



TRANSBAY JOINT POWERS AUTHORITY

ALAMEDA-CONTRA COSTA TRANSIT DISTRICT
CALIFORNIA DEPARTMENT OF TRANSPORTATION
CALIFORNIA HIGH-SPEED RAIL AUTHORITY
CITY AND COUNTY OF SAN FRANCISCO, BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO, MAYOR'S OFFICE
PENINSULA CORRIDOR JOINT POWERS BOARD
SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY

Executive Director: Adam Van de Water

REQUEST FOR QUALIFICATIONS No. 24-02

PROGRAMMING PARTNERS FOR SALESFORCE PARK

Key RFQ Dates

RFQ Issued:	May 16, 2024	
Deadline for Submission of Questions:	May 30, 2024	by 2 p.m. PT
Answers to Written Questions Posted:	June 6, 2024	
Applications Due:	June 14, 2024	by 2 p.m. PT
List of pre-qualified respondents published:	Monday, July 01, 2024	

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ATTACHMENTS

Attachment 1: RFQ General Conditions

Attachment 2: Model Agreement for Salesforce Park Programming

Attachment 3: Logistical Salesforce Park Background Information

1 THE OPPORTUNITY

1.1 Summary

The Transbay Joint Powers Authority (TJPA) issues this Request for Qualifications (RFQ) from individuals, groups, organizations and businesses (Respondents) to provide innovative, diverse, active, fun, educational and reliable high-quality programming in Salesforce Park (Park) on a seasonal and/or recurring basis to enhance the public's experience while in the Park.

Through this RFQ, the TJPA intends to create a list of pre-qualified Respondents from which the TJPA may later partner. As the TJPA identifies specific needs for public programs and activities in the Park in the future, the TJPA intends to reach out to some or all of the Respondents on the pre-qualified list regarding their availability and to request specific proposals for programs or activities. The TJPA would then evaluate the submitted proposals for alignment between the applicants' qualifications and the needs/requests of the TJPA, and negotiate key terms of a contract with the selected Respondent (e.g., scope of activity, schedule, financial terms) to provide that specific program or activity. The TJPA's intent is to facilitate numerous activations with this RFQ; accordingly, the TJPA may enter multiple agreements with Respondents at its sole and absolute discretion. While it is the TJPA's goal to provide an opportunity for each pre-qualified Respondent, no Respondent is guaranteed a contract. The TJPA may issue subsequent Requests for Qualifications at future dates to supplement the pre-qualified list and/or fill seasonal needs for public programs and activities.

Entities that were pre-qualified to provide park programming under the previous TJPA RFQ 21-05 (September 1, 2021) automatically remain on the TJPA's bench of pre-qualified park programmers and do not need to respond to this RFQ to remain pre-qualified. Entities that were previously pre-qualified to provide one type of programming (e.g., bird watching) but would also like to be pre-qualified for additional types of programming (e.g., garden tours) must respond to this RFQ with information specific to the new type of proposed programming.

The TJPA's activities and programs in the Park are offered free to the public. The TJPA intends to compensate Respondents on an hourly (time and materials) or lump sum per project basis. Thus, Respondents would not be entitled to charge program participants or collect fees from participants. The TJPA expects the compensation to any one Respondent for a course or program to be less than \$10,000 over the course of a year, depending on the activity and its frequency; exceptional proposals that exceed this amount may, however, be considered.

This RFQ is not seeking proposals for private events or proposals for one-time, larger-scale public events. Inquiries about these types of proposals should be directed to: info@tjpa.org.

1.2 Salesforce Park

The Park, set on the rooftop of the Salesforce Transit Center (425 Mission Street, San Francisco, CA), is an iconic and transformative 5.4-acre park. The Park, which opened in August 2018, is the crown jewel in the bustling and fast-growing East Cut neighborhood of SOMA. The Park is

set four levels above the ground floor and offers both an urban oasis in a garden-like setting and regular activity with a full calendar of daily programming and events. The Park is open to the public and there is no charge to enter. The Park serves as an essential element in the growth of the neighborhood and provides high-quality open space in an area that previously lacked significant opportunities for park development. Park patrons include transit riders, residents in the neighborhood surrounding the Park and throughout the City, office workers in neighboring towers, and visitors to San Francisco. Park patrons are all ages and represent a variety of backgrounds and experiences. The TJPA intends its Park programs and activities to be reflective of this diversity. Biederman Redevelopment Ventures is the vendor responsible for coordination and delivery of overall programming in the Park, working in concert with the TJPA (the government agency that owns the transit center) and the TJPA's Asset Manager, Lincoln Property Company. The East Cut Community Benefit District (CBD) provides significant funding for Park operations through assessments paid by property owners in the area; a joint committee made up of TJPA and CBD representatives works with and advises the TJPA on Park programs, events, and activities. See Attachment 3 for more detailed logistics information regarding Salesforce Park.

1.3 Park Activities and Programming

Over the past three years, the Park has hosted over twenty regularly scheduled community programs a week, all free and open to the public. The Park's programming is split into two 6-month seasons – May to October (high season) and November to April (low season). The high season involves summer programs and offers a more intense schedule of events to the public. An individual program's schedule typically adheres to one of these seasons or is offered year-round. A typical programming partner will be involved in programming at the Park for a weekly, bi-weekly or monthly program, which can span a few weeks or months, or be a stand-alone series. Programs should be one to three hours in duration and be compatible with limited power availability and offer flexibility with regard to set-up on site.

Programming generally falls into one or more of these categories:

- Arts and Culture
- Children and Families
- Hobbies and Interests
- Fitness and Wellness
- Live Entertainment and/or Dance

Past programs have included activities such as live music (i.e., brass bands, acoustic soloists, 5-piece bands), silent discos, dance lessons (i.e., salsa, swing), cultural dance performances, live theater performances, fitness classes (i.e., tai chi, bootcamp, yoga, stretch, urbankick, meditation), toddler activities, character entertainment, board game meetups, trivia, comedy shows, movie screenings, knitting classes, photography classes, writing workshops, poetry readings, craft classes, temporary art installations, birding and horticulture tours.

TJPA anticipates that program partners may include:

- Museums or other cultural institutions
- Arts curators
- DJ collectives
- Meet-up groups
- Musical performers
- Theatrical performers
- Horticultural experts
- Early childhood educators
- Other performers and educators

The TJPA's goal is to provide a year-round public destination for a diverse demographic. Programs at the Park should engage a wide variety of interests and remove barriers for the public to participate. Children participating in programming must be accompanied by a guardian at all times.

1.4 Transbay Joint Powers Authority

In April 2001, the City and County of San Francisco (City), the Alameda-Contra Costa Transit District (AC Transit), and the Peninsula Corridor Joint Powers Board (PCJPB) executed a Joint Exercise of Powers Agreement under California law creating the TJPA. The Joint Exercise of Powers Agreement was amended in November 2017 to include the California High-Speed Rail Authority (CHSRA). The purpose of the TJPA is to design, build, develop, operate, and maintain a new transportation terminal and associated facilities in San Francisco, known as the Transbay Program. The member agencies of the TJPA have granted to the TJPA most of their jointly held powers, including the authority to buy and sell property, enter into contracts, and accept and spend grants of cash and property. The TJPA's management functions include contract oversight, policy direction, financing, and investment supervision.

The TJPA Board of Directors is composed of directors appointed by each of the following agencies:

- Alameda-Contra Costa Transit District
- City and County of San Francisco, Board of Supervisors (2)
- City and County of San Francisco, Mayor's Office
- Peninsula Corridor Joint Powers Board
- San Francisco's Municipal Transportation Agency
- California High-Speed Rail Authority
- California Department of Transportation, Ex Officio (non-voting)

Subject to such supervisory powers as may be given by the Board to the Chair of the Board, and except as otherwise provided in the Bylaws, the TJPA Executive Director generally supervises, directs, and controls the business and the employees of the TJPA. Mr. Adam Van de Water is the TJPA's Executive Director.

The TJPA retained an Asset Manager (Lincoln Property Company) to program, lease, and manage the transit center’s commercial space, oversee a maintenance program for all spaces associated with the transit center, and operate a high-impact digital signage program. The TJPA entered into an agreement with salesforce.com, providing salesforce.com, among other benefits, the right to name the new transit center, the rooftop park, and the amphitheater; these facilities are called the “Salesforce Transit Center,” “Salesforce Park,” and “Salesforce Amphitheater,” respectively.

2 QUALIFICATIONS

Through this RFQ, the TJPA intends to create a list of pre-qualified Respondents to provide a wide-range of diverse and engaging public activities and programs in the Park. Respondents may be individuals, groups, organizations or businesses; the TJPA particularly encourages small and disadvantaged businesses to apply. Qualified applicants must demonstrate sufficient:

- Knowledge, skill, and experience in successfully providing public programs and activities in comparable settings
- Ability to provide engaging programming that meets the diverse interests of the Park patron population; demonstrated understanding of the specific target audience for the programs and activities the Respondent proposes to provide; ability to reach underserved communities
- History of successful outreach and marketing that achieves high levels of engagement in programs and activities offered by the Respondent
- Ability to achieve high levels of community/customer/program participant satisfaction in programs and activities offered by the Respondent

3 APPLICATION REQUIREMENTS AND SUBMITTAL PROCEDURES

Respondents wishing to be considered for pre-qualification must submit a complete Adobe Portable Document Format (PDF) pre-qualification application (Application) via e-mail to RFP@tjpa.org no later than **2:00 p.m. Pacific Time on Friday, June 14, 2024**.

Applications that are not received by the time and date specified, do not contain all the required information and completed forms, or do not meet all minimum qualifications shall be deemed non-responsive and rejected without consideration.

Applications shall adhere to the format and page limitations described below. Applications shall be submitted in 8½ x 11-inch format; typeface shall be no smaller than 11 point; and margins shall be no less than 1 inch. Elaborate brochures or other presentation materials are not desired and will not be considered in evaluating Applications.

Applications shall be organized in the following sequence:

A. Cover letter (1 page limit)

Submit a cover letter signed by a person authorized to represent the Respondent and to verify the accuracy of the information included in the Application. The letter should

provide an introduction of the Respondent and their interest in providing programming in the Park. The letter must confirm that all information contained in the Application is true, correct, and not misleading. The letter must also confirm that the Respondent has reviewed the entire RFQ, including the mandatory requirements for future contracts with the TJPA, and believes it would be able to satisfy those requirements if selected to provide programming in the Park. If Respondent is a non-profit, registered Small Business Enterprise (SBE) or Disadvantaged Business Enterprise (DBE), the letter should so indicate.

B. Concept for Programming in the Park (2 page limit)

Submit a concept-level narrative of the proposed program or activity in the Park. The description is not considered a final proposal, but instead a summary basis for the TJPA to understand the kind of activation(s) the Respondent is qualified to provide and the feasibility. The section should address the following:

- Concept level description of the proposed program or activity, the category that best describes the programming, and the person or team that would provide the programming (see Section 1.3)
- Target audience for the proposed program, and any anticipated minimum or maximum # of participants that would best suit the programming (if none, so indicate). If the programming is expected to engage a traditionally underserved community, please describe.
- Seasons, days of the week, times of day and program duration that would best suit the programming (if flexible, indicate), amount and type of supplies and equipment involved
- Minimum amount of space that would best suit the programming (if no particular requirements, so indicate) and any necessary equipment the TJPA would be expected to provide or access to utilities (e.g., electricity, water), and indicate desired area of Salesforce Park for the program.
- Benefits to the Park patrons and the community resulting from the proposed programming.
- Provide photos of prior similar events delivered by Respondent, if available.

C. Relevant Experience (2 page limit)

Respondent must have demonstrated experience successfully providing programming of the type conceptually outlined in the Application. Provide a narrative description of Respondent's experience/qualifications to provide programming in the Park. Include specific description of: past programming, # of participants, setting/location, duration, and engagement of underserved community (if applicable). Highlight information demonstrating increased engagement over time, if applicable. Describe feedback received from participants. Ideally the experience will be for a period of not less than one year out of the past three years.

D. References (1 page limit)

Provide references for 2 facility owners where Respondent has provided programming and 2 clients/participants in Respondent’s programming (should be similar to the programming conceptually outlined in this Application). Include name, telephone number, e-mail address, and specific program/activity with dates of engagement. In lieu of references, customer testimonials are satisfactory.

E. Fee (1 page limit)

Provide a fee structure (if any) for the conceptual proposal described in the Application (e.g., hourly rate or lump sum fee to provide the activity). Clearly identify any anticipated out of pocket costs or reimbursable expenses and estimated budget. Identify any assumptions or limiting conditions in the fee structure. Respondent’s description of the fee is not considered a final proposal, but instead a summary basis for the TJPA to assess the feasibility/viability of Respondent’s concept and the basis to negotiate a future agreement.

Respondents may obtain copies of this RFQ by downloading the document from the TJPA website: <http://www.tjpa.org> > TJPA > Doing Business with the TJPA > Current Contract Opportunities or by contacting the TJPA by email: RFP@tjpa.org.

4 EVALUATION PROCESS

Through this RFQ, the TJPA intends to create a list of pre-qualified Respondents to provide programming in the Park. The TJPA’s selection committee will review and evaluate Applications. The selection committee will ensure that each Application meets all of the minimum requirements identified in this RFQ. The selection committee will score the Application in accordance with the criteria and methodology described below.

- | | |
|--|-------------------|
| ○ Knowledge, skill and experience | maximum 40 points |
| ○ Meet the needs of Park patrons | maximum 20 points |
| ○ Demonstration of community/customer engagement | maximum 20 points |
| ○ Demonstration of community/customer satisfaction | maximum 20 points |

Applications that meet all of the minimum criteria and receive a score of at least 70 out of 100 points will be added to a list of pre-qualified Respondents for potential future opportunities.

5 STANDARD AGREEMENT PROVISIONS

As the TJPA identifies specific needs for public programs and activities in the Park in the future, the TJPA intends to reach out to some or all of the Respondents on the pre-qualified list regarding their availability and to request specific proposals for programs or activities. The TJPA would then evaluate the submitted proposals for alignment between the applicants’ qualifications and the needs/requests of the TJPA, and negotiate key terms of a contract with the selected Respondent (e.g., scope of activity, schedule, financial terms) to provide that specific program or activity. The TJPA may require an interview or additional information before awarding a service contract.

As a condition of providing a program or activity in the Park, Respondents will be required to enter the TJPA's standard form of agreement and satisfy all of the items below. Respondents do not need to meet these items at the time they pre-qualify. But Respondents will be required to meet these items before providing a program or activity in the Park. Thus, if a Respondent does not believe it will be able to meet all these criteria, it should not submit an Application to pre-qualify:

- **Sign the TJPA's Standard Agreement.** Respondents will be required to sign the TJPA's standard form of agreement. The TJPA does not intend to negotiate new or substantially different terms with Respondents. See Attachment 2 for the Model Agreement for Salesforce Park Programming.
- **Be Insured.** Respondents may be asked to provide insurance coverage for the activities or programs they offer in the Park.
- **Be an Independent Contractor.** Respondents providing programs or activities in the Park are independent contractors; they are not employees of the TJPA. Respondents will be required to submit a W-9 form.

The TJPA is a separate public entity from the City and County of San Francisco ("City"). Respondents should be aware, however, that the City may impose certain requirements on certain entities doing business in the City, which may include the requirement to register as a business and pay business taxes. Respondents are responsible for complying with all applicable state and local laws and regulations.

Other minimum expectations and requirements for Respondents providing programs or activities in the Park include, but are not limited to:

- Deliver programming that is free and open to the public.
- Deliver programming that is available to park patrons on a non-discriminatory basis.
- Allow drop-in attendance without prior notice (up to the program capacity agreed with the TJPA).
- Propose a plan for outreach to the community at large to increase program participation and to increase diversity of attendees.
- Meet with BRV, LPC and TJPA staff to review program deliverables, needs and logistics prior to program start date.
- Follow all Park Rules and Regulations:
<https://www.tjpa.org/media/30301/download?inline>
- Follow all applicable federal, state, and local law.

6 OTHER PROVISIONS

Beginning on the date this RFQ is issued and made available to prospective Respondents, there will be no communications concerning this RFQ between members of the TJPA Board, TJPA staff, other consultants already engaged by the TJPA or members of the selection committee and prospective Respondents and their employees or agents, except as provided herein. Any violations of the above restriction will result in the immediate disqualification of the Respondent

making said contact from further participation in the Transbay Program. This restriction will end when TJPA publishes the list of pre-qualified Respondents (or cancels the procurement).

Questions about the RFQ may be directed in writing to:

Transbay Joint Powers Authority
425 Mission Street Suite 250
San Francisco, CA 94105
Email: RFP@tjpa.org

All questions received by the time and date noted in the RFQ schedule as the deadline for submission of questions will be responded to in writing.

Respondents are to promptly notify RFP@tjpa.org if Respondent discovers any ambiguity, discrepancy, omission, or other error in this RFQ.

Respondents may telephone the TJPA at (415) 597-4620 before submitting an Application to determine if the Respondent has received all addenda.

The RFQ General Conditions (Attachment 1) supplement the provisions of this RFQ.

7 SCHEDULE AND ADDENDA

See the key RFQ dates listed on the title sheet of this RFQ.

The TJPA may modify this RFQ prior to the date Applications are due by issuing written addenda. Addenda will be posted on the TJPA's website (www.tjpa.org > TJPA > Doing Business with the TJPA > Current Contract Opportunities

8 LEVINE ACT

The Levine Act (Government Code § 84308) is part of the Fair Political Practices Act that applies to elected officials and their alternates who serve on appointed boards, such as the TJPA Board.

The Levine Act prohibits any TJPA Board member (including a Board member's alternate) or officer who has received \$250 or more from an applicant for a contract with the TJPA within the previous twelve months from participating in or influencing the decision on awarding that contract. The Levine Act also requires a Board member or officer of the TJPA who has received such a contribution to disclose the contribution on the record of the proceeding in which a contract is being considered. In addition, TJPA Board members and officers are prohibited from soliciting or accepting a contribution from a party applying for a contract while the matter of awarding the contract is pending before the TJPA and for three months following the date a final decision concerning the contract has been made.

Each Respondent must disclose any contributions of \$250 or more that it has made to a TJPA Board member or officer within the twelve-month period preceding the submission of its Application. This requirement applies to the Respondent, as well as to any member firm or individuals on the Respondent’s team, subsidiaries, parent companies, other firms associated with the Respondent and agents of the Respondent. If such a contribution has been made, Respondent must provide to the TJPA’s Executive Director a written statement setting forth the date and amount of said contribution(s). The Executive Director must receive this information at the same time the Application is received.

Members of the [TJPA Board of Directors](#) are:

Jeff Gee, Chair	No Alternate
Rafael Mandelman, Vice Chair	Tilly Chang, Alternate
Elaine Forbes	No Alternate
Alicia John-Baptiste	Tilly Chang, Alternate
Boris Lipkin	Morgan Galli, Alternate
Sarah Syed	Murphy McCalley, Alternate
Jeffrey Tumlin	Jonathan Rewers, Alternate
Dina El-Tawansy, <i>Ex Officio</i>	David Ambuehl, Alternate

9 PROTEST PROCEDURES

9.1 Protest Submittal

A protest describing the nature of the disagreement must be submitted in writing to the TJPA no later than five (5) days following notification of proposed list of pre-qualified Respondents.

The letter of protest shall contain a description of the protest and shall be signed and dated. Protests shall be addressed to:

Executive Director
Transbay Joint Powers Authority
425 Mission Street, Suite 250
San Francisco, CA 94105
Email: info@tjpa.org

9.2 Executive Director’s Decision Final

The Executive Director shall inform the protester in writing of the decision, stating the reasons for the decision, and responding at least generally to each material issue raised in the protest. The Executive Director’s letter to the protester shall state that the protester may contact the Executive Director to discuss the response, and the protester has the right to address the TJPA Board. The decision of the Executive Director is final. The protester may seek a remedy in state or federal court, as appropriate, from the final action of the TJPA.