

DEPARTMENT OF TECHNOLOGY RESPONSE TO QUESTIONS
(POST PRE-PROPOSAL MEETING)

Date: February 6, 2009

Responses to each question are in bold print.

1. With respect to the role of the City in deciding appeals, Access SF requests clarification from the City regarding the nature, involvement and jurisdiction of any city agency, administrative law court, or other judicial body that would be necessary to support such an arrangement. Provided that there is a statutory and procedural basis for such an arrangement, as well as a clear and acceptable plan presented by the City, Access SF will be better equipped to consider the City's role in deciding appeals on behalf of Access SF. **Currently the City has no role in reviewing decisions made by the grantee concerning suspension or termination of producers for violating station policies. Several producers have inquired about the role of the City in the appeals process. The City seeks proposals that provide a detailed plan for channel administration oversight and governance. In the event that some proposers wish to develop and include a role for the City in deciding appeals, we have expressly provided for that option. Proposers are also free to submit proposals in which the City has no specific role in appeals decisions.**

2. In the event that the City Board of Supervisors should increase the operations funding for public access by any amount at any time will the RFP be put out for re-bid? **All funding support provided by the City is subject to budget approval by the Board of Supervisors, and may vary due to changes in state or federal law. While the City anticipates that the funding level will not exceed \$120,000, there is a possibility that changes in law or in Board policy might allow for increases in funding. Likewise, there is always a possibility that changes in law or Board policy may result in decreases in funding levels.**

In the event that a significant increase in funding becomes available, the City may find it necessary to conduct another competitive process. The City will include language in the final grant agreement that clarifies this contingency.

3. In the event that there is not enough funding to sustain the production facility and offices of public access at 1720 Market Street, is the City willing to fund the relocation of the facility and headend equipment? Will the City provide free space in any of its buildings that are equipped to provide upstream, headend capability? **The City would consider funding some or all of the cost of relocating facility and headend equipment as part of the operator's annual allocation of capital funding, if those costs are deemed to be appropriate capital expenses, are requested as part of the annual capital budget process, and are available in the capital fund for the year in question.**

4. Please explain Pro Forma 3-year projections. (Top of page 5). ***Pro forma* financial statements are statements prepared in advance of a planned transaction that model the anticipated results of the transaction. (See Wikipedia http://en.wikipedia.org/wiki/Pro_forma) *Pro forma* statements are realistic estimates only—they are not audited and are not required to comply with Generally Accepted Accounting Principles (GAAP).**

The City seeks proposals that demonstrate a realistic and achievable funding and resource development plan. As part of this plan, proposers should provide *pro forma* projections of anticipated revenues for the first three years of operation.

5. What is the total operation funding for PEG from all sources including General Fund?

For Fiscal Year 2009:

**Public Access Channels: \$840,741 Total
\$840,771 from PEG funds**

**Government Channels: \$1,094,551 Total
\$112,000 from PEG funds;
\$500,000 from general fund,
\$482,551 cost recovery from fee for services**

**Education Channels: Total Not Reported
\$112,000 from PEG funds
Remainder from City College funding sources**

6. What is the review and contract process for the E and G channels? What is the term of the E contract?

This RFP does not involve the E (education) and G (government) channels. Education and government channel capacity has been granted to the current operators by the Board of Supervisors. The City operates the government channel and funding is appropriated in the City's annual budget. For the education channels, the City has a funding agreement with the Foundation of City College of San Francisco that runs until such time as the City discontinues funding the channels for a period of one year, or upon 30-day notice by either party, whichever comes first.

7. If it were necessary to sell current equipment because its use could not be funded, could revenues from equipment sales be used for operations?

No. The City does not anticipate that it will become necessary to sell any current equipment. In the unlikely event that current equipment is sold, all proceeds would revert to the capital fund and be reserved for the purchase of allowable PEG facilities and equipment.

Questions end: 4:00 P.M., February 6, 2009