

Attachment: Timeline of Events: SFMTA Garage Management RFP Process

Date	Description of Event
4/10/09	SFMTA issues initial RFP.
6/19/09	SFMTA receives proposals from six proposers.
9/21/09	SFMTA's Ashish Patel notifies proposers of highest-ranked proposers for each group: Group A-IMCO; B- 5 Star; C- PPM.
9/22/09	Amit Kothari and Executive Director/CEO Nathaniel Ford discuss concerns about whether the selection process served the public interest.
10/26/09	Mr. Kothari requests a meeting with Mr. Ford, Virginia Harmon and Bond Yee noting a conversation with Mr. Ford on the previous Friday (10/23) regarding rejecting all proposals.
10/26/09	Mr. Kothari informs staff that bids will be rejected and that a new RFP will have 3 equal groups.
10/27/09	Mr. Ford receives letter from Steven Kay on behalf of PPM objecting to proposed award because of harm to PPM.
11/24/09	Bond Yee issues memo to SFMTA Board explaining that staff intends to reject all proposals.
11/30/09	SFMTA staff informs proposers that proposals have been rejected and that the Agency will reissue an RFP seeking responses from more operators.
12/18/09	Mr. Kothari informs co-workers that he has completed a new draft RFP that creates roughly equal garage groups, eliminates incentive compensation, and increases guaranteed management fees.
Mid-December, 2009	Mr. Ford retains Steven Kay to review proposed language for the third amendment to his employment contract
12/22/09	Mr. Bekele submits complaint to HRC over SFMTA failure to award contract for Group A garages.
Last week of December, 2009	Notwithstanding previous rejection of all proposals and preparation of revised RFP, Mr. Ford and SFMTA staff decide to recommend to SFMTA Board that staff negotiate and award contracts in accordance with the initial RFP.
12/31/09	Steven Kay hosts meeting between representatives of Five Star, PPM and IMCO at offices of Kay & Merkle at which PPM and Five Star propose reallocation of garages in RFP groups A, B and C.
1/4/10	Representatives of PPM and IMCO meet with Mr. Ford and present proposed reallocation plan.
1/5/10	SFMTA staff inform PPM, IMCO and Five Star that reallocation

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	proposal is likely not permissible.
1/5/10	At SFMTA Board meeting, Mr. Ford informs the Board that SFMTA has received new information from the garage management firms and wants time to evaluate the information.
1/12/10	The City Controller issues memo to Mr. Ford requesting that the Garage RFP process be suspended while a proposal for a long-term concession agreement for the garages is analyzed.
1/13/10	Steven Kay confers with SFMTA General Counsel re language in proposed amendment three to Mr. Ford's employment contract.
1/19/10	SFMTA Board approves amendment three to Mr. Ford's employment contract.
2/25/10	Staff issues calendar item for 3/2/10 Board meeting that recommends negotiating & awarding contracts per original RFP.
3/1/10	Steven Kay issues letter to Mr. Ford on behalf of PPM objecting to SFMTA staff recommendation because proposals were previously rejected and because of harm to PPM despite its status as minority business enterprise that has performed well for SFMTA.
3/2/10	Following public testimony by both sides, SFMTA Board members reject, by a 3-2 vote, the staff recommendation to negotiate and award contracts per the first RFP.
3/12/10	IMCO counsel sends letter to SFMTA Board alleging undue pressure/backroom deals/threats against IMCO, and demanding that contracts be awarded per the RFP results.
4/23/10	SFMTA issues second RFP with proposals due on 6/21/10.
5/6/10	IMCO counsel writes to City Attorney asserting that contract should have been awarded to IMCO, reiterating allegations of backroom deals and pressure on his client, and requesting investigation into MTA's handling of the RFP.
6/18/10	SFMTA staff informs prospective proposers that proposals are no longer due on 6/21, and that proposers will receive 2 weeks notice of any new deadline.
7/12/10	Counsel for Fred Bekele submits claim against the City alleging improprieties in the garage RFP process and seeking award of contracts consistent with the results of the evaluations under the initial RFP.
7/13/10	Mr. Ford issues memo to SFMTA Board Chairman Tom Nolan explaining his brief relationship with Kay & Merkle and stating intention to recuse himself from future participation in the garage RFP process in order to avoid any appearance of impropriety.

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