



450-0172021-002

Agenda Item **No. 8(a)**
Meeting of April 6, 2021

INFORMATIONAL MEMORANDUM

TO: Community Investment and Infrastructure Commissioners

FROM: Sally Oerth, Interim Executive Director

SUBJECT: Release of Request for Proposals to select a firm to provide scholarship application and management services for the Bayview Hunters Point Legacy Foundation; Hunters Point Shipyard Redevelopment Project Area

EXECUTIVE SUMMARY

This informational memorandum is to inform the Commission of staff's intent to release a Request for Proposals ("RFP") on behalf of the Bayview Hunters Point Legacy Foundation (the "Legacy Foundation" or "LF"), for Scholarship Application and Management Services, on April 7, 2021.

The Legacy Foundation of Bayview Hunters Point in partnership with the Office of Community Investment and Infrastructure ("OCII") is seeking a scholarship manager to manage a Scholarship Program for Bayview Hunters Point ("BVHP") students, up to age 30, who wish to attend college or other post-secondary education programs. The BVHP community includes the areas encompassed within the 94124, 94134 and 94107 zip codes. The Legacy Foundation Scholarship program has allocated a total of \$525,000 in funds for scholarships: \$50,000 for college living stipends and \$475,000 for the Lennar BVHP Scholarship. The scholarship manager will be responsible for the entire process from creating, receiving, processing, and screening the scholarship applications to making the awards.

The Legacy Foundation formed a working group to research scholarship programs and to analyze BVHP student's scholarship needs. The working group made recommendations to the full Legacy Foundation Board on scholarship award amounts and scholarship eligibility criteria based on the research, which were adopted by the LF Board. Those criteria, along with the criteria set forth in the DDA, were the basis for the scholarship levels set forth below.

London N. Breed
MAYOR

Sally Oerth
INTERIM
EXECUTIVE DIRECTOR

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CHAIR

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An evaluation panel comprised mostly of Legacy Foundation Board members and an OCII staff member will evaluate the proposals. After evaluation of the proposals, staff will make a recommendation to the Commission to consider a Personal Services Contract with a firm or team to provide the requisite services for a period of up to five (5) years. This opportunity will be open to all businesses, both for profit and nonprofit.

BACKGROUND

The Legacy Foundation

The Legacy Foundation was established as part of the Bayview Hunters Point and Hunters Point Shipyard Redevelopment Projects to intentionally strengthen Bayview Hunters Point's human development capacity as the neighborhood's physical environment undergoes transformation.

The Legacy Foundation was initially created and funded through the Disposition and Development Agreement for Hunters Point Shipyard Phase 1, between the former San Francisco Redevelopment Agency, now OCII, and Lennar/BVHP LLC (now HPS Development Co, LLC). The agreement requires that Legacy Foundation funds be used to benefit low- and moderate-income families; eliminate blight; or meet other urgent community development needs of the BVHP Area. The Candlestick Point and Hunters Point Shipyard Phase 2 Disposition and Development Agreement between OCII and HPS Development Co. LP, a subsidiary of FivePoint, also provides funding that must be reinvested in the BVHP area, including funds specifically designated for student scholarships. The Legacy Foundation analyzes community needs and makes recommendations on the use of use of funds, subject to OCII oversight, and utilizes OCII as its fiscal and contracting agent.

In February 2017, the Legacy Foundation received Commission on Community Investment and Infrastructure ("OCII Commission") approval of its Five-Year Strategic Plan. The Legacy Foundation's recommendation on the use of the Community Benefit Funds in its Five-Year Strategic Plan is based on years of study and analysis of community needs, as well as community input. The Strategic Plan contains descriptions of investment goals and strategies that will guide the work of the Legacy Foundation through 2022.

DISCUSSION

Staff intends to negotiate a Personal Services Contract with the selected firm or team.

Schedule

The following outlines the proposed schedule for the selection of a scholarship manager:

RFP available online	1:00 p.m., Wednesday, April 7, 2021
Deadline for questions and requests for additional information (via email)	4:00 p.m., Wednesday, April 21, 2021
Submission deadline for Proposals	4:00 p.m., Thursday, May 6, 2021
Applicant interviews (if held)	Week of May 10 th , 2021*
Legacy Foundation Recommendation	June 2021
OCII Commission	June 2021* <i>*Dates subject to change</i>

Scope of Work

The scholarship manager will be responsible for providing scholarship application and management services through the life of the scholarship, from application to final disbursement, for two scholarship funds (4 scholarship types): (1) the Lennar BVHP Scholarship and (2) College Living Stipend funds, and for producing reports. The Legacy Foundation's intent is that the college living expense stipends accompany the academic scholarships, for students that are eligible to receive both.

The scholarship award levels will be as follows:

1. College Living Expenses - \$50,000
 - Awards to accompany academic scholarships
 - \$500/year scholarships for certificate and 2-year programs
 - \$1,000/ year scholarships for 4-year and graduate programs
2. Lennar BVHP Academic Scholarship Fund - \$475,000
 - Program and Eligibility Criteria:
 - BVHP youth & young adults, up to age 30
 - Diploma, Certificate, Degree program offered by a college, university, community college, technical or trade school recognized by any of six regional accrediting organization, including Western Association of Schools
 - Tuition Award Levels:
 - Tuition Award = \$1,000 - \$2,700/year (diploma or certificate programs, amount of awards will be based on tuition/enrollment fees)
 - Prestigious Award = \$5,000/year (reserved for students enrolled in 4-year & graduate programs with minimum 3.5 GPA)

The scholarship manager will be responsible for advertising the availability of the scholarships to targeted student populations, identifying, and selecting qualified applicants to receive scholarships. Scholarships will be awarded to qualified students on a first come first serve basis. The scholarship manager will also be responsible for operating a web-based system for application submittal, providing as-needed student support and guiding students through the application or renewal process, and for providing annual reports.

Distribution

As required under OCII's Purchasing Policy and Procedures, the RFP will be advertised via the following media:

1. The Agency's website;
2. The City's "Bids and Contracts" weekly newsletter and website; and
3. Local publication reaching San Francisco's diverse populations.

In addition to the advertising methods referenced above, the Legacy Foundation will also partner with the Hunters Point Shipyard Citizens Advisory Committee (the "CAC") to notify BVHP community-based organizations and non-profits, and to faith-based organizations.

Evaluation Criteria

An evaluation panel composed of Legacy Foundation Board Members and OCII staff will evaluate all submittals on the completeness of their response to the RFP. Those submittals considered responsive will be judged on the following criteria:

- Experience providing online scholarship application and management services;
- Demonstrated experience and ability to manage scholarship fund in excess of \$250,000;
- Demonstrated ability to maintain infrastructure to operate online application system;
- Demonstrated ability to successfully provide services in underserved and underrepresented communities;
- Client references; and
- Overall cost and the experience of the proposed staff and efficiency of the budget for providing the requested services.

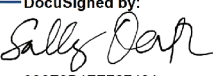
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NEXT STEPS

The evaluation panel will recommend an applicant to the Legacy Foundation Board and the OCII Commission for consideration of a Personal Services Contract. Staff anticipates returning to the Commission in June of this year.

(Originated by: Kasheica McKinney, Assistant Project Manager)

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Sally Oerth

Interim Executive Director

Attachment A: Legacy Foundation for BVHP Request for Scholarship Application and Management Services RFP (without attachments)

The Legacy Foundation for Bayview Hunters Point



in partnership with

Office of Community Investment and Infrastructure



Request for Proposals

for

Scholarship Application and Management Services

Issued April 7, 2021

Deadline for Submission

May 6, 2021

Issued by:

Office of Community Investment and Infrastructure
1 South Van Ness Avenue, Fifth Floor
San Francisco, CA 94103

Contact: Kasheica Mckinney
kasheica.mckinney@sfgov.org

**Request for Proposals for Scholarship Application and Management Services for Bayview
Hunters Point Students**

- I. SUMMARY
- II. IMPORTANT DATES & SUBMISSION PROCESS
- III. BACKGROUND
- IV. SCOPE OF SERVICES
- V. SELECTION PROCESS & CRITERIA
- VI. SUBMISSION REQUIREMENTS
- VII. ADDITIONAL TERMS & CONDITIONS
- VIII. ATTACHMENTS

I. SUMMARY

- A. The Legacy Foundation of Bayview Hunters Point and the Office of Community Investment and Infrastructure are seeking a Scholarship Services Manager(s) or Scholarship Management Services Team to manage a Scholarship Program for Bayview Hunters Point (“BVHP”) students of up to age 30 who wish to attend college or other post-secondary education programs. The Legacy Foundation Scholarship program has allocated a total of \$525,000 in funds, \$50,000 for college living stipends and \$475,000 for the Lennar BVHP Academic Scholarship Fund. The Scholarship Manager will be responsible for the entire process from creating, receiving, processing, and screening the scholarship applications.

Scholarship Funds	
Fund	Amount
Lennar BVHP Scholarship (academic)	\$ 475,000
College Living Expense Stipends	\$ 50,000
Total	\$ 525,000

The Legacy Foundation’s mission is to mobilize, through scholarship funds, educational support to make postsecondary education possible for all Bayview Hunters Point students. The Legacy Foundation’s vision is to be a leader in providing scholarships and other financial support to students residing in the BVHP community, to make the completion of education beyond high school a reality for all. Reducing the financial barriers that would otherwise prevent or inhibit qualified students from attending college is a major focus of the Foundation.

An evaluation panel of Legacy Foundation Board members and OCII staff will evaluate the Proposal based on the selection criteria detailed below in Section V. The evaluation panel will recommend an applicant to the Legacy Foundation Board and the OCII Commission for consideration of a Personal Services Contract. This opportunity is open to all businesses, both for profit and non-profit.

II. IMPORTANT DATES & SUBMISSION PROCESS

A. RFP Timetable

RFP available online	1:00 p.m., Wednesday, April 7, 2021
Deadline for questions and requests for additional information (via email)	4:00 p.m., Wednesday, April 21, 2021
Submission deadline for Proposals	4:00 p.m., Thursday, May 6, 2021
Applicant interviews (if held)	Week of May 10 th , 2021
Legacy Foundation Board and OCII Commission Consideration	June 2021* <i>*Dates subject to change</i>

There are no registration or pre-qualification requirements to respond to this RFP.

B. Pre-Submission Meeting - Intentionally Omitted

C. Questions and Requests for Additional Information

Applicants may submit questions via electronic mail to Kasheica.mckinney@sfgov.org. Questions regarding the RFP will be accepted until 4:00 PM Pacific Time on **April 21, 2021**. No telephone inquiries will be accepted. All inquiries should include the following reference in the Subject line: "LF Scholarship Program Inquiry". Answers to all questions received by this date will be posted on the OCII website (<https://sfocii.org>) no later than **April 27, 2021**.

D. Submission Time, Place, Date, Contact

Proposals and all required attachments must be received no later than 4:00 PM Pacific Time on May 6, 2021. Any proposals or unsolicited amendments to proposals received after the due date and time will not be considered in the review process. Proposals MUST be submitted in electronic form.

Further written material regarding qualifications or submittals may be requested prior to or following interviews.

During the COVID-19 pandemic, **hard copy submission of proposals will not be accepted**. If Applicant does not have the capability to submit a proposal digitally via email, please contact the person listed on the cover page of this RFP before the due date for Deadline for Questions and Requests for Additional Information specified in Section II.A. above to request an alternative submission method (subject to OCII approval).

OCII will disqualify from consideration any Proposal received lacking all or part of any required submission element.

Applicants may submit a Proposal at any time prior to the submission deadline.

Thursday, May 6, 2021 at 4:00 pm

at

kasheica.mckinney@sfgov.org

E. Contract Term

The Legacy Foundation will make a recommendation to the Office of Community Investment and Infrastructure ("OCII") to award a 5-year contract for scholarship application and management services for two scholarship funds, to a company or organization determined to be the best qualified to provide the program services described in this RFP.

F. Personal Services Contract

The successful respondent will be required to enter a Personal Services Contract ("PSC") with OCII, who serves as the Legacy Foundation's contracting and fiscal agent. The PSC will follow the Purchasing Policy of OCII. A sample PSC is provided in Attachment #1.

III. BACKGROUND

A. Legacy Foundation Background

The Legacy Foundation for Bayview Hunters Point (“Legacy Foundation”) was established as part of the Bayview Hunters Point Shipyard Redevelopment Project to strengthen Bayview Hunters Point’s human development capacity as the neighborhood’s physical environment undergoes transformation. The Legacy Foundation’s program investments are based on years of study and analysis of community needs, as well as community input. The Bayview Hunters Point (“BVHP” or “BVHP Area”) community includes the areas encompassed within the 94124, 94134 and 94107 zip codes.

The Legacy Foundation was initially created and funded through the Disposition and Development Agreement for Hunters Point Shipyard Phase 1, between the former San Francisco Redevelopment Agency, now OCII, and Lennar/BVHP LLC (now HPS Development Co, LLC). The agreement requires that Legacy Foundation funds be used to benefit low- and moderate-income families; eliminate blight; or meet other urgent community development needs of the BVHP Area. The Legacy Foundation analyses community needs and makes recommendations on the use of funds, subject to OCII oversight, and utilizes OCII as its fiscal and contracting agent.

Mission

The Legacy Foundation is overseen by a Board of Directors. The Legacy Foundation’s fundamental mission is to alleviate the impact of poverty in San Francisco’s Bayview Hunters Point community.

The focus of the Legacy Foundation, as conceptualized by the Board of Directors, is to improve well-being outcomes in BVHP community. This decision is grounded in the commitment to achieve tangible, life improving results where needs are great, compared to the amount of investment currently available.

Strategic Plan Goals of the Legacy Foundation

The Legacy Foundation has identified 3 strategic goals on which to focus funding:

- (1) Neighborhood Building
- (2) Education & Workforce Improvement
- (3) Expanding Homeownership & Retention

The scholarship programs funded through this RFP will focus on investments to the Education and Workforce Improvement goal; specifically, it will aim to increase access to post-secondary education.

As part of the education initiative, the Legacy Foundation seeks to become a leader in providing scholarships and financial support to students residing in the BVHP community, to make completion of education beyond high school a reality for all.

The Legacy Foundation firmly believes that a well-educated, highly skilled workforce may be the most important ingredient in strengthening the economy and ensuring a higher quality of life in Bayview Hunters Point. Equitable education not only builds a skilled workforce, it also provides social, civic, and personal development. Unequal access to quality education contributes to achievement gaps across racial, ethnic, and economic lines and to the decline of student achievement. Creating skilled workers for an economy that is quickly changing will require strategic investments and better education and workforce development programs.

IV. SCOPE OF SERVICES

A. Essential Duties

The scholarship manager will be responsible for providing scholarship application and management services through the life of the scholarship, from application to final disbursement, for two scholarship funds (4 scholarship types): (1) the Lennar BVHP Academic Scholarship and (2) College Living Stipend funds, and for producing reports. Preferably there would be one application and applicants can apply for both funds. The Legacy Foundation's intent is that the college living expense stipends accompany the academic scholarships for students that are eligible to receive both.

- The scholarship manager will be responsible for advertising the availability of the scholarships to targeted student populations, identifying and selecting qualified applicants to receive scholarships. Scholarships will be awarded to qualified students on a first come first serve basis.
- Web-Based Application Administration: The scholarship manager will operate a web-based system for application submittal
- As-need student support: Provide student guidance to help students through application or renewal process.
- Reporting and Records Management: The scholarship manager will provide annual reports to the Legacy Foundation.

B. Scholarship Funds and Award Level Criteria

1. College Living Expenses - \$50,000
 - Awards to accompany academic scholarships
 - \$500/year scholarships for certificate and 2-year programs
 - \$1,000/ year scholarships for 4-year and graduate programs
2. Lennar BVHP Academic Scholarship Fund – Up to \$475,000*
 - Program and Eligibility Criteria:
 - Youth and young adults, up to age 30, residing in BVHP
 - Diploma, Certificate, Degree program offered by a college, university, community college, technical or trade school recognized by any of the six regional higher education accreditors, including the Western Association of Schools and Colleges
 - Scholarships shall be awarded annually
 - Tuition Award Levels:
 - Tuition Award = \$1,000 - \$2,700/year (diploma or certificate programs, amount of awards will be based on tuition/enrollment fees)
 - Prestigious Award = \$5,000/year (reserved for students enrolled in 4-year & graduate programs with minimum 3.5 GPA)

- Students renewing applications must have a minimum 2.5 GPA (or “passing” grades if academic program does not use letter grades or GPA)

* Funding resources for the scholarship manager services are limited and may include a portion of the Lennar BVHP Academic Scholarship Fund, therefore the total amount available for scholarships may be reduced.

V. SELECTION PROCESS AND CRITERIA

PROPOSAL REVIEW AND SELECTION

Proposals deemed eligible/complete will be scored based on further review and evaluation. The proposer deemed most qualified, and having the highest score, will be selected to negotiate a contract.

All respondents will receive an email (directed to the designated staff person) informing them of the decision on their proposal.

A. Evaluation of Proposals

Respondents that are responsive to the proposal may be invited by the Legacy Foundation to participate in an interview. The evaluation criteria for the proposal are described below:

	Points
1. Years of experience providing online scholarship application and management services. Prior experience should demonstrate services similar to services sought by this RFP.	20 points
2. Demonstrated ability to manage scholarship funds of \$250k and above.	20 points
3. Demonstrated ability to maintain infrastructure to operate online application system.	20 points
4. Demonstrated ability to successfully provide services in underserved and underrepresented communities.	20 points
5. Cost: Provide itemized, annual cost proposal for a total term of 5 years (including all applicable fees)	20 points
Total Possible Points	100

VI. SUBMISSION REQUIREMENTS

A. Format

Respondents must respond to the below. If the response is “NO” provide an explanation as to why not and how the scholarship application module will address each system requirement.

- a) Check the box that applies (online system capabilities):

	YES	NO
Ability to generate unique sign-in/ID number for every applicant		

Ability to distinguish the following: a new applicant (first time applying), previous applicant (reapplying, never awarded), new awardee (first time awarded)		
Ability to collect and verify recipients' grades (transcripts) and GPA		
System has payment module that can track/record payments and issue payment notifications		
System has legally compliant privacy and data protection capabilities		
Ability to generate and print standard reports (related to applications and awards)		

b) Proposal must include, but are not limited to:

1. Executive Summary	The Executive Summary should be a brief overview about the proposer's services and experience (include information on how long company has provided scholarship application services). The Summary should highlight the main features and benefits of the proposed online scholarship application and management system as further detailed in Section C below.
2. Samples	Include descriptions, screen samples, and sample reports of the proposed system. Include any specific details on the design
3. Detailed & Itemized Pricing	Include an annual fee breakdown for each year of the contract (5-Year term), including any applicable service fees.
4. Company Information	Official registered company name, business address, TIN number, main telephone number, e-Mail, and website address. Key contact name, title, address (if different from above address), email, direct telephone, and fax numbers. Person authorized to contractually bind the organization.
5. OCII Compliance Forms	a) Complete responses to all Disclosure Questions (Attachment #2) b) A signed Statement of Compliance with OCII Policies & Certification of Applicant (Attachment #3)
6. References	Include two references for companies or orgs you have provided services for in the last 3 years

c) Provide a short narrative describing the proposed approach to structuring the application based on eligibility, program criteria and Scholarship Fund levels. Proposers must also provide information on their system capabilities and how their online application and management system addresses each section below: (Responses for this section should not exceed four (4) pages):

A. Functionality:

1. Access to scholarships by all students
2. Accountability and transparency of granting scholarships and the execution of the scholarship once awarded
3. Collaboration and communication between users (applicants, staff, and institution)
4. Security of the environment to ensure privacy and integrity

B. Features:

1. Access applications and renewal applications online
2. Submit all necessary documents and renewal application online
3. Status reports on the progress of applications
4. Notifications and communications pertaining to awarding, payment and any other items.
5. Ability for school and relevant parties to be able to send official documents online
6. Ability to transfer funds to students, colleges & schools

C. Applicant Management and Security

1. Identification and authentication of users
2. Unique ID for sign up and sign in
3. Prevention of unauthorized access to and use of resources
4. Protect the confidentiality and integrity of information throughout its entire lifecycle
5. Encrypt information during transmission over unsecured communication channels

D. Document & Information Management:

1. Track all scholarship applications in progress including tracking status, deadlines
2. Manage all documents associated with scholarship application and awards
3. View and link to all related records by program/registrant etc.
4. Allows for external parties to upload/send documents via link into system

E. Notification/Alerts:

1. Send reminders and notifications for failure to complete application or provide documents
2. Send notification for approval or rejection of applications
3. Send notification for collection and signing
4. Send notification for payment

F. Administration:

1. Track all awarded grants, contracts, and agreements (“Awards”)
2. Store files associated with an award including documents, spreadsheets, and images.
3. Pull and report financial data on each scholarship
4. Ability to track specific information define for each scholarship
5. Ability to track applications and renewals.
6. Ability to create and configure new items (forms, workflows, fees) without vendor assistance.

G. Data Ownership & Privacy:

1. Provide applicable privacy statements
2. Provide a statement of how the user data will handled once student are no longer using the system.

H. Advertising and Notice of Scholarship Availability

1. Provide information on how scholarship availability will be advertised to students.

VII. ADDITIONAL TERMS & CONDITIONS

A. Agreement to Comply with OCII Policies

Each applicant shall acknowledge receipt and understanding of the following OCII contracting requirements and policies and state its ability and willingness to comply with each of them. Copies of OCII policies are available at <https://sfocii.org/policies-and-procedures>.

1. Certification Regarding Insurance & Indemnification

The selected Applicant will be required to procure and maintain insurance that meets or exceeds OCII requirements as shown in VII.A.7 below, and as may be updated from time to time.

From the time of entering into a contract with OCII, the selected Applicant shall defend, hold harmless and indemnify OCII, the City and County of San Francisco and their respective commissioners, members, officers, agents and employees of and from all claims, loss, damage, injury, actions, causes of action and liability of every kind, nature and description directly or indirectly arising out of or connected with the performance of OCII contract and any of the contractor's operations or activities related thereto, excluding the willful misconduct or the gross negligence of the person or entity seeking to be defended, indemnified or held harmless.

2. Small Business Enterprise Program

OCII has adopted a Small Business Enterprise ("SBE") Program, which provides first consideration in awarding contracts in the following order: (1) Project Area SBEs, (2) Local SBEs (outside an OCII project or survey area, but within San Francisco), and (3) all other SBEs (outside of San Francisco). Non-local SBEs should be used to satisfy participation goals only if Project Area SBEs or Local SBEs are not available, qualified, or if their bids or fees are significantly higher than those of non-local SBEs. If the Contractor intends to subcontract any portion of its work under this contract, the Contractor must make good faith efforts to achieve the goals of the SBE Program, which are 50% SBE participation for professional, personal services, and construction contracts.

3. Nondiscrimination in Contracts & Benefits

OCII has established the Nondiscrimination in Contracts and Benefits Policy prohibiting discrimination in contracting and in providing benefits between employees with spouses and employees with domestic partners.

4. Minimum Compensation Policy

The Minimum Compensation Policy ("MCP") requires the payment of a minimum level of compensation to employees for all consultants working on OCII funded projects.

5. Health Care Accountability Policy

The Health Care Accountability Policy ("HCAP") requires that contractors offer certain health plan benefits to their employees or participate in a health benefits program developed by the City's Department of Public Health, or make a payment in lieu of such benefits to the City's Department of Public Health.

6. Prevailing Wages

Intentionally omitted.

7. Insurance

The selected applicant must procure and maintain insurance against claims for injuries to persons or damages to property, which may arise from or in connection with the performance of the work under the OCII contract by the contractor, its agents, representatives, employees or subcontractors.

Unless otherwise approved by the OCII, the selected applicant must maintain insurance with an insurance company that has an A.M. Best rating of A:VII with the following coverages and limits:

- General Liability: \$2,000,000 per occurrence;
- Automobile Liability: \$1,000,000 per accident for bodily injury and property damage;
- Workers' Compensation and Employers Liability: Workers' Compensation limits as required by the State of California and Employer's Liability limits of \$1,000,000 for bodily injury by accident and \$1,000,000 per person and in the annual aggregate for bodily injury by disease. (Required only if Contractor has employees); and
- Professional Liability: Intentionally omitted

The insurance requirements may be modified by the OCII's Risk Manager in his/her sole discretion.

B. Other Terms and Conditions

1. Contract Expenses - Applicants responding to this RFP do so at their own expense. OCII and the Legacy Foundation will not consider any contractor costs related to this RFP or to negotiating a PSC as reimbursable or as eligible costs under the contract.
2. OCII and The Legacy Foundation Right to Modify or Suspend RFP - The Legacy Foundation and OCII reserves the right at any time, and for its own convenience, in its sole and absolute discretion, to modify or suspend any and all aspects of the selection process, including, but not limited to this RFP, and all or any portion of the selection process in or subsequent to the RFP; to obtain further information from any respondent, to waive any defects as to form or content of the RFP. OCII reserves the right at any time, and for its own convenience, in its sole and absolute discretion, to waive any defects as to form or content of the RFP, to change or waive any other step in the selection process; to reject any and all responses submitted; to reissue the RFP; procure the desired services by any other means or not proceed in procuring the services; to negotiate with any, all, or none of the respondents to this RFP as to fees, scope of services, or any other aspect of the RFP or services; to negotiate and modify any and all terms of an agreement; and to accept or reject any respondent for entry into a contract with OCII.
3. Claims Against OCII and the Legacy Foundation - Should an actual or potential proposer object on any ground to any provision or requirement of this RFP, that person or entity must, not more than ten calendar days after this RFP is issued, provide written notice to Legacy Foundation and OCII setting forth with specificity the grounds for the objection. The failure of a potential proposer to object as set forth above shall constitute a complete and irrevocable waiver of any such objection.
4. Each proposer by responding to this RFP, waives any claim, liability or expense whatsoever against OCII, the Legacy Foundation and its respective officers, board members, and agents (its respective

officers, commissioners and employees) by reason of any or all of the following: any aspect of this RFP, the selection process or any part thereof, any informalities or defects in the selection process, the failure to enter into any agreement, any statements, representations, acts or omissions of the Legacy Foundation, the exercise of any discretion set forth or concerning any of the foregoing, and any other matters arising out of all or any of the foregoing.

VIII. ATTACHMENTS

Attachment #1 Sample OCII Personal Services Contract

Attachment #2 Disclosure Questions

Attachment #3 Statement of Compliance with OCII Policies & Certification of Applicant