dantes@sfgov.org](mailto:connie.dantes@sfgov.org)>

**Cc:** Degrafinried, Alaric (ADM) <[alaric.degrafinried@sfgov.org](mailto:alaric.degrafinried@sfgov.org)>; Gainey, William (ADM) <[william.gainey@sfgov.org](mailto:william.gainey@sfgov.org)>;

Kemper, Gilda (HOM) <[gilda.kemper@sfgov.org](mailto:gilda.kemper@sfgov.org)>

**Subject:** RE: Homelessness and Supportive Housing sole source contract extensions

Hi Connie,

Attached please find a sole source waiver request for the Tides Center for Delivering Innovation in Supportive Housing (DISH) services. Do you require a hard copy? Could you please advise on the timeframe for review?

Thank you,

Esther 415-226-9478

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**From:** Degrafinried, Alaric (ADM)

**Sent:** Wednesday, April 04, 2018 10:40 AM

**To:** Reyes2, Esther (HSA)

**Cc:** Dantes, Connie (ADM); Gainey, William (ADM)

**Subject:** Re: Homelessness and Supportive Housing sole source contract extensions and RFP advertising

Hi Esther,

Good seeing you last week. You should send your sole source requests to my colleague, Connie Dantes, so the requests can be logged but they will ultimately be reviewed by Bill Gainey. In response to your second question, I'm not aware of any requirement that departments advertise their contract opportunities in the newspaper so long as they are utilizing one of the various City websites (e.g. F&P or the OCA website).

Let me know if you have any other questions.

Regards,  
Alaric

On Mar 30, 2018, at 3:34 PM, Reyes2, Esther (HSA) <[esther.reyes2@sfgov.org](mailto:esther.reyes2@sfgov.org)> wrote:

Hi Alaric,

We are preparing a memo to request OCA approval for multiple sole source contract extensions (for six to twelve months) on contracts that have run out of renewal options to allow time for the department to conduct competitive processes. Who is the best person at OCA to send the request to?

Also, could you please confirm that departments are no longer required to advertise RFPs in newspapers anymore? There used to be a requirement in 14B.7, but looks like that language has been deleted and now departments are only required to post on City websites.

Thanks,

Esther 415-226-9478



Jeff Kositsky  
Director

**MEMORANDUM**

**Date:** April 3, 2018

**To:** Jaci Fong, Director, Office of Contract Administration

**From:** Gigi Whitley, Deputy Director for Administration and Finance  
Department of Homelessness and Supportive Housing

**Re:** Sole Source Waiver Request for Tides Center DISH Agreement

The Department of Homelessness and Supportive Housing (HSH) respectfully requests approval of the attached Sole Source Waiver for a contract with the Tides Center, a nonprofit corporation, for the continuation of Delivering Innovation in Supportive Housing (DISH) services through June 30, 2019. The current contract with the Tides Center expires June 30, 2018.

Approval of the waiver will enable the HSH to extend the existing agreement by one year with a corresponding budget increase to continue providing services without disruption to a critical support system for a vulnerable target population with special needs. There is no change to the scope of services. The department intends to use the additional year to conduct a competitive solicitation for DISH services to begin July 1, 2019.

Current Contract Term:	07/01/08-06/30/18
Proposed Contract Term:	07/01/08-06/30/19
Current Contract Total Amount:	\$40,508,317
Proposed Contract Total Amount:	\$47,742,189
Amendment Amount:	\$7,233,872

The proposed budget amendment of \$7,233,872 includes one time and ongoing addback funds, an ongoing mayoral budget enhancement, and a cost of doing business (CODB) adjustment.

The Tides Center is 12B compliant; 14B exempt due to state and federal funds.

**BACKGROUND**

The Department of Homelessness and Supportive Housing was launched July 1, 2016 to combine programs, grant agreements, and contracts from DPH, the Human Services Agency (HSA), the Mayor’s Office of Housing and Community Development (MOHCD), and the Department of Children, Youth and their Families (DCYF) focusing on preventing and ending homelessness for people in San Francisco.

**EXISTING PROCUREMENT AUTHORITY**

The Tides Center was selected as the most qualified respondent under a Request for Proposals issued by the Department of Public Health (DPH) in November of 2007. The contract start date was July 1, 2008. The RFP allowed options for renewal for up to ten (10) years through June 30, 2018.

## **SERVICES**

The goal of the contract with the Tides Center is to provide quality custom property management services at the Direct Access to Housing (DAH) Health Clinic and six (6) DAH sites to provide safe, clean and stable housing for formerly homeless tenants with special needs. The Tides Center provides nonprofit infrastructure and fiscal sponsorship services as part of the Delivering Innovation in Supportive Housing (DISH) program, which focuses on providing respectful and high quality services within a challenging environment. Services include outreach, admission, enrollment, and intake process, rent collection, client re-certification, lease management/eviction prevention, tenant move-in and move-out, unit maintenance, 24-hour front desk coverage and janitorial services.

DISH objectives include demonstrating the healing effects of home and stable community, reinforcing the self-worth of persons who have not had access to clean and beautiful places to live and draws upon the diverse art, cultural and educational presence in San Francisco to engage tenants in healthy and life affirming activities. These objectives are measured in increases to tenant satisfaction, increases in staff productivity and responsiveness, greater efficiency in rent collection and reporting, improved appearance of buildings and apartment units, increased collaboration between property management, support services, and HSH staff, and overall improvements to the administration and management of these critical support systems.

The DAH Health Clinic is located at the Windsor Hotel in the Tenderloin. The other DAH sites include the Windsor Hotel, the Camelot Hotel, the Empress Hotel, the LeNain Hotel, and the Pacific Bay Inn all located in the Tenderloin District and the Star Hotel in the Mission District.

The target population is homeless, very low-income residents of the City and County of San Francisco, whose income is less than 30% of area median income, and who are struggling with at least one of these specific, disabling conditions: mental illness, HIV/AIDS, substance use, physical disabilities and limited experience living independently. All tenants are at least 18 years of age and include lesbian, bisexual, transgender individuals, gay men and people of color.

## **CONSEQUENCES OF DENIAL**

This critical program needs to continue to operate to effectively serve this vulnerable target population and meet the program mission, goals and objectives at these seven (7) sites, which have been managed by Tides for the past ten years. If the sole source waiver is denied and the department is unable to amend the existing agreement, the City will not be legally covered under an authorized agreement while it conducts a competitive solicitation.