

Request for Information (RFI)

Fiscal Sponsors for Creative Communities San Diego

For Organizations Interested in Serving as a Fiscal Sponsor for FY25 CCSD Applicants

Introduction

The City of San Diego (City) advances and drives an equitable and inclusive creative economy and cultural ecosystem by investing in the work of artists and creatives, and the institutions and systems that amplify creative work and experiences; cultivating local participation and access, and advancing San Diego as a global city. Committed to equitable economic development, and cultivation of a dynamic arts ecosystem, City arts and culture staff, facilitate the City's investments in the arts, artists, and arts and culture organizations. The City annually awards funding, deriving from the Transient Occupancy Tax, for general operating support and project-specific support to San Diego nonprofit organizations operating in the field of arts and culture. These funds, awarded to nonprofits through two application processes Organizational Support Program and Creative Communities San Diego, generate meaningful impacts in communities and expand access to arts and culture in every City Council district.

Background

Creative Communities San Diego (CCSD) centralizes arts and culture in neighborhoods across San Diego. Through CCSD the City provides project support to nonprofit, tax-exempt organizations to deliver projects that promote neighborhood pride and community reinvestment, make arts and culture more accessible, and encourage people of diverse backgrounds to share their heritage and culture. Projects can take a variety of artistic and cultural forms from film and video screenings, art exhibitions and performances to festivals, parades, or other activities in a similar vein. Projects organized by entities that do not hold tax-exempt nonprofit status under section 501(c)(3) or 501(c)(6) of the Internal Revenue Code may be eligible to apply for funding via a nonprofit fiscal sponsor.

The City seeks information from fiscal sponsors that can offer administrative services to not-for-profit organizations in an effort to meet eligibility requirements under the CCSD funding guidelines. CCSD guidelines will be released in fall 2023 for projects occurring in fiscal year 2025 (between July 1, 2024 and June 30, 2025).

Request for Information

This RFI is issued for purposes of identifying organizations, hereinafter referred to as “Respondents” that may offer fiscal sponsorship to potential CCSD applicants seeking funding. This RFI may result in a compiled reference list of fiscal sponsors for potential FY25 CCSD Applicants. If City is able to compile such a reference list of fiscal sponsors, inclusion on such a list will not guarantee fiscal sponsorship, but such reference list will be publicly posted and available for interested CCSD applicant organizations to use as a resource. The City will not provide matching of CCSD applicant organizations with fiscal sponsors, and CCSD applicants are not required to use a fiscal sponsor on such a reference list. Interested Respondents interested must provide information meeting the minimum requirements outlined in this RFI.

RFI Submittal Process

A. Timeline, Questions, Opening and Disclosure

1. **Timely Submission.** Responses must be submitted as described herein to the City. The City will accept electronic responses only. Electronic responses must be submitted through the RFI submittal form found on the City’s website here. Deadline for submission is Sunday August 27, 2023 at 11:59 p.m. Pacific Time.
2. **Questions and Comments.** Questions can be submitted via email to Kip Eischen, Senior Arts and Culture Funding Manager at jeischen@sandiego.gov
3. **An organization that is utilized as a fiscal sponsor by a CCSD applicant organization is not the applicant.** A fiscal sponsor can provide fiscal sponsorship to more than one CCSD applicant organization. Also, organizations that apply directly for the Organizational Support Program (OSP) may serve as a fiscal sponsor for one (or more) CCSD applicant organization(s) as long as such organization does not have any interest in the project(s) for which they are acting as a fiscal sponsor. Fiscal sponsors will not receive any funds from financial assistance awarded to a CCSD applicant.
4. **Opening and California Public Records Act:** Submittals to this RFI will not be opened in public. Note, however, that any information submitted in response to this RFI will be a public record subject to disclosure according to the California Public Records Act (CPRA), unless the City, in its sole discretion, determines that a specific exemption applies. If a Respondent submits information in response to this RFI that is clearly marked

confidential or proprietary it may be considered a Respondent's request for confidentiality, and the City may protect such information and treat it with confidentiality to the extent permitted by law. However, for such a request to be considered by City, it is the responsibility of the Respondent to provide the City, simultaneously at the time of the information submittal, specific legal grounds, which must include both specific case and statutory law, that the City can rely on for withholding such information. Despite any grounds submitted by Respondent, the City may still release information to the public according the CPRA at the City's sole discretion. Respondents will hold the City, its elected officials, officers, and employees harmless for release of information provided to City through this RFI. It will also be the Respondent's obligation to defend, at Respondent's sole expense, any legal actions or challenges seeking to obtain any information requested under the CPRA that is, or at any time was, withheld from disclosure by City at a Respondent's request. Furthermore, a Respondent must indemnify and hold harmless the City, its elected officials, officers, and employees from and against any claim or liability, and defend any action brought against the City resulting from the City's withholding such information from disclosure at a Respondent's request.

B. Submittal Format and Content

1. To be considered responsive, submissions must address all questions and provide all information requested in this RFI. Failure to provide a thorough and complete submittal may render the submission incomplete.

C. Required Information

Respondents' information submitted in response to this RFI must, at a minimum, provide the City with information as follows:

1. **NONPROFIT STATUS:** Whether Respondent holds tax-exempt nonprofit status under section 501(c)(3) or 501(c)(6) of the U.S. Internal Revenue Code.
2. **HISTORY OF OPERATIONS:** Whether Respondent has a three-year history of operating with its own independent governing board.
3. **REGISTRATION:** Whether Respondent complies with all required state and federal registrations including, but not limited to, California Attorney General Registrar of Charitable Trusts, California Secretary of State Business Registry; as well as evidence of non-debarment via the System for Award

Management (SAM). (Respondent must warrant that all registrations are current and active, and will remain so throughout the FY24 funding activity period.)

4. **GOVERNANCE:** The make up of Respondent's governing body, which must include a list of Respondent's governing body members with name(s), title(s), and short biography(s). The applicant organization will also be asked to submit their own list of board members, if applicable.

5. **FINANCIAL DOCUMENTATION:** A budget snapshot of the last three years of expenses and revenues along with any associated surplus or deficit for the organization.

D. Acceptability of Submittals

The City shall determine which Respondents have met the requirements of this RFI. City's determination that a Respondent has failed to comply with any mandatory requirements will render the submittal non-responsive. The City may waive or permit to be cured minor mistakes that are immaterial or inconsequential in nature to a submittal whenever the City determines it to be in the City's best interest. The City may reject in whole or in part any and all submittals.

E. Conditions for Submission

1. The City reserves the unilateral right to: cancel this RFI, in whole or in part; reject all submittals submitted in response to this RFI; waive or permit cure of minor irregularities; and conduct discussions with Respondents in any manner necessary to serve the City's best interests.

2. The submission of a response to this RFI does not guarantee being included in a list of fiscal sponsors resulting from this RFI.

3. The submission of a response to this RFI in no way guarantees Respondent any fiscal sponsor relationship with any CCSD applicant, and Respondents should have no such expectation.

4. If a Respondent becomes a fiscal sponsor for a successful FY25 CCSD applicant organization, the Respondent understands that they will be required to:

- Enter into any resulting agreement for the successful FY25 CCSD applicant organization as a party to such agreement; and

- Not receive any funding awarded to the successful FY25 CCSD applicant organization. Funding awarded to the successful FY25 CCSD applicant will be disbursed directly to the successful FY25 CCSD applicant organization.