

City and County of San Francisco



Department of Human Resources

Edwin M. Lee  
Mayor

Micki Callahan  
Human Resources Director

Date: April 7, 2014  
To: The Honorable Civil Service Commission  
Through: Micki Callahan  
Human Resources Director  
From: Cynthia Avakian, AIR  
Cynthia Hamada, MTA  
Shamica Jackson, PUC  
Diane Lim, ADP  
Lavena Holmes, PRT

**Subject: Personal Services Contracts Approval Request**

This report contain seven (7) personal services contracts (PSCs) in accordance with the revised Civil Service Commission (CSC) procedures for processing PSCs that became effective on July 1, 1996.

The services proposed by these contracts have been reviewed by Department of Human Resources (DHR) staff to evaluate whether the requesting departments have complied with City policy and procedures regarding PSCs. The proposed PSCs have been posted on the DHR website for seven (7) calendar days. CSC procedures for processing PSCs require that any appeal of these contracts be filed in the office of the CSC, Executive Officer during the posting period.

No timely appeals have been filed regarding the PSCs contained in this report. These proposed PSCs are being submitted to the CSC for ratification/approval.

DHR has prepared the following cost summary for personal services contracts that have been processed through the Department of Human Resources to date:

Total of this Report	YTD Expedited Approvals FY 2013-2014	Total for FY 2013-2014
\$29,820,000	\$5,837,078	\$609,227,966

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Airport Commission  
Contracts Administration Unit  
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San Francisco, CA 94128  
(650) 821-2014

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Municipal Transportation Agency  
1 South Van Ness, 6<sup>th</sup> Flr.  
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Shamica Jackson  
Public Utilities Commission  
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San Francisco, CA 94102  
(415) 554-0727

Diane Lim  
Adult Probation  
880 Bryant Street, Rm. 200  
San Francisco, CA 94103  
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Lavena Holmes  
San Francisco Port Commission  
Pier 1 The Embarcadero  
San Francisco, CA 94111  
(415) 274-0305

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**POSTING FOR**

April 7, 2014

**PROPOSED PERSONAL SERVICES CONTRACTS – REGULAR****Commission Hearing Date**

2014-04-07

**APPLY**

<b>PSC No</b>	<b>Dept Designation</b>	<b>PSC Amount</b>	<b>Description of Work</b>	<b>PSC Estimated Start Date</b>	<b>PSC Estimated End Date</b>
40505 - 13/14	AIRPORT COMMISSION	\$300,000.00	Maintenance of San Francisco International Airport (SFO) four chillers (3,000-ton and 6,000 ton) within the Central Plant that provides cooling throughout the terminals and boarding areas. The 6,000-ton chiller is one of the largest centrifugal chillers on the West Coast.  Explanation for 5 year term: SFO is planning on entering into a new 5 year contract to maintain the chillers in our Central Plant and that is why we are seeking approval for this term.	July 1, 2014	June 30, 2019
41911 - 13/14	AIRPORT COMMISSION	\$25,000,000.00	The work at San Francisco International Airport (SFO) includes a full range of Architectural and Engineering Services for planning, programming, design, engineering, and construction administrative services necessary to develop the functional and conceptual design components for the Terminal 1 Redevelopment Program (T1 Program) Enabling Projects, South Field and Plot 700 Projects. The projects include: 1) temporary Boarding Area B and Passenger Security Screening Checkpoint with all required Airport security and operational systems; 2) utility infrastructure upgrades and relocations; 3) security and special systems improvements; 4) various airport, airline and agency related tenant relocations; 5) airfield infrastructure and taxiway relocations; 6) South Field facility relocations including the fire house, vehicle screening checkpoint, ground transportation unit (GTU), Plot 700; and 6) demolition and hazardous material abatement.	April 7, 2014	December 31, 2018
45959 - 13/14	MUNICIPAL TRANSPORTATION AGENCY	\$3,000,000.00	The consultants will provide supplemental architectural and engineering services for extensive analysis, design, bid documents, and project management services necessary for facility restorations and equipment upgrades for 38 parking facilities and ground surface lots. However, the majority of the design and project management for the revenue bond funded capital improvement projects will be provided by in-house staffing resources from the San Francisco Municipal Transportation Agency (SFMTA) and San Francisco Department of Public Works (DPW).	June 1, 2014	May 31, 2018
45984 - 13/14	MUNICIPAL TRANSPORTATION AGENCY	\$490,000.00	The consultant will prepare the Project Study Report for the Southwest Subway/19th Avenue Project and advance conceptual engineering that is mandated by Caltrans. This contract work requires unique knowledge of the Caltrans requirements to approve projects on the State of California highways (such as 19th Avenue). Specialized technical work is needed in several areas, including rail engineering; transportation planning for traffic, pedestrians, bicyclists and public transit; funding strategies; and community involvement.	May 1, 2014	April 1, 2016
44930 - 13/14	PUBLIC UTILITIES COMMISSION	\$1,000,000.00	San Francisco Public Utilities Commission (SFPUC) is developing an electronic bidding system for city contracts which will eventually be available to all City Departments. This contract will bring on SharePoint and K2 expertise and expert developers to develop the SFBid application. The developers will work with the project team of city employees, and under the direction of SFPUC Project Managers. A transfer of knowledge to City employees is a requirement.	April 1, 2014	April 30, 2016

**TOTAL AMOUNT \$29,790,000**

**Posting for April 7, 2014**

**Proposed Personal Services Contract - Regular**

**Modification to Increase/Decrease Contract Amount/Duration**

PSC No	Dept Description	Modified Amount	Cumulative Amount	Description of Work	PSC Estimated	
					Start Date	End Date
4107-10/11	ADULT PROBATION	\$30,000.00	\$130,000.00	The Court ordered conditions of probation require all probationers to not use any illegal drugs. Drug Testing will enable the Adult Probation Department to better protect public safety by monitoring and enforcing probationer compliance with Court orders. Contractor will perform verification.	7/1/2015	6/30/2016
4074-11/12	PORT	\$0.00	\$375,000.00	The Port had originally planned to issue this contract in 2012, but due to staff changes and the workload of the America's Cup 34 (AC34) preparations, the contract solicitation was delayed. The Port now intends to move forward with the contract solicitation in the first quarter of 2014 and limit the term of the contract to no more than four (4) years. (Please see prior initial PSC attached)	1/1/2015	12/31/2018

**Total Modified Amount: \$30,000.00**

**Regular/Continuing/Annual  
Personal Services Contracts**

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: AIRPORT COMMISSION -- AIR Dept. Code: AIR

Type of Request: [X] Initial [ ] Modification of an existing PSC (PSC # \_\_\_\_\_)

Type of Approval: [ ] Expedited [X] Regular ([ ] Omit Posting)

Type of Service: Maintenance of the Airport's Chillers

Funding Source: Airport Operating Funds PSC Duration: 5 years
PSC Amount: \$300,000 PSC Est. Start Date: 07/01/2014 PSC Est. End Date: 06/30/2019

1. Description of Work

A. Scope of Work:

Maintenance of San Francisco International Airport (SFO) four chillers (3,000-ton and 6,000 ton) within the Central Plant that provides cooling throughout the terminals and boarding areas. The 6,000-ton chiller is one of the largest centrifugal chillers on the West Coast.

Explanation for 5 year term: SFO is planning on entering into a new 5 year contract to maintain the chillers in our Central Plant and that is why we are seeking approval for this term.

B. Explain why this service is necessary and the consequence of denial:

This service is necessary in order for the Airport's Central Plant to function properly. If denied, SFO's terminals and boarding areas will not be properly cooled.

C. Has this service been provided in the past. If so, how? If the service was provided via a PSC, provide the most recently approved PSC # and upload a copy of the PSC.

This service has been provided in the past through a services contract most recently under PSC 4097-06/07.

D. Will the contract(s) be renewed? Yes.

2. Union Notification: On 02/05/2014, the Department notified the following employee organizations of this PSC/RFP request: Stationary Engineers, Local 39,

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FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 40505 - 13/14

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 04/07/2014

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:  
Ability to maintain a 3,000- and 6,000-ton chiller. This includes testing seals for leaks, measuring the operating efficiency of the equipment and replacing parts of this complex, specialized piece of machinery.

B. Which, if any, civil service class(es) normally perform(s) this work?  
7334,

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If yes, explain:  
No.

4. Why Classified Civil Service Cannot Perform

A. Explain why civil service classes are not applicable:  
SFO's Mechanical Maintenance area support the Central Plant but providing parts and service on these large units are beyond their expertise.

B. Would it be practical to adopt a new civil service class to perform this work? Explain.  
No, see answer to 4a above.

5. Additional Information (if "yes", attach explanation)

	<u>YES</u>	<u>NO</u>
A. Will the contractor directly supervise City and County employee?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B. Will the contractor train City and County employee?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C. Are there legal mandates requiring the use of contractual services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D. Are there federal or state grant requirements regarding the use of contractual services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E. Has a board or commission determined that contracting is the most effective way to provide this service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
F. Will the proposed work be completed by a contractor that has a current PSC contract with your department?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE AND ACCURATE ON BEHALF OF THE DEPARTMENT HEAD  
ON 03/07/2014 BY:

Name: Cynthia Avakian Phone: 650-821-2014 Email: cynthia.avakian@flsfo.com

Address: P. O. Box 8097 San Francisco, CA 94128



**Receipt of Union Notification(s)**  
**◆ Local 39**

## Cynthia Avakian

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**From:** dhr-psccordinator@sfgov.org  
**Sent:** Wednesday, February 05, 2014 11:49 PM  
**To:** Cynthia Avakian; grojo@local39.org; Cynthia Avakian; Richard Isen; DHR-PSCCoordinator  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 40505 - 13/14

RECEIPT for Union Notification for PSC 40505 - 13/14 more than \$100k

The AIRPORT COMMISSION -- AIR has submitted a request for a Personal Services Contract (PSC) 40505 - 13/14 for \$300,000 for Initial Request services for the period 07/01/2014 – 06/30/2019. Notification of 30 days (60 days for SEIU) is required.

After logging into the system please select link below, view the information and verify receipt:

<http://apps.sfgov.org/dhrdrupal/node/1359> For union notification, please see the TO: field of the email to verify receipt. If you do not see all the unions you intended to contact, the PSC Coordinator must change the state back to NOT READY, make sure the classes and unions you want to notify are selected and SAVE. Then VIEW the record and verify the list of unions and emails. EDIT the document again , change the state back START UNION NOTIFICATION and SAVE. You should receive the email with all unions to the TO: field as intended

**Additional Attachment(s) of Explanation**

◇ **Section 1. Description of Work**

**1C. Has this service been provided in the past. If so, how?  
If the service was provided via a PSC, provide the most  
recently approved PSC # and upload a copy of the PSC.**

PSC # 4097-06/07

PERSONAL SERVICES CONTRACT SUMMARY

DATE: November 15, 2007

DEPARTMENT NAME: AIRPORT COMMISSION

DEPARTMENT NUMBER: 27

TYPE OF APPROVAL: [ ] EXPEDITED [X] REGULAR (OMIT POSTING [ ]) [ ] CONTINUING [ ] ANNUAL

TYPE OF REQUEST: [ ] INITIAL REQUEST [X] MODIFICATION (PSC # 4097-06/07)

TYPE OF SERVICE: Overhaul of the Airport's Chillers & Possible As-Needed Repairs

FUNDING SOURCE: Airport Funds

Original PSC Amount: \$525,000 Original PSC Duration: 2/15/07 - 12/31/07
Proposed Modification: \$1,000,000 Proposed Mod. (#1) Duration: 1/1/08 - 6/30/09
TOTAL PSC AMOUNT: \$1,525,000 TOTAL PSC DURATION: 2/15/07 - 6/30/09

1. DESCRIPTION OF WORK

A. Concise description of proposed work:

Overhaul of two of the Airport's chillers (3,000-ton and 6,000 ton). The 6,000-ton chiller is one of the largest centrifugal chillers on the West Coast. This work should take place once every 10 years.

B. Explain why this service is necessary and the consequences of denial:

After years of planning, the Airport has secured funding to overhaul of two of the four chillers. It is possible that the overhaul may necessitate the replacement or repair of some parts of the chiller. If the work can take place while the weather is still cool, the other two chillers will be able to handle the workload of cooling the terminals and boarding areas.

C. Explain how this service has been provided in the past (if this service was previously approved by the Civil Service Commission, indicate most recent personal services contract approval number):

This service has not been provided in the past through a services contract. The previous overhaul was done under the authority of the Airport's capital Master Plan more than 7 years ago.

D. Will the contract(s) be renewed? No, as this is a one-time project.

2. UNION NOTIFICATION: Copy of this summary is to be sent to employee organizations as appropriate (refer to instructions for specific procedure):

Stationary Engineers Local 39
Union Name

Galen W.M. Leung
Signature of person mailing/faxing form

NOV 15 2007
Date

RFP sent to: on Date Signature

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC # 4097-06/07
STAFF ANALYSIS/RECOMMENDATION: Approved 12/17/07

CIVIL SERVICE COMMISSION ACTION:

3. DESCRIPTION OF REQUIRED SKILLS/EXPERTISE

A. Specify required skills and/or expertise:

Ability to overhaul a 3,000- and 6,000-ton chiller. This includes testing seals for leaks, measuring the operating efficiency of the equipment and replacing parts of this complex, specialized piece of machinery.

B. Which, if any, civil service class normally performs this work?

7334 Stationary Engineers maintain the chillers at the Airport; however they do not overhaul chillers.

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If yes, explain:

No.

4. WHY CLASSIFIED CIVIL SERVICE CANNOT PERFORM

A. Explain why civil service classes are not applicable:

This is a short-term project (of roughly 6-9 months of work per chiller)

B. Would it be practical to adopt a new civil service class to perform this work? Explain.

No, this is a short-term project.

5. ADDITIONAL INFORMATION (if "yes," attach explanation)

A. Will the contractor directly supervise City and County employees?

Yes No

B. Will the contractor train City and County employees?

- Describe the training and indicate approximate number of hours.
- Indicate occupational type of City and County employees to receive training (e.g., clerks, civil engineers, etc.) and approximate numbers to be trained.

C. Are there legal mandates requiring the use of contractual services?

D. Are there federal or state grant requirements regarding the use of contractual services?

E. Has a board or commission determined that contracting is the most effective way to provide this service?

F. Will the proposed work be completed by a contractor that has a current personal services contract with your department?

THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE AND ACCURATE ON BEHALF OF THE DEPARTMENT HEAD:

Signature of Departmental Personal Services Contract Coordinator

Galen W.M. Leung

Print or Type Name

(650) 821-2012

Telephone Number

Airport Commission, Contracts Administration Unit  
P.O. Box 8097, San Francisco, CA 94128

Address

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PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: AIRPORT COMMISSION – AIR Dept. Code: AIR

Type of Request: [X] Initial [ ] Modification of an existing PSC (PSC # \_\_\_\_\_)

Type of Approval: [ ] Expedited [X] Regular [ ] Omit Posting

Type of Service: Design Services for the Terminal 1 Redevelopment Enabling Projects, South Field, & Plot 700

Funding Source: Airport Capital Funds PSC Duration: 4 years 38 weeks

PSC Amount: \$25,000,000 PSC Est. Start Date: 04/07/2014 PSC Est. End Date: 12/31/2018

1. Description of Work

A. Scope of Work:

The work at San Francisco International Airport (SFO) includes a full range of Architectural and Engineering Services for planning, programming, design, engineering, and construction administrative services necessary to develop the functional and conceptual design components for the Terminal 1 Redevelopment Program (T1 Program) Enabling Projects, South Field and Plot 700 Projects. The projects include: 1) temporary Boarding Area B and Passenger Security Screening Checkpoint with all required Airport security and operational systems; 2) utility infrastructure upgrades and relocations; 3) security and special systems improvements; 4) various airport, airline and agency related tenant relocations; 5) airfield infrastructure and taxiway relocations; 6) South Field facility relocations including the fire house, vehicle screening checkpoint, ground transportation unit (GTU), Plot 700; and 6) demolition and hazardous material abatement.

B. Explain why this service is necessary and the consequence of denial:

SFO must replace the existing Terminal 1 and Boarding Area B due to significant infrastructure and gate capacity deficiencies. The enabling projects must be completed to allow for construction of the new facilities. South Field operations will be relocated and existing South Field facilities will be demolished. Timely completion of these projects is necessary in order to accommodate anticipated improvements to the adjacent airfield operations area, specifically the expansion of Terminal 1 and the Runway Safety Area modifications. If the Design services for these projects are denied, the T1 Program cannot proceed and existing facilities may need to close due to unsafe facilities and airlines may cease operations at SFO.

C. Has this service been provided in the past. If so, how? If the service was provided via a PSC, provide the most recently approved PSC # and upload a copy of the PSC. This is a new service.

D. Will the contract(s) be renewed? Yes, if there continues to be a need for such services.

2. Union Notification: On 02/10/2014, the Department notified the following employee organizations of this PSC/RFP request: Professional & Tech Engrs, Local 21,

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FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 41911 - 13/14

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 04/07/2014

**3. Description of Required Skills/Expertise**

A. Specify required skills and/or expertise:

Required skills are architectural, engineering, planning, programming, and construction administration skills with direct and current experience related to airport terminals and associated facilities; demolition and hazardous material abatement; utility infrastructure upgrades; security and special systems; redevelopment of interior spaces; airfield and landside site work including taxilanes, roadways, parking lots, and checkpoints; and project control skill sets to support projects through programming.

B. Which, if any, civil service class(es) normally perform(s) this work?

5260,5261,5262,5265,5266,5268,

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If yes, explain:

No.

**4. Why Classified Civil Service Cannot Perform**

A. Explain why civil service classes are not applicable:

The existing architectural and engineering classifications do not have the required expertise and specialized skills related to these services. The Airport will use experienced project and construction management staff integrated with the consultant staff to provide the required services. Depending on the projects, current Airport staff will perform the following duties: project management, construction management, construction inspection, surveying, and IT/engineering/architectural design and oversight.

B. Would it be practical to adopt a new civil service class to perform this work? Explain.

As stated above, classifications exist but not with the specialized knowledge or expertise required for these airport projects. Major construction and terminal projects do not occur frequently enough to justify permanent staffing, with the exception of project management staff.

**5. Additional Information (if "yes", attach explanation)**

**YES NO**

- |  |                          |                                     |
|--|--------------------------|-------------------------------------|
| A. Will the contractor directly supervise City and County employee?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| B. Will the contractor train City and County employee?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| C. Are there legal mandates requiring the use of contractual services?                                       | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| D. Are there federal or state grant requirements regarding the use of contractual services?                  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| E. Has a board or commission determined that contracting is the most effective way to provide this service?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE AND ACCURATE ON BEHALF OF THE DEPARTMENT HEAD ON 03/07/2014 BY:

Name: Cynthia Avakian Phone: 650-821-2014 Email: cynthia.avakian@flysfso.com

Address: P.O. Box 8097 San Francisco, CA 94128



**Receipt of Union Notification(s)**  
**◆ Local 21**

## Cynthia Avakian

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**From:** dhr-psccordinator@sfgov.org  
**Sent:** Monday, February 10, 2014 4:13 PM  
**To:** Cynthia Avakian; jebrenner@ifpte21.org; L21PSCReview@ifpte21.org;  
jebrenner@ifpte21.org; L21PSCReview@ifpte21.org; jebrenner@ifpte21.org;  
jebrenner@ifpte21.org; L21PSCReview@ifpte21.org; Theresa Lopez; Richard Isen; DHR-  
PSCCoordinator  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 41911 - 13/14

RECEIPT for Union Notification for PSC 41911 - 13/14 more than \$100k

The AIRPORT COMMISSION -- AIR has submitted a request for a Personal Services Contract (PSC) 41911 - 13/14 for \$25,000,000 for Initial Request services for the period 04/07/2014 – 12/31/2018. Notification of 30 days (60 days for SEIU) is required.

After logging into the system please select link below, view the information and verify receipt:

<http://apps.sfgov.org/dhrdrupal/node/1232> For union notification, please see the TO: field of the email to verify receipt. If you do not see all the unions you intended to contact, the PSC Coordinator must change the state back to NOT READY, make sure the classes and unions you want to notify are selected and SAVE. Then VIEW the record and verify the list of unions and emails. EDIT the document again , change the state back START UNION NOTIFICATION and SAVE. You should receive the email with all unions to the TO: field as intended

**Additional Attachment(s)**

**Resolution # 13-0239**

AIRPORT COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

RESOLUTION NO. 13 0239

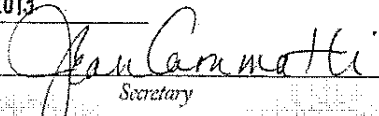
**AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSAL FOR CONTRACT NO. 10003.43, TEMPORARY BOARDING AREA B AND SECURITY SCREENING CHECKPOINT DESIGN SERVICES**

- WHEREAS, on September 18, 2012 by Resolution No. 12-023, the Commission authorized the Director to proceed with the Terminal 1/Boarding Area B Redevelopment Program (T1 Program); and
- WHEREAS, the Temporary Boarding Area B and Security Screening Checkpoint (SSCP) is the first in a series of T1 Program activities to allow for redevelopment of the Terminal 1 complex; and
- WHEREAS, the Temporary Boarding Area B and SSCP project will provide all of the necessary systems and infrastructure to support the operational needs of a fully functional interim boarding area; and
- WHEREAS, Staff seeks to hire a design services consultant (Consultant) that has proven ability to work in a highly collaborative environment with the appropriate expertise in projects of similar size and complexity; and
- WHEREAS, the Consultant will provide full engineering/architectural design services including project programming, site investigation, architectural and engineering design, preparation of contract drawings and specifications, and technical support during construction; and
- WHEREAS, the duration for these services is 21 months at an estimated total cost of \$3.0 million; now, therefore be it
- RESOLVED, that the Commission hereby authorizes the Director to issue a Request for Proposal for Contract No. 10003.43, Temporary Boarding Area B and SSCP Design Services, and to negotiate with the highest ranked proposer, and failing successful negotiation with the highest ranked proposer, the Commission authorizes the Director to negotiate with the next successively ranked proposers in order until negotiations are successful with one of the qualified firms; and, be it further
- RESOLVED, that following successful negotiations, Staff will present for Commission consideration a recommendation to award Contract No. 10003.43, Temporary Boarding Area B and SSCP Design Services.

*I hereby certify that the foregoing resolution was adopted by the Airport Commission*

*at its meeting of* \_\_\_\_\_

NOV 12 2013

  
Secretary

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: MUNICIPAL TRANSPORTATION AGENCY -- MTA Dept. Code: MTA

Type of Request: [X] Initial [ ] Modification of an existing PSC (PSC # \_\_\_\_\_)

Type of Approval: [ ] Expedited [X] Regular [ ] Omit Posting

Type of Service: Parking Facility Renovation and Equipment Upgrade Consulting Services

Funding Source: Revenue Bonds PSC Duration: 4 years
PSC Amount: \$3,000,000 PSC Est. Start Date: 06/01/2014 PSC Est. End Date: 05/31/2018

1. Description of Work

A. Scope of Work:

The consultants will provide supplemental architectural and engineering services for extensive analysis, design, bid documents, and project management services necessary for facility restorations and equipment upgrades for 38 parking facilities and ground surface lots. However, the majority of the design and project management for the revenue bond funded capital improvement projects will be provided by in-house staffing resources from the San Francisco Municipal Transportation Agency (SFMTA) and San Francisco Department of Public Works (DPW).

B. Explain why this service is necessary and the consequence of denial:

Even though the majority of the design work and project management will be provided by SFMTA and DPW staff, the SFMTA must contract for professional architectural/engineering services to supplement staff on this extensive, greater than \$30 million project. If this service is denied, it is anticipated that SFMTA will not be able to deliver all of the identified seismic, Americans with Disabilities Act-compliant, structural, life-safety, and architectural upgrades and ultimately fail to satisfy the revenue bond's timelines.

C. Has this service been provided in the past. If so, how? If the service was provided via a PSC, provide the most recently approved PSC # and upload a copy of the PSC. These services are generally provided by City staffing resources from the SFMTA and DPW.

D. Will the contract(s) be renewed? No.

2. Union Notification: On 02/06/2014, the Department notified the following employee organizations of this PSC/RFP request: Professional & Tech Engrs, Local 21,

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FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 45959 - 13/14

DHR Analysis/Recommendation:

Commission Approval Required

DHR Approved for 04/07/2014

Civil Service Commission Action:

**3. Description of Required Skills/Expertise**

- A. Specify required skills and/or expertise:  
Must possess expertise with developing engineering and architectural specifications to upgrade and/or replace parking facility equipment or structure. This knowledge and expertise must include elevators, lighting control technology, Closed-Circuit Television surveillance systems, HVAC (heating, ventilation, and air conditioning television systems, structural restoration products/processes, ADA-compliant remediation, and experience with product performance within a garage environment.
- B. Which, if any, civil service class(es) normally perform(s) this work?  
5218,5212,5268,
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If yes, explain:  
No.

**4. Why Classified Civil Service Cannot Perform**

- A. Explain why civil service classes are not applicable:  
Civil service classes are applicable. As mentioned, SFMTA and DPW staff will handle the majority of the projects generated by the revenue bonds.
- B. Would it be practical to adopt a new civil service class to perform this work? Explain.  
No. Civil service classifications already exist.

**5. Additional Information (if "yes", attach explanation)**

	<u>YES</u>	<u>NO</u>
A. Will the contractor directly supervise City and County employee?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B. Will the contractor train City and County employee?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C. Are there legal mandates requiring the use of contractual services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D. Are there federal or state grant requirements regarding the use of contractual services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E. Has a board or commission determined that contracting is the most effective way to provide this service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
F. Will the proposed work be completed by a contractor that has a current PSC contract with your department?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE AND ACCURATE ON BEHALF OF THE DEPARTMENT HEAD ON 02/06/2014 BY:

Name: Cynthia Hamada Phone: 415.701.5381 Email: cynthia.hamada@sfmta.com

Address: 1 South Van Ness Avenue, 6th Floor San Francisco, CA 94103

**Hamada, Cynthia**

---

**From:** dhr-psccordinator@sfgov.org  
**Sent:** Thursday, February 06, 2014 2:09 PM  
**To:** Hamada, Cynthia; jebrenner@ifpte21.org; L21PSCReview@ifpte21.org; Hamada, Cynthia; Isen, Richard; DHR-PSCCoordinator, DHR  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 45959 - 13/14

RECEIPT for Union Notification for PSC 45959 - 13/14 more than \$100k

The MUNICIPAL TRANSPORTATION AGENCY -- MTA has submitted a request for a Personal Services Contract (PSC) 45959 - 13/14 for \$3,000,000 for Initial Request services for the period 06/01/2014 – 05/31/2018. Notification of 30 days (60 days for SEIU) is required.

After logging into the system please select link below, view the information and verify receipt:

<http://apps.sfgov.org/dhrdrupal/node/1366> For union notification, please see the TO: field of the email to verify receipt. If you do not see all the unions you intended to contact, the PSC Coordinator must change the state back to NOT READY, make sure the classes and unions you want to notify are selected and SAVE. Then VIEW the record and verify the list of unions and emails. EDIT the document again , change the state back START UNION NOTIFICATION and SAVE. You should receive the email with all unions to the TO: field as intended

**Receipt of Union Notification(s)**  
**◆ Local 21**



PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: MUNICIPAL TRANSPORTATION AGENCY -- MTA Dept. Code: MTA

Type of Request: [X] Initial [ ] Modification of an existing PSC (PSC # \_\_\_\_\_)

Type of Approval: [ ] Expedited [X] Regular ([ ] Omit Posting)

Type of Service: Consultant for the SFMTA Southwest Subway/19th Avenue Project

Funding Source: Federal Grant PSC Duration: 1 year 48 weeks
PSC Amount: \$490,000 PSC Est. Start Date: 05/01/2014 PSC Est. End Date: 04/01/2016

1. Description of Work

A. Scope of Work:

The consultant will prepare the Project Study Report for the Southwest Subway/19th Avenue Project and advance conceptual engineering that is mandated by Caltrans. This contract work requires unique knowledge of the Caltrans requirements to approve projects on the State of California highways (such as 19th Avenue). Specialized technical work is needed in several areas, including rail engineering; transportation planning for traffic, pedestrians, bicyclists and public transit; funding strategies; and community involvement.

B. Explain why this service is necessary and the consequence of denial:

The San Francisco Municipal Transportation Agency (SFMTA) and the City & County of San Francisco are committed to complete the environmental review and obtain approvals for this project by July 2018. Since the project is on a State highway, Caltrans must approve the report before work begins on additional federally required reports. The consequence of denial will be that the approval of the report by Caltrans will be untimely and SFMTA will lose a major and critical source of funding to continue the project

C. Has this service been provided in the past. If so, how? If the service was provided via a PSC, provide the most recently approved PSC # and upload a copy of the PSC. This service has not been provided in the past.

D. Will the contract(s) be renewed? No.

2. Union Notification: On 02/07/2014, the Department notified the following employee organizations of this PSC/RFP request: Architect & Engineers, Local 21,

\*\*\*\*\*

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 45984 - 13/14

DHR Analysis/Recommendation: Commission Approval Required DHR Approved for 04/07/2014 Civil Service Commission Action:

**3. Description of Required Skills/Expertise**

A. Specify required skills and/or expertise:

Requires expertise in Caltrans studies and a range of environmental specialties, including noise, hydraulics, and construction impacts. Highly specialized rail and civil engineering expertise is needed to prepare track alignment and station concept plans. Expertise is also needed in transportation planning, community involvement, and development of funding strategies for major capital projects.

B. Which, if any, civil service class(es) normally perform(s) this work?

5212,5241,

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If yes, explain:

No.

**4. Why Classified Civil Service Cannot Perform**

A. Explain why civil service classes are not applicable:

Existing staff does not possess the technical background and training to fulfill the Caltrans requirements and undertake the sophisticated rail and civil engineering work. The next phase must be completed by spring 2015 in order to meet the July 2018 deadline for completing environmental review and approvals for the Southwest Subway/19th Avenue project.

B. Would it be practical to adopt a new civil service class to perform this work? Explain.

Civil service classes already exist. This task is specialized and not on-going.

**5. Additional Information (if "yes", attach explanation)**

	<u>YES</u>	<u>NO</u>
A. Will the contractor directly supervise City and County employee?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B. Will the contractor train City and County employee?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C. Are there legal mandates requiring the use of contractual services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D. Are there federal or state grant requirements regarding the use of contractual services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E. Has a board or commission determined that contracting is the most effective way to provide this service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? SF County Transportation Authority.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE AND ACCURATE ON BEHALF OF THE DEPARTMENT HEAD ON 02/07/2014 BY:

Name: Cynthia Hamada Phone: 415.701.5381 Email: cynthia.hamada@sfmta.com

Address: 1 South Van Ness Avenue, 6th Floor San Francisco, CA 94103

**Receipt of Union Notification(s)**  
**◆ Local 21**

## Hamada, Cynthia

---

**From:** dhr-psccordinator@sfgov.org  
**Sent:** Friday, February 07, 2014 1:44 PM  
**To:** Hamada, Cynthia; jebrenner@ifpte21.org; L21PSCReview@ifpte21.org; Hamada, Cynthia; Isen, Richard; DHR-PSCCoordinator, DHR  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 45984 - 13/14

RECEIPT for Union Notification for PSC 45984 - 13/14 more than \$100k

The MUNICIPAL TRANSPORTATION AGENCY -- MTA has submitted a request for a Personal Services Contract (PSC) 45984 - 13/14 for \$490,000 for Initial Request services for the period 05/01/2014 – 04/01/2016. Notification of 30 days (60 days for SEIU) is required.

After logging into the system please select link below, view the information and verify receipt:

<http://apps.sfgov.org/dhrdrupal/node/1380> For union notification, please see the TO: field of the email to verify receipt. If you do not see all the unions you intended to contact, the PSC Coordinator must change the state back to NOT READY, make sure the classes and unions you want to notify are selected and SAVE. Then VIEW the record and verify the list of unions and emails. EDIT the document again , change the state back START UNION NOTIFICATION and SAVE. You should receive the email with all unions to the TO: field as intended

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC UTILITIES COMMISSION -- PUC Dept. Code: PUC

Type of Request: [X] Initial [ ] Modification of an existing PSC (PSC # \_\_\_\_\_)

Type of Approval: [ ] Expedited [X] Regular ([ ] Omit Posting)

Type of Service: EBid System Development Services (CS-373)

Funding Source: SFPUC General Fund PSC Duration: 2 years 4 weeks
PSC Amount: \$1,000,000 PSC Est. Start Date: 04/01/2014 PSC Est. End Date: 04/30/2016

1. Description of Work

A. Scope of Work:

San Francisco Public Utilities Commission (SFPUC) is developing an electronic bidding system for city contracts which will eventually be available to all City Departments. This contract will bring on SharePoint and K2 expertise and expert developers to develop the SFBid application. The developers will work with the project team of city employees, and under the direction of SFPUC Project Managers. A transfer of knowledge to City employees is a requirement.

B. Explain why this service is necessary and the consequence of denial:

San Francisco needs an EBid application to automate and standardize contracting processes across the City. Existing bidding systems were evaluated but did not satisfy city requirements, so consultant development services are required in order to develop this application. If this request is denied, the EBid project will be only partially complete and San Francisco will not fully achieve the goal of automating and standardizing contracting processes.

C. Has this service been provided in the past. If so, how? If the service was provided via a PSC, provide the most recently approved PSC # and upload a copy of the PSC.

Development services for a prototype and pilot of the EBid system were provided by City Information Technology (IT) personnel and a consultant development team via Purchase Order from the Computer Store. This service was not obtained through a PSC.

D. Will the contract(s) be renewed? No.

2. Union Notification: On 01/30/2014, the Department notified the following employee organizations of this PSC/RFP request: Prof & Tech Eng, Local 21,

\*\*\*\*\*

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 44930 - 13/14

DHR Analysis/Recommendation:

Commission Approval Required

DHR Approved for 04/07/2014

Civil Service Commission Action:

**3. Description of Required Skills/Expertise**

A. Specify required skills and/or expertise:

Consultants must have strong experience designing and implementing an enterprise application using SharePoint and K2. Consultants must be able to perform database design and system architecture for the EBid application. Consultants must be able to thoroughly document development standards and practices in order to ensure that maintenance of the system can be performed by city employees upon completion of the project.

B. Which, if any, civil service class(es) normally perform(s) this work?

1043,

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If yes, explain:

No.

**4. Why Classified Civil Service Cannot Perform**

A. Explain why civil service classes are not applicable:

Despite an almost year-long search for city I.T. resources, there are simply no available city employees who can perform this development work at this time and project must move forward. Project team has hired a 1043 to work alongside the consultant developers and to take over system administration and maintenance after development is complete.

B. Would it be practical to adopt a new civil service class to perform this work? Explain.

No, there are already civil service classes that can do this type of work, but they do not have the availability to finish the project on time.

**5. Additional Information (if "yes", attach explanation)**

**YES NO**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Will the contractor directly supervise City and County employee?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| B. Will the contractor train City and County employee?<br>See attachment.                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| C. Are there legal mandates requiring the use of contractual services?                                       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| D. Are there federal or state grant requirements regarding the use of contractual services?                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| E. Has a board or commission determined that contracting is the most effective way to provide this service?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE AND ACCURATE ON BEHALF OF THE DEPARTMENT HEAD ON 01/30/2014 BY:

Name: Shamica Jackson Phone: 415-554-0727 Email: SJackson@sfwater.org

Address: 525 Golden Gate Ave. San Francisco, CA

**Receipt of Union Notification(s)**  
**◆ Local 21**

**From:** [dhr-pescoordinator@sfgov.org](mailto:dhr-pescoordinator@sfgov.org)  
**To:** [Jackson\\_Shamica; jebrenner@ifpte21.org; L21PSCReview@ifpte21.org; Tang\\_Grace; Isen\\_Richard; DHR-PSCCoordinator, DHR](mailto:Jackson_Shamica; jebrenner@ifpte21.org; L21PSCReview@ifpte21.org; Tang_Grace; Isen_Richard; DHR-PSCCoordinator, DHR)  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 44930 - 13/14  
**Date:** Thursday, January 30, 2014 3:01:54 PM

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RECEIPT for Union Notification for PSC 44930 - 13/14 more than \$100k

The PUBLIC UTILITIES COMMISSION -- PUC has submitted a request for a Personal Services Contract (PSC) 44930 - 13/14 for \$1,000,000 for Initial Request services for the period 04/01/2014 – 04/30/2016. Notification of 30 days (60 days for SEIU) is required.

After logging into the system please select link below, view the information and verify receipt:

<http://apps.sfgov.org/dhrdrupal/node/1308> For union notification, please see the

TO: field of the email to verify receipt. If you do not see all the unions you

intended to contact, the PSC Coordinator must change the state back to NOT READY, make sure the classes and unions you want to notify are selected and SAVE. Then VIEW the record and verify the list of unions and emails. EDIT the document again , change the state back START UNION NOTIFICATION and SAVE. You should receive the email with all unions to the TO: field as intended



**Additional Attachment(s) of Explanation**

◇ **Section 5. Additional Information**

**5B. Will the contractor train City and County employees?**

- **Describe training and indicate approximate number of hours.**
- **Indicate occupational type of City and County employees to receive training (e.g., clerks, civil engineers, etc.) and approximate number to be trained.**



**San Francisco**  
**Water Power Sewer**  
Services of the San Francisco Public Utilities Commission

525 Golden Gate Avenue, 8th Floor  
San Francisco, CA 94102  
T 415.554.4603  
F 415.554.3225

Describe Training including number of hours. Indicate occupational type of City & County employees to receive training:

Answer: Upon completion, developers will train city staff on maintenance. Developers will train 2-3 city employees (1042 and/or 1044). There will be a period of 6 weeks where there will be a transfer of knowledge from the consultants to these city employees. They will be shadowing the consultants to learn how to maintain the Ebid system. Over the 6 weeks, training will probably take approximately 40-60 hours.

**Edwin M. Lee**  
Mayor

**Vince Courtney**  
President

**Ann Moller Caen**  
Vice President

**Francesca Vietor**  
Commissioner

**Anson Moran**  
Commissioner

**Art Torres**  
Commissioner

**Harlan L. Kelly, Jr.**  
General Manager



**Modification**  
**Personal Services Contracts**

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PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: ADULT PROBATION Dept. Code: ADP

Type of Request:  Initial  Modification of an existing PSC (PSC # 4107-10/11)

Type of Approval:  Expedited  Regular ( Omit Posting)

Type of Service: Drug Test Confirmation Services

Funding Source: <u>General Fund</u>	
PSC Original Approved Amount: <u>\$80,000</u>	PSC Original Approved Duration: <u>07/01/11 - 06/30/12 (1 year)</u>
PSC Mod#1 Amount: <u>\$20,000</u>	PSC Mod#1 Duration: <u>07/01/12-06/30/15 (3 years)</u>
PSC Mod#2 Amount: <u>\$30,000</u>	PSC Mod#2 Duration: <u>07/01/15-06/30/16 (1 year 1 day)</u>
PSC Cumulative Amount Proposed: <u>\$130,000</u>	PSC Cumulative Duration Proposed: <u>5 years 1 day</u>

**1. Description of Work**

**A. Scope of Work:**

The Court ordered conditions of probation require all probationers to not use any illegal drugs. Drug Testing will enable the Adult Probation Department to better protect public safety by monitoring and enforcing probationer compliance with Court orders. Contractor will perform verification.

**B. Explain why this service is necessary and the consequence of denial:**

The Court ordered conditions of probation require all probationers to not use any illegal drugs. Drug Testing will enable the Adult Probation Department to better protect public safety by monitoring and enforcing probationer compliance with Court orders. Denial of request will negatively impact the Department's ability to monitor drug use among clients.

**C. Has this service been provided in the past. If so, how? If the service was provided via a PSC, provide the most recently approved PSC # and upload a copy of the PSC.**

Yes. Prior PSC 4107 1011

**D. Will the contract(s) be renewed? Yes, depending on availability of funds.**

**2. Union Notification:** On 03/06/14, the Department notified the following employee organizations of this PSC/RFP request: all unions were notified

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 4107-10/11

DHR Analysis/Recommendation:

Commission Approval Not Required

Approved by DHR on 03/19/2014

Civil Service Commission Action:

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:

The contractor must have the ability to provide effective drug testing using high quality devices from a forensic testing lab within a short turnaround time.

B. Which, if any, civil service class(es) normally perform(s) this work?  
none,

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If yes, explain:  
Yes, the contractor will have access to state of the art drug testing products and equipment in a forensic lab environment.

4. Why Classified Civil Service Cannot Perform

A. Explain why civil service classes are not applicable:

There is no civil service class that requires the knowledge, skills, and ability to provide drug testing in a forensic lab.

B. Would it be practical to adopt a new civil service class to perform this work? Explain.

No. This work would be performed by a forensic testing lab with drug testing solutions and screening devices for adult probationers.

5. Additional Information (if "yes", attach explanation)

YES    NO

- A. Will the contractor directly supervise City and County employee?
- B. Will the contractor train City and County employee?
- C. Are there legal mandates requiring the use of contractual services?
- D. Are there federal or state grant requirements regarding the use of contractual services?
- E. Has a board or commission determined that contracting is the most effective way to provide this service?
- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? Redwood Toxicology Laboratory, inc.

THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE AND ACCURATE ON BEHALF OF THE DEPARTMENT HEAD  
ON 03/06/14 BY:

Name: Diane Lim Phone: 553-1058 Email: diane.lim@sfgov.org

Address: 880 Bryant Street, Room 200 San Francisco, CA 94103

**Receipt of Union Notification(s)**  
**◆ All Unions**



**FW: Receipt of a REGULAR Modification Request to PSC # 4107 1011 -  
MODIFICATIONS**

DHR-PSCCoordinator, DHR to: Martinez, Veronica (ADP)

03/17/2014 03:45 PM

-----Original Message-----

From: dhr-psccordinator@sfgov.org [mailto:dhr-psccordinator@sfgov.org]  
Sent: Thursday, March 06, 2014 3:26 PM  
To: Lim, Diane (ADP); rmitchell@twusf.org; grojo@local39.org;  
jduritz@uapd.com; staff@sfmea.com; mike@dcl6.us; khughes@ibew6.org;  
L21PSCReview@ifpte21.org; sfsmsa@gmail.com; david.canham@seiul021.org;  
joe.tanner@seiul021.net; Larry.Bradshaw@seiul021.org;  
L21PSCReview@ifpte21.org; LiUNA.local261@gmail.com; local200twu@sbcglobal.net;  
camaguey@sfmea.com; ecdenvoter@aol.com; tiya.thlang@seiul021.org; Martinez,  
Veronica (ADP); DHR-PSCCoordinator, DHR; Isen, Richard (TIS)  
Subject: Receipt of a REGULAR Modification Request to PSC # 4107 1011 -  
MODIFICATIONS

PSC RECEIPT of Modification notification sent to DHR

The ADULT PROBATION -- ADP has submitted a modification request for a Personal Services Contract (PSC) for \$30,000 for services for the period July 1, 2015 - June 30, 2016. For Regular/Annual/Continual Modification requests there is a 7-Day noticed to the union(s) prior to Department PSC Due to DHR date before the request is scheduled for Civil Service Commission meeting date.

After logging into the system please select link below:

<http://apps.sfgov.org/dhrdrupal/node/575>

Email sent to the following addresses: Please check the record to see if you selected a union where a corresponding email in the TO: field isn't present. Either you selected none or there is no email entered in the system by that particular union

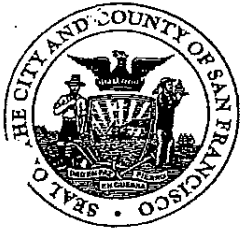


**Additional Attachment(s) of Explanation**

◇ **Section 1. Description of Work**

**1C. Has this service been provided in the past. If so, how?  
If the service was provided via a PSC, provide the most  
recently approved PSC # and upload a copy of the PSC.**

PSC # 4107-10/11



CIVIL SERVICE COMMISSION  
CITY AND COUNTY OF SAN FRANCISCO

EDWIN M. LEE  
MAYOR

4107-10/11  
Mod #1

June 6, 2012

NOTICE OF CIVIL SERVICE COMMISSION ACTION

E. DENNIS NORMANDY  
PRESIDENT

KATE FAVETTI  
VICE PRESIDENT

SCOTT R. HELDFOND  
COMMISSIONER

MARY Y. JUNG  
COMMISSIONER

ANITA SANCHEZ  
EXECUTIVE OFFICER

SUBJECT: REVIEW OF REQUEST FOR APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACT NUMBERS 4126-11/12 THROUGH 4132-11/12; 4107-10/11; 4086-08/09; 3036-11/12; AND 4115-07/08.

At its meeting of June 4, 2012 the Civil Service Commission had for its consideration the above matter.

PLEASE NOTE: *It is important that a copy of this action be kept in the department files as you will need it in the future as proof of Civil Service Commission approval. Please share it with everyone responsible for follow-up.*

The Commission:

Adopted the report; Approved the request for proposed personal services contracts. Notified the Office of the Controller and the Office of Contract Administration.

If this matter is subject to Code of Civil Procedure (CCP) Section 1094.5, the time within which judicial review must be sought is set forth in CCP Section 1094.6.

If this matter is subject to Code of Civil Procedure (CCP) Section 1094.5, the time within which judicial review must be sought is set forth in CCP Section 1094.6.

CIVIL SERVICE COMMISSION

ANITA SANCHEZ  
Executive Officer

Attachment

- c: Parveen Boparai, Municipal Transportation Agency
- Rachel Buerkle, Department of the Environment
- Micki Callahan, Human Resources Director
- Marie de Vera, Department of Human Resources
- Jacque Hale, Department of Public Health
- Rebecca Krell, Arts Commission
- Diane Lim, Adult Probation
- Maria Ryan, Department of Human Resources
- Jeannie Wong, Office of the Controller
- Commission File
- Chron

PROPOSED PERSONAL SERVICES CONTRACTS  
MODIFICATION TO INCREASE CONTRACT AMOUNT/DURATION

PSC No	Dept No	Dept Description	Approval Type	Modified Amount	Cumulative Total	Description of Work	Start Date - End Date
4107-10/11	13	Adult Probation	Regular	\$20,000	\$100,000	PSC Modification requested to extend the PSC duration and increase PSC amount. The Adult Probation Department has not entered into a drug testing contract pending a final department operational Drug Testing policy and procedure. The extended duration will allow the department to enter into a contract and the additional amount is estimated to cover the contract until June 30, 2015. The Court ordered conditions of probation require all probationers to not use any illegal drugs. Drug Testing will enable the Adult Probation Department to better protect public safety by monitoring and enforcing probationer compliance with Court orders.	7/1/2011 - 6/30/2015
4006-08/09	22	Environment	Regular	\$120,000	\$240,000	SFE requires a contractor to provide Charter Bus transportation for the School Education Program's environmental field trips for grades K-12 students.	3/1/2009 - 12/31/2015
3036-11/12	28	Art Commission	Regular	\$50,000	\$100,000	A Bay Area consultant who specializes in coordinating multiple City, state and federal requirements for the construction of culturally based renovations and construction, will serve in a critical advisory capacity to assist with the management of a renovation project at Bayview Opera House located at 4705 Third Street. This work entails working with and maintaining relationships, as well as coordinating efforts with other city agencies, principally with the Department of Public Works, MUNI, Mayor's Office of Disability, Department of Real Estate, the Redevelopment Agency, and others. This will also include coordinating with the Bayview Opera House tenant organization and its board, the San Francisco Architectural Heritage Foundation and other neighborhood groups. The consultant will advise on preservation requirements, programmatic use of a cultural facility, coordinate multiple high visibility restoration projects and help to improve project efficiency and coordination.	9/1/2011 - 6/30/2013
4115-07/08	81	Public Health	Regular	\$550,000	\$1,792,000	To serve as backup to provide year round 24/7 day a week access to telephone interpreters for San Francisco General Hospital, the Public Health Centers, Laguna Honda Hospital, Health at Home other Department locations. The telephone interpreters must be skilled in phone based medical interpreting services and must be able to provide two-way, real time interpretation in a multitude of languages. This modification covers the anticipated needs of the Department through December 31, 2013. The Department has experienced an increase in the volume of telephone interpreter services due to the full implementation of Healthy San Francisco, the roll out of videoconferencing, dual handset, and Polycom phones which are used in the Health Centers and Emergency Department. The Department has hired and is in the process of hiring additional interpreters to meet the demand.	4/1/2008 - 12/31/2013
				<b>Total: \$740,000</b>			

PERSONAL SERVICES CONTRACT SUMMARY

DATE: May 3, 2012

DEPARTMENT NAME: ADULT PROBATION DEPARTMENT DEPARTMENT # 13

TYPE OF APPROVAL: [ ] EXPEDITED [X] REGULAR (OMIT POSTING )
[ ] CONTINUING [ ] ANNUAL

TYPE OF REQUEST:
[ ] INITIAL REQUEST [X] MODIFICATION (PSC#) 4107-10/-11

TYPE OF SERVICE: Drug Testing
FUNDING SOURCE: Adult Probation Department Annual Budget - General Fund
Original Amount: \$80,000 PSC Duration: July 1, 2011 to June 30, 2012
Modification Amount \$20,000 PSC Duration: July 1, 2012 to June 30, 2015
Total Amount: \$100,000 PSC Duration: July 1, 2011 to June 30, 2015

PSC AMOUNT: \$100,000.00 PSC DURATION: July 1, 2011 to June 30, 2015

1. DESCRIPTION OF WORK

A. Concise description of proposed work:

The Court ordered conditions of probation require all probationers to not use any illegal drugs. Drug Testing will enable the Adult Probation Department to better protect public safety by monitoring and enforcing probationer compliance with Court orders.

B. Explain why this service is necessary and the consequences of denial:

PSC Modification requested to extend the PSC duration and increase PSC amount. The Adult Probation Department has not entered into a drug testing contract pending a final department operational Drug Testing policy and procedure. The extended PSC will allow the department time to enter into a contract and the additional amount is estimated cover the contract until June 30, 2015. Drug Testing will enable the Adult Probation Department to determine non compliance and seek modification or revocation of probation as appropriate. Drug Testing is an evidence based probation supervision practice that will improve public safety by giving the Department an additional means

C. Explain how this service has been provided in the past (if this service was previously approved by the Civil Service Commission, indicate most recent personal services contract approval number): This service has not been provided in the past.

D. Will the contract(s) be renewed: TBD

2. UNION NOTIFICATION: Copy of this summary is to be sent to employee organizations as appropriate (refer to instructions for specific procedures):

L21
Union Name

[Signature]
Signature of person mailing/faxing form

5/4/12
Date

SEIU1021
Union Name

[Signature]
Signature of person mailing/faxing form

5/4/12
Date

RFP sent to Not Applicable, on Not Applicable Not Applicable
Union Name Date Signature

\*\*\*\*\*

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 4107-10/11

STAFF ANALYSIS/RECOMMENDATION:

Received 5/4/12
mk

CIVIL SERVICE COMMISSION ACTION:

3. DESCRIPTION OF REQUIRED SKILLS/EXPERTISE

A. Specify required skills and/or expertise:

The Contractor must have the ability to provide effective drug testing using high quality screening devices from a forensic testing lab within a short turnaround time.

B. Which, if any, civil service class normally performs this work?

None.

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If yes, explain:

Yes. The Contractor will have access to state of the art drug testing products and equipment in a forensic lab environment.

4. WHY CLASSIFIED CIVIL SERVICE CANNOT PERFORM

A. Explain why civil service classes are not applicable:

There is no civil service class that requires the knowledge, skills and ability to provide drug testing in a forensic testing lab

B. Would it be practical to adopt a new civil service class to perform this work? Explain.

No. This work would be performed by a forensic testing lab with drug testing solutions and screening devices for adult probationers.

5. ADDITIONAL INFORMATION (if "yes," attach explanation)

	Yes	No
A. Will the contractor directly supervise City and County employees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B. Will the contractor train City and County employees? • Describe the training and indicate approximate number of hours. • Indicate occupational type of City and County employees to receive training (i.e., clerks, civil engineers, etc.) and approximate number to be trained.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C. Are there legal mandates requiring the use of contractual services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D. Are there federal or state grant requirements regarding the use of contractual services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E. Has a board or commission determined that contracting is the most effective way to provide this service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
F. Will the proposed work be completed by a contractor that has a current personal services contract with your department?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE AND ACCURATE ON BEHALF OF THE DEPARTMENT HEAD:

Signature of Departmental Personal Services Contract Coordinator

Diane Lim

(415) 553-1058

Print or Type Name

Telephone Number

880 Bryant Street, Room 200,  
San Francisco, CA 94103

Address

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PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PORT Dept. Code: PRT

Type of Request:  Initial  Modification of an existing PSC (PSC # 4074-11/12)

Type of Approval:  Expedited  Regular ( Omit Posting)

Type of Service: Hazardous Waste Removal

Funding Source: Port Operating/Project Fund  
PSC Original Approved Amount: \$375,000 PSC Original Approved Duration: 01/01/12 - 12/31/14 (3 years)  
PSC Mod#1 Amount: no amount added PSC Mod#1 Duration: 01/01/15-12/31/18 (4 years 1 day)  
PSC Mod#2 Amount: \_\_\_\_\_ PSC Mod#2 Duration: \_\_\_\_\_  
PSC Cumulative Amount Proposed: \$375,000 PSC Cumulative Duration Proposed: 7 years 1 day

1. Description of Work

A. Scope of Work:

The Port had originally planned to issue this contract in 2012, but due to staff changes and the workload of the America's Cup 34 (AC34) preparations, the contract solicitation was delayed. The Port now intends to move forward with the contract solicitation in the first quarter of 2014 and limit the term of the contract to no more than four (4) years. (Please see prior initial PSC attached)

B. Explain why this service is necessary and the consequence of denial:

The Port property is extensive and open and subject to the abandonment of hazardous wastes. For purposes of safety and regulatory compliance, the Port requires very timely transportation and disposal services of these materials. Without this service the Port is likely to incur repeated notices of violations for failure to manage these materials in a timely way that protects public health and the SF Bay.

C. Has this service been provided in the past. If so, how? If the service was provided via a PSC, provide the most recently approved PSC # and upload a copy of the PSC.

Services have been provided in the past through earlier PSC request. See 4074-11/12

D. Will the contract(s) be renewed? Yes, contract will be renewed & rebid on an on-going basis.

2. Union Notification: On 01/29/14, the Department notified the following employee organizations of this PSC/RFP request: Architect & Engineers, Local 21;

\*\*\*\*\*

FOR DEPARTMENT OF HUMAN RESOURCES USE

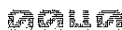
PSC# 4074-11/12

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 04/07/2014



**3. Description of Required Skills/Expertise**

A. Specify required skills and/or expertise:

Because the work involves hazardous material handling or work in and around potentially hazardous or environmentally sensitive areas, it requires highly trained workers capable of working in hazardous environments in compliance with 29CFR 1910.120(Code of Federal Regulations). Also requires to abate asbestos, lead & mold, profile hazardous wastes, provide routine & emergency hazardous waste removal, transportation & disposal and recycling. Please see attached PSC for more information.

B. Which, if any, civil service class(es) normally perform(s) this work?  
6130,6138,

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If yes, explain:  
Yes, they will provide supplies such as steel and poly drums, absorbent, packaging materials, and other material handling equipment, safety equipment and transportation vehicles.

**4. Why Classified Civil Service Cannot Perform**

A. Explain why civil service classes are not applicable:

This is specialty work that is highly regulated and with significant risks. The safe performance of this work is dependent upon extensive training and regular opportunities to utilize the training.

B. Would it be practical to adopt a new civil service class to perform this work? Explain.

No. This is specialty work that is highly regulated. The safe performance of this work is dependent upon extensive training and regular opportunities to utilize the training. The Port's need is sporadic and infrequent enough that a new civil service class is not required.

**5. Additional Information (if "yes", attach explanation)**

**YES NO**

- A. Will the contractor directly supervise City and County employee?  YES  NO
- B. Will the contractor train City and County employee?  YES  NO
- C. Are there legal mandates requiring the use of contractual services?  YES  NO
- D. Are there federal or state grant requirements regarding the use of contractual services?  YES  NO
- E. Has a board or commission determined that contracting is the most effective way to provide this service?  YES  NO
- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department?  YES  NO

THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE AND ACCURATE ON BEHALF OF THE DEPARTMENT HEAD  
ON 01/29/14 BY:

Name: Lavena Holmes Phone: 415-274-0305 Email: lavena.holmes@sfport.com

Address: Pier 1, The Embarcadero San Francisco, CA 94111



**Receipt of Union Notification(s)**  
**◆ Local 21**

**Braganza, Lorceli**

---

**From:** Braganza, Lorceli  
**Sent:** Friday, February 07, 2014 2:51 PM  
**To:** 'L21PSCReview@ifpte21.org'; jebrenner@ifpte21.org  
**Cc:** DHR-PSCCoordinator, DHR; Holmes, Lavena (lavena.holmes@sfport.com)  
**Subject:** 4074 11/12 Modification - Duration Extension  
**Attachments:** 4074 1112 Mod 012914.pdf; 4074 1112 Init Appr 010912.pdf

A *Modification* for PSC #4074 11/12 was posted on 01/29/2014 but it seems the modification was not forwarded to you. I have attached it here for your review...

Also attached is the initial PSC approved on 01/09/2012.

Please let us know if you should have any questions or concerns.

Thank you,  
*Lbraganza*



Lorceli Braganza  
Human Resources  
Port of San Francisco  
Work: 415-274-0424  
Fax: 415-274-0583

**Additional Attachment(s) of Explanation**

◇ **Section 1. Description of Work**

**1C. Has this service been provided in the past. If so, how?  
If the service was provided via a PSC, provide the most  
recently approved PSC # and upload a copy of the PSC.**

PSC # 4074-11/12

4074-11/12  
Initial

# CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

EDWIN M. LEE  
MAYOR

## MINUTES Regular Meeting January 9, 2012

2:00 p.m.  
ROOM 400, CITY HALL  
1 Dr. Carlton B. Goodlett Place

E. DENNIS NORMANDY  
PRESIDENT

KATE FAVETTI  
VICE PRESIDENT

SCOTT R. HELDFOND  
COMMISSIONER

MARY Y. JUNG  
COMMISSIONER

ANITA SANCHEZ  
EXECUTIVE OFFICER

### CALL TO ORDER

2:01 p.m.

### ROLL CALL

President E. Dennis Normandy	Present
Vice President Kate Favetti	Present
Commissioner Scott R. Helffond	Present
Commissioner Mary Jung	Present

President E. Dennis Normandy presided.

President E. Dennis Normandy welcomed Scott R. Helffond to the Commission as a new Commissioner.

### REQUEST TO SPEAK ON ANY MATTER WITHIN THE JURISDICTION OF THE CIVIL SERVICE COMMISSION AND WHICH IS NOT APPEARING ON TODAY'S AGENDA

Sonya Knudsen asked if the posted reasons on the Agenda and Minutes of the December 19, 2011 meeting could be amended for the various continuances on her appeal. She was instructed by President Normandy to submit her amendments to the Executive Officer for review.

Cherie Joiner spoke about the amendment to the 2586 Health Worker II announcement to include special conditions. She stated that all appointments be frozen until an investigation can be completed.

Brenda Barrios, Shop Steward at San Francisco General Hospital, who spoke on behalf of Cherie Joiner, stated there has been a problem with the testing. She alleges there is nepotism and the Health Worker positions are one of those catch-all positions that everyone is bumped into. There are others who are also affected by this.

**Civil Service Commission Meeting Minutes****Regular Meeting of January 9, 2012**

Douglas Yep commended the Commission for placing the "Request to Speak" item at the beginning of the Agenda and speaking out against corruption and promoting transparency. He stated that the Civil Service Commission has been promoting anti-corruption for a long time no matter where it comes from.

**APPROVAL OF MINUTES**

Regular Meeting of December 5, 2011

December 19, 2011: Continued to the meeting of January 9, 2012.

**Action:** Adopted. (Vote of 4 to 0)

Regular Meeting of December 19, 2011

**Action:** Continued to the meeting of February 6, 2012. (Vote of 4 to 0)**HUMAN RESOURCES DIRECTOR'S REPORT (Item No. 5)**

No report.

**EXECUTIVE OFFICER'S REPORT****0332-11-1 Update on Fiscal Years 2012-13 and 2013-14 Mayor's Budget Instructions and Department Budget Preparation Schedule. (Item No. 6)**

December 19, 2011: Directed Commission staff to prepare Fiscal Years 2012-13 and 2013-14 Budget Request at current service and staff levels; continue to negotiate amounts; present Budget Request at the Commission Meeting of January 9, 2012; incorporate changes by the Commission up to the budget request submission deadline; and approve to submit the Fiscal Years 2012-13 and 2013-14 Budget Request to the Controller and the Office of the Mayor by February 21, 2012.

**Speakers:** Sandra Eng, Civil Service Commission

**Action:** Directed Commission staff to continue to negotiate amounts, finalize the Fiscal Years 2012-14 Budget Request, incorporate changes, approve to submit the Fiscal Years 2012-14 Budget Request to the Controller and the Mayor by February 21, 2012. (Vote of 4 to 0)

## Civil Service Commission Meeting Minutes

Regular Meeting of January 9, 2012

0346-11-8 Review of request for approval of proposed personal services contracts.  
(Item No. 7)

PSC#	Department	Amount	Type of Service	Type of Approval	Duration
4069-11/12	Airport Commission	\$100,000	To perform on-going inspection, maintenance and necessary repair/replacement of San Francisco International Airport's water perimeter buoy system, which standard maintenance includes annual above and annual below water inspections, hardware repair and replacement, installation, and/or reconnection of new or recovered buoys.	Regular	12/31/16
4070-11/12	Airport Commission	\$68,000,000	This request is for design-build services, separate from the design and integration services approved under PSC#4099-09/10 on June 6, 2011. The Airport's design consultant, approved under PSC #4099-09/10, will prepare bridging documents for the build request for proposal. The select design-build contractor under this request will prepare the final design, as the Engineer of Record for the following tasks: (1) International Terminal and Terminal 3 Boarding Area F - Checked Baggage Inspection System (CBIS) Modernization Program; (2) International Terminal - Baggage Handling System Improvements; (3) Terminal 3 Boarding Area E and F BHS Transfer Lines.	Regular	01/03/15
4071-11/12	Arts Commission	\$132,000	Artist will provide design development and construction documents and fabricate artwork designed for Municipal Railway Maintenance Facility at Islais Creek.	Regular	11/30/14
4072-11/12	Emergency Management	\$800,000	The contractor will assist Bay Area counties and cities with an evaluation and gap analysis of the UASI Region's Public Information and Warning capabilities and systems with an emphasis on access and functional needs populations. The Contractor will deliver a five year strategic plan (including a sustainability component) of messaging, response and performance standards as well as policies and protocols for appropriate general and specific messaging to effectively communicate with first responders/providers and the public.	Regular	03/31/13
4073-11/12	Municipal Transportation Agency	\$900,000	The contractor will remove asbestos from the electrical controllers taken from fifteen (15) Milan Street Cars and then rebuild them.	Regular	11/30/16
4074-11/12	Port Commission	\$375,000	The Contractor shall provide all services, labor, materials, and equipment necessary to provide hazardous waste packaging, removal, transportation and disposal-related tasks. Critical is the ability for the contractor to provide service with little notice, e.g. 24 hours, 72 hours, etc.	Regular	12/31/14
4075-11/12	Public Utilities Commission	\$1,500,000	CleanPower SF will soon enroll residential energy customers throughout the City. The Consultants will design and implement an outreach program that will rely on neighborhood literature dissemination at residents' homes, television advertising, online advertising, and more to educate customers and support customer retention.	Regular	08/01/16

Continued  
to 2/6/12

## Civil Service Commission Meeting Minutes

Regular Meeting of January 9, 2012

3052-09/10	Controller	Increase Amount \$75,525 New Amount \$123,000	The City seeks Hostbridge software development and training services to (1) integrate the city's financial accounting and management information system (FAMIS) managed by the Controller's Office with SFPUC's web-based MAXIMO purchase order web service and SFPUC's web-based online invoice processing system (SOLIS), as a pilot project, as well as (2) develop and train additional City department staff on other potential interfaces between FAMIS and City department systems to integrate and reconcile data.	Modification	01/11/16
4098-08/09	Municipal Transportation Agency	Increase Amount \$181,280 New Amount \$280,280	Contractor will provide additional technical design assistance, project coordination and integration with BART, +C3 (Central Control & Communications) and New Central Subway Projects. In addition to the procurement services and project oversight services that the Contractor is providing to the SF Municipal Transportation Agency (SFMTA), they will modify the Closed Circuit Television (CCTV) systems design documents (drawings and specifications) to include artificial intelligence-based video analytics (VA) capabilities (hardware and software) using technology that was previously not available.	Modification	06/30/13
4037-08/09	Police	Increase Amount \$100,000 New Amount \$264,000	Recycling and shredding of Confidential Documents.	Modification	01/31/14
4072-06/07	Public Utilities Commission	Increase Amount \$850,000 New Amount \$1,850,000	Legislative representation and advocacy before the California State Legislature and State Administration in areas of water, wastewater, energy and natural resources.	Modification	03/13/17
4073-06/07	Public Utilities Commission	Increase Amount \$1,362,000 New Amount \$2,612,000	Legislative representation and advocacy before Congress and federal regulatory agencies in areas of water, wastewater, energy and natural resources.	Modification	03/13/17
4162-08/09	Public Utilities Commission	Increase Amount \$9,000,000 New Amount \$18,000,000	Specialized and technical as-needed services in the areas of water supply, storage, and transport services; water quality services; water treatment services; and enterprise operations and management services. The SFPUC is requesting a modification of the existing PSC for CS-971 due to its anticipation of additional work required. The additional work anticipated stems from continuing Federal and State environmental and regulatory agency reporting requirements, ongoing studies and implementation planning to meet the requirements of the Water System Improvement Program, and additional short term, technical, highly specialized tasks.	Modification	01/01/17

**Speakers:**

Cynthia Avakian and Liam O'Byrne, Airport Commission spoke on PSC #4069-11/12.

Cynthia Avakian and Tom Rodrigues, Airport Commission spoke on PSC #4070-11/12.

Mikyung Kim and Tristan Levardo, Emergency Management spoke on PSC #4072-11/12.

Karl Johnson, Municipal Transportation Agency spoke on PSC #4073-11/12.

Ha Nguyen and Cynthia Hamada, Municipal Transportation Agency spoke on PSC #4098-08/09.

Mike Connolly, San Francisco Police Department spoke on PSC #4037-08/09.

## Civil Service Commission Meeting Minutes

Regular Meeting of January 9, 2012

## 0346-11-8 (continued)

- Action:**
- (1) Continued PSC #4075-11/12 to the meeting of February 6, 2012 at the request of the Public Utilities Commission. (Vote of 3 to 1; Commissioner Jung recused from any discussion or voting on this item. (Vote of 4 to 0)
  - (2) Adopted the report; Approved request for PSC #4037-08/09 on the condition that a revised submission of the PSC Summary be sent to the Executive Officer and the Human Resources Director indicating that the approval of this contract is necessary because the City does not have the appropriate equipment for shredding to maintain the security of confidential and sensitive documents. Notified the Office of the Controller and the Office of Contract Administration. (Vote of 4 to 0)
  - (3) Adopted the report; Approved request for all remaining contracts. Notified the Office of the Controller and the Office of Contract Administration. (Vote of 4 to 0)

**Note:** President Normandy made note of the fact that the Commission is extremely fortunate to have the likes of Vice President Favetti because the thrust of her questions very aptly indicates the need for further streamlining the processes that we have visa vie the personal service contracts. A word to the wise should suffice where those departments will continue to present us requests for approval of PSC's as well as directions to the Executive Officer that the questions that are raised should have answers that are becoming standard within the request for PSC's and whatever can be done in that regard will be most appreciated. This is with the concurrence of fellow Commissioners.

0347-11-8 Review of request for approval of proposed personal services contract – Omit Posting. (Item No. 8)

PSC#	Department	Amount	Type of Service	Type of Approval	Duration
4076-11/12	Public Utilities Commission	\$390,000	Update, configure and implement the existing SFPUC headquarters telephone and move it to the new headquarters at 525 Golden Gate while maintaining a phone system at both locations during the multi-month move. Also, this request covers improvements in the phone system after the implementation of the telephone system.	Regular	03/01/13

**Speakers:** Prentiss Jackson and Ken Salmon, Public Utilities Commission

**Action:** Adopted the report; Approved request for proposed personal services contract. Notified the Office of the Controller and the Office of Contract Administration. (Vote of 4 to 0)



**Civil Service Commission Meeting Minutes****Regular Meeting of January 9, 2012**

**0348-11-4 Appeal by Peter Arnautoff, Ketty S. Fedigan, Theresa Fogarty, Paul Orlando, and Raymond Poydessus of the Minimum Qualifications for the H-22 Lieutenant, Fire Prevention and H-24 Lieutenant, Fire Investigation Promotional Examinations. (File No. 9)**

**Speakers:** Niger Edwards, Department of Human Resources  
 Joe Cuff, San Francisco Fire Department Retired  
 Tom O'Connor, Fire Fighters Local 798  
 Peter Arnautoff, Appellant  
 Dave Johnson, Department of Human Resources  
 Jesusa Bushong, San Francisco Fire Department  
 Thomas Harvey, San Francisco Fire Department

**Action:** Granted the appeal by Peter Arnautoff, Ketty S. Fedigan, Theresa Fogarty, Paul Orlando, and Raymond Poydessus due to the circumstance of a 19 year delay in testing; that the appellants be allowed to participate in the examination process under waiver until they meet the provisions as stated in Civil Service Commission Rule 311.2.1. (Vote of 4 to 0)

**0345-11-2 Preliminary Work Plan: Salary Setting for Elected Officials (Mayor, City Attorney, District Attorney, Public Defender, Assessor-Recorder, Treasurer, and Sheriff) of the City and County of San Francisco for a five (5) year cycle, effective July 1, 2012 through June 30, 2017, in accordance with Charter Section A8.409-1. (Item No. 10)**

**Speakers:** Luz Morganti, Civil Service Commission

**Action:** Accepted the report. (Vote of 4 to 0)

**COMMISSIONERS' ANNOUNCEMENTS/REQUESTS (Item No. 11)**

Vice President Favetti requested a timeline on when her requests at the meeting of November 21, 2011 for reports from the Municipal Transportation Agency and the Department of Human Resources would be available and calendared.

**ADJOURNMENT (Item No. 12)**

3:33 p.m.

PERSONAL SERVICES CONTRACT SUMMARY

DATE: November 9, 2011

DEPARTMENT NAME: Port of San Francisco DEPARTMENT NUMBER 39

TYPE OF APPROVAL:  EXPEDITED  REGULAR (OMIT POSTING \_\_\_\_\_)  
 CONTINUING  ANNUAL

TYPE OF REQUEST:  
 INITIAL REQUEST  MODIFICATION (PSC# \_\_\_\_\_)

TYPE OF SERVICE: Hazardous Waste Removal Contract

FUNDING SOURCE: Port Operating/Project Fund

PSC AMOUNT: \$375,000.00 PSC DURATION: January 1, 2012 - December 31, 2014 (3 years)

1. DESCRIPTION OF WORK

A. Concise description of proposed work:

The Contractor shall provide all services, labor, materials, and equipment necessary to provide hazardous waste packaging, removal, transportation and disposal-related tasks. Critical is the ability for the contractor to provide service with little notice, e.g. 24 hrs., 72 hrs., etc.

B. Explain why this service is necessary and the consequences of denial:

The Port property is extensive and open and subject to the abandonment of hazardous wastes. For purposes of safety and regulatory compliance, the Port requires very timely transportation and disposal services of these materials. Without this service the Port is likely to incur repeated notices of violations for failure to manage these materials in a timely way that protects public health and the SF Bay.

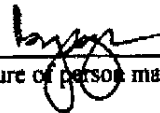
C. Explain how this service has been provided in the past (if this service was previously approved by the Civil Service Commission, indicate most recent personal services contract approval number):

This service has been provided using administrative work orders to other departments for use of their contractors. This process has proven to be too lengthy to satisfy regulatory and safety requirements. We have done work through purchases orders but OCA has requested that we process a PSC because the work requires special expertise.

D. Will the contract(s) be renewed:

This will be an ongoing need, therefore, the contract will need to be renewed and rebid on an ongoing basis.

2. UNION NOTIFICATION: Copy of this summary is to be sent to employee organizations as appropriate (refer to instructions for specific procedures):

<u>IFPTE, Local 21</u>		<u>11/09/2011</u>
Union Name	Signature of person mailing/faxing form	Date
_____	_____	_____
Union Name	Signature of person mailing/faxing form	Date
RFP sent to _____, on _____	_____	_____
Union Name	Date	Signature
RFP sent to _____, on _____	_____	_____
Union Name	Date	Signature

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 4074 - 11/12 Approved CSC mtg 01/09/12

STAFF ANALYSIS/RECOMMENDATION:  
CIVIL SERVICE COMMISSION ACTION:

415 274 0583  
City and County of San Francisco

00:59:27 a.m. 11-11-2011 2 / 2  
Department of Human Resources

3. DESCRIPTION OF REQUIRED SKILLS/EXPERTISE

A. Specify required skills and/or expertise:

Because the work involves hazardous material handling or work in and around potentially hazardous or environmentally sensitive areas, it requires highly trained workers capable of working in hazardous environments in compliance with 29CFR 1910.120. It will also require to abate asbestos, lead and mold, profile hazardous wastes, provide routine and emergency hazardous waste removal, transportation and disposal and recycling. This will also require firms that are state certified asbestos contractors and certified lead workers.

B. Which, if any, civil service class normally performs this work?

- 6130 – Safety Analyst (IFPTE, L21)
- 6138 – Industrial Hygienist (IFPTE, L21)

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If yes, explain:

Yes, they will provide supplies such as steel and poly drums, absorbent, packaging materials, and other material handling equipment, safety equipment and transportation vehicles.

4. WHY CLASSIFIED CIVIL SERVICE CANNOT PERFORM

A. Explain why civil service classes are not applicable:

This is specialty work that is highly regulated and with significant risks. The safe performance of this work is dependent upon extensive training and regular opportunities to utilize the training.

B. Would it be practical to adopt a new civil service class to perform this work? Explain.

It would not be practical to adopt a new civil service class. This is specialty work that is highly regulated. The safe performance of this work is dependent upon extensive training and regular opportunities to utilize the training. The Port's need is sporadic and infrequent enough that a new civil service class is not required, nor is it reasonable to accept the liabilities of the work.

5. ADDITIONAL INFORMATION (if "yes," attach explanation)

A. Will the contractor directly supervise City and County employees?

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

B. Will the contractor train City and County employees?

- Describe the training and indicate approximate number of hours.

- Indicate occupational type of City and County employees to receive training (i.e., clerks, civil engineers, etc.) and approximate number to be trained.

C. Are there legal mandates requiring the use of contractual services?

<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

D. Are there federal or state grant requirements regarding the use of contractual services?

E. Has a board or commission determined that contracting is the most effective way to provide this service?

F. Will the proposed work be completed by a contractor that has a current personal services contract with your department?

<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	-------------------------------------

THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE AND ACCURATE ON BEHALF OF THE DEPARTMENT HEAD:

  
\_\_\_\_\_  
Signature of Departmental Personal Services Contract Coordinator

Lavena Holmes

(415) 274-0305

Print or Type Name

Telephone Number

Pier 1 - The Embarcadero  
San Francisco, CA 94111

Address

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**Additional Attachment(s) of Explanation**

◇ **Section 3. Description of Required Skills/Expertise**

**3A. Specify required skills and/or expertise**

- **29 Code of Federal Regulations – 1910.120**



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- Anti-Retaliation

Regulations (Standards - 29 CFR) - Table of Contents

- **Part Number:** 1910
- **Part Title:** Occupational Safety and Health Standards
- **Subpart:** H
- **Subpart Title:** Hazardous Materials
- **Standard Number:** 1910.120
- **Title:** Hazardous waste operations and emergency response.
- **Appendix:** A, B, C, D, E

**1910.120(a)**

*Scope, application, and definitions. --*

**1910.120(a)(1)**

*Scope.* This section covers the following operations, unless the employer can demonstrate that the operation does not involve employee exposure or the reasonable possibility for employee exposure to safety or health hazards:

**1910.120(a)(1)(i)**

Clean-up operations required by a governmental body, whether Federal, state local or other involving hazardous substances that are conducted at uncontrolled hazardous waste sites (including, but not limited to, the EPA's National Priority Site List (NPL), state priority site lists, sites recommended for the EPA NPL, and initial investigations of government identified sites which are conducted before the presence or absence of hazardous substances has been ascertained);

**1910.120(a)(1)(ii)**

Corrective actions involving clean-up operations at sites covered by the Resource Conservation and Recovery Act of 1976 (RCRA) as amended (42 U.S.C. 6901 *et seq*);

**1910.120(a)(1)(iii)**

Voluntary clean-up operations at sites recognized by Federal, state, local or other governmental bodies as uncontrolled hazardous waste sites;

**1910.120(a)(1)(iv)**

Operations involving hazardous waste that are conducted at treatment, storage, disposal (TSD) facilities regulated by 40 CFR Parts 264 and 265 pursuant to RCRA; or by agencies under agreement with U.S.E.P.A. to implement RCRA regulations; and

**1910.120(a)(1)(v)**

Emergency response operations for releases of, or substantial threats of releases of, hazardous substances without regard to the location of the hazard.

**1910.120(a)(2)**

*Application.*

**1910.120(a)(2)(i)**

All requirements of Part 1910 and Part 1926 of Title 29 of the Code of Federal Regulations apply pursuant to their terms to hazardous waste and emergency response operations whether covered by this section or not. If there is a conflict or overlap, the provision more protective of employee safety and health shall apply without regard to 29 CFR 1910.5(c)(1).

**1910.120(a)(2)(ii)**

Hazardous substance clean-up operations within the scope of paragraphs (a)(1)(i) through (a)(1)(iii) of this section must comply with all paragraphs of this section except paragraphs (p) and (q).

**1910.120(a)(2)(iii)**

Operations within the scope of paragraph (a)(1)(iv) of this section must comply only with the requirements of paragraph (p) of this section.

*Notes and Exceptions:*

**1910.120(a)(2)(iii)(A)**

All provisions of paragraph (p) of this section cover any treatment, storage or disposal (TSD) operation regulated by 40 CFR parts 264 and 265 or by state law authorized under RCRA, and required to have a permit or interim status from EPA pursuant to 40 CFR 270.1 or from a state agency pursuant to RCRA.

**1910.120(a)(2)(iii)(B)**

Employers who are not required to have a permit or interim status because they are conditionally exempt small quantity generators under 40 CFR 261.5 or are generators who qualify under 40 CFR 262.34 for exemptions from regulation under 40 CFR parts 264, 265 and 270 ("excepted employers") are not covered by paragraphs (p)(1) through (p)(7) of this section. Excepted employers who are required by the EPA or state agency to have their employees engage in emergency response or who direct their employees to engage in emergency response are covered by paragraph (p)(8) of this section, and cannot be exempted by (p)(8)(i) of this section.

**1910.120(a)(2)(iii)(C)**

If an area is used primarily for treatment, storage or disposal, any emergency response operations in that area shall comply with paragraph (p) (8) of this section. In other areas not used primarily for treatment, storage, or disposal, any emergency response operations shall comply with paragraph (q) of this section. Compliance with the requirements of paragraph (q) of this section shall be deemed to be in compliance with the requirements of paragraph (p)(8) of this section.

**1910.120(a)(2)(iv)**

Emergency response operations for releases of, or substantial threats of releases of, hazardous substances which are not covered by paragraphs (a)(1)(i) through (a)(1)(iv) of this section must only comply with the requirements of paragraph (q) of this section.

**1910.120(a)(3)**

*Definitions --*

*Buddy system* means a system of organizing employees into work groups in such a manner that each employee of the work group is designated to be observed by at least one other employee in the work group. The purpose of the buddy system is to provide rapid assistance to employees in the event of an emergency.

*Clean-up operation* means an operation where hazardous substances are removed, contained, incinerated, neutralized, stabilized, cleared-up, or in any other manner processed or handled with the ultimate goal of making the site safer for people or the environment.

*Decontamination* means the removal of hazardous substances from employees and their equipment to the extent necessary to preclude the occurrence of foreseeable adverse health effects.

*Emergency response or responding to emergencies* means a response effort by employees from outside the immediate release area or by other designated responders (i.e., mutual aid groups, local fire departments, etc.) to an occurrence which results, or is likely to result, in an uncontrolled release of a hazardous substance. Responses to incidental releases of hazardous substances where the substance can be absorbed, neutralized, or otherwise controlled at the time of release by employees in the immediate release area, or by maintenance personnel are not considered to be emergency responses within the scope of this standard. Responses to releases of hazardous substances where there is no potential safety or health hazard (i.e., fire, explosion, or chemical exposure) are not considered to be emergency responses.

*Facility* means (A) any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works), well, pit, pond, lagoon, impoundment, ditch, storage container, motor vehicle, rolling stock, or aircraft, or (B) any site or area where a hazardous substance has been deposited, stored, disposed of, or placed, or otherwise come to be located; but does not include any consumer product in consumer use or any water-borne vessel.

*Hazardous materials response (HAZMAT) team* means an organized group of employees, designated by the employer, who are expected to perform work to handle and control actual or potential leaks or spills of hazardous substances requiring possible close approach to the substance. The team members perform responses to releases or potential releases of hazardous substances for the purpose of control or stabilization of the incident. A HAZMAT team is not a fire brigade nor is a typical fire brigade a HAZMAT team. A HAZMAT team, however, may be a separate component of a fire brigade or fire department.

*Hazardous substance* means any substance designated or listed under (A) through (D) of this definition, exposure to which results or may result in adverse effects on the health or safety of employees:

[A] Any substance defined under section 103(14) of the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) (42 U.S.C. 9601).

[B] Any biologic agent and other disease causing agent which after release into the environment and upon exposure, ingestion, inhalation, or assimilation into any person, either directly from the environment or indirectly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction) or physical deformations in such persons or their offspring.

[C] Any substance listed by the U.S. Department of Transportation as hazardous materials under 49 CFR 172.101 and appendices; and

[D] Hazardous waste as herein defined.

*Hazardous waste* means --

[A] A waste or combination of wastes as defined in 40 CFR 261.3, or

[B] Those substances defined as hazardous wastes in 49 CFR 171.8.

*Hazardous waste operation* means any operation conducted within the scope of this standard.

*Hazardous waste site* or *Site* means any facility or location within the scope of this standard at which hazardous waste operations take place.

*Health hazard* means a chemical or a pathogen where acute or chronic health effects may occur in exposed employees. It also includes stress due to temperature extremes. The term *health hazard* includes chemicals that are classified in accordance with the Hazard Communication Standard, 29 CFR 1910.1200, as posing one of the following hazardous effects: Acute toxicity (any route of exposure); skin corrosion or irritation; serious eye damage or eye irritation; respiratory or skin sensitization; germ cell mutagenicity; carcinogenicity; reproductive toxicity; specific target organ toxicity (single or repeated exposure); aspiration toxicity or simple asphyxiant. (See Appendix A to § 1910.1200—Health Hazard Criteria (Mandatory) for the criteria for determining whether a chemical is classified as a health hazard.)

*IDLH or Immediately dangerous to life or health* means an atmospheric concentration of any toxic, corrosive or asphyxiant substance that poses an immediate threat to life or would interfere with an individual's ability to escape from a dangerous atmosphere.

*Oxygen deficiency* means that concentration of oxygen by volume below which atmosphere supplying respiratory protection must be provided. It exists in atmospheres where the percentage of oxygen by volume is less than 19.5 percent oxygen.

*Permissible exposure limit* means the exposure, inhalation or dermal permissible exposure limit specified in 29 CFR Part 1910, Subparts G and Z.

*Published exposure level* means the exposure limits published in "NIOSH Recommendations for Occupational Health Standards" dated 1986, which is incorporated by reference as specified in § 1910.6, or if none is specified, the exposure limits published in the standards specified by the American Conference of Governmental Industrial Hygienists in their publication "Threshold Limit Values and Biological Exposure Indices for 1987-88" dated 1987, which is incorporated by reference as specified in § 1910.6.

*Post emergency response* means that portion of an emergency response performed after the immediate threat of a release has been stabilized or eliminated and clean-up of the site has begun. If post emergency response is performed by an employer's own employees who were part of the initial emergency response, it is considered to be part of the initial response and not post emergency response. However, if a group of an employer's own employees, separate from the group providing initial response, performs the clean-up operation, then the separate group of employees would be considered to be performing post-emergency response and subject to paragraph (q)(11) of this section.

*Qualified person* means a person with specific training, knowledge and experience in the area for which the person has the responsibility and the authority to control.

*Site safety and health supervisor (or official)* means the individual located on a hazardous waste site who is responsible to the employer and has the authority and knowledge necessary to implement the site safety and health plan and verify compliance with applicable safety and health requirements.

*Small quantity generator* means a generator of hazardous wastes who in any calendar month generates no more than 1,000 kilograms (2,205) pounds of hazardous waste in that month.

*Uncontrolled hazardous waste site* means an area identified as an uncontrolled hazardous waste site by a governmental body, whether Federal, state, local or other where an accumulation of hazardous substances creates a threat to the health and safety of individuals or the environment or both. Some sites are found on public lands such as those created by former municipal, county or state landfills where illegal or poorly managed waste disposal has taken place. Other sites are found on private property, often belonging to generators or former generators of hazardous substance wastes. Examples of such sites include, but are not limited to, surface impoundments, landfills, dumps, and tank or drum farms. Normal operations at TSD sites are not covered by this definition.

**1910.120(b)**

*Safety and health program.*

NOTE TO (b): Safety and health programs developed and implemented to meet other federal, state, or local regulations are considered acceptable in meeting this requirement if they cover or are modified to cover the topics required in this paragraph. An additional or separate safety and health program is not required by this paragraph.

**1910.120(b)(1)**

*General.*

**1910.120(b)(1)(i)**

Employers shall develop and implement a written safety and health program for their employees involved in hazardous waste operations. The program shall be designed to identify, evaluate, and control safety and health hazards, and provide for emergency response for hazardous waste operations.

**1910.120(b)(1)(ii)**

The written safety and health program shall incorporate the following:

**1910.120(b)(1)(ii)(A)**

An organizational structure;

**1910.120(b)(1)(ii)(B)**

A comprehensive workplan;

**1910.120(b)(1)(ii)(C)**

A site-specific safety and health plan which need not repeat the employer's standard operating procedures required in paragraph (b)(1)(ii)(F) of this section;

**1910.120(b)(1)(ii)(D)**



The safety and health training program;

1910.120(b)(1)(ii)(E)

The medical surveillance program;

1910.120(b)(1)(ii)(F)

The employer's standard operating procedures for safety and health; and

1910.120(b)(1)(ii)(G)

Any necessary interface between general program and site specific activities.

1910.120(b)(1)(iii)

*Site excavation.* Site excavations created during initial site preparation or during hazardous waste operations shall be shored or sloped as appropriate to prevent accidental collapse in accordance with Subpart P of 29 CFR Part 1926.

1910.120(b)(1)(iv)

*Contractors and sub-contractors.* An employer who retains contractor or sub-contractor services for work in hazardous waste operations shall inform those contractors, sub-contractors, or their representatives of the site emergency response procedures and any potential fire, explosion, health, safety or other hazards of the hazardous waste operation that have been identified by the employer's information program.

1910.120(b)(1)(v)

*Program availability.* The written safety and health program shall be made available to any contractor or subcontractor or their representative who will be involved with the hazardous waste operation; to employees; to employee designated representatives; to OSHA personnel, and to personnel of other Federal, state, or local agencies with regulatory authority over the site.

1910.120(b)(2)

*Organizational structure part of the site program.* --

1910.120(b)(2)(i)

The organizational structure part of the program shall establish the specific chain of command and specify the overall responsibilities of supervisors and employees. It shall include, at a minimum, the following elements:

1910.120(b)(2)(i)(A)

A general supervisor who has the responsibility and authority to direct all hazardous waste operations.

1910.120(b)(2)(i)(B)

A site safety and health supervisor who has the responsibility and authority to develop and implement the site safety and health plan and verify compliance.

1910.120(b)(2)(i)(C)

All other personnel needed for hazardous waste site operations and emergency response and their general functions and responsibilities.

1910.120(b)(2)(i)(D)

The lines of authority, responsibility, and communication.

1910.120(b)(2)(ii)

The organizational structure shall be reviewed and updated as necessary to reflect the current status of waste site operations.

1910.120(b)(3)

*Comprehensive workplan part of the site program.* The comprehensive workplan part of the program shall address the tasks and objectives of the site operations and the logistics and resources required to reach those tasks and objectives.

1910.120(b)(3)(i)

The comprehensive workplan shall address anticipated clean-up activities as well as normal operating procedures which need not repeat the employer's procedures available elsewhere.

1910.120(b)(3)(ii)

The comprehensive workplan shall define work tasks and objectives and identify the methods for accomplishing those tasks and objectives.

1910.120(b)(3)(iii)

The comprehensive workplan shall establish personnel requirements for implementing the plan.

1910.120(b)(3)(iv)

The comprehensive workplan shall provide for the implementation of the training required in paragraph (e) of this section.

1910.120(b)(3)(v)

The comprehensive workplan shall provide for the implementation of the required informational programs required in paragraph (l) of this section.

1910.120(b)(3)(vi)

The comprehensive workplan shall provide for the implementation of the medical surveillance program described in paragraph (f) if this section.

**1910.120(b)(4)**

*Site-specific safety and health plan part of the program. --*

**1910.120(b)(4)(i)**

*General.* The site safety and health plan, which must be kept on site, shall address the safety and health hazards of each phase of site operation and include the requirements and procedures for employee protection.

**1910.120(b)(4)(ii)**

*Elements.* The site safety and health plan, as a minimum, shall address the following:

**1910.120(b)(4)(ii)(A)**

A safety and health risk or hazard analysis for each site task and operation found in the workplan.

**1910.120(b)(4)(ii)(B)**

Employee training assignments to assure compliance with paragraph (e) of this section.

**1910.120(b)(4)(ii)(C)**

Personal protective equipment to be used by employees for each of the site tasks and operations being conducted as required by the personal protective equipment program in paragraph (g)(5) of this section.

**1910.120(b)(4)(ii)(D)**

Medical surveillance requirements in accordance with the program in paragraph (f) of this section.

**1910.120(b)(4)(ii)(E)**

Frequency and types of air monitoring, personnel monitoring, and environmental sampling techniques and instrumentation to be used, including methods of maintenance and calibration of monitoring and sampling equipment to be used.

**1910.120(b)(4)(ii)(F)**

Site control measures in accordance with the site control program required in paragraph (d) of this section.

**1910.120(b)(4)(ii)(G)**

Decontamination procedures in accordance with paragraph (k) of this section.

**1910.120(b)(4)(ii)(H)**

An emergency response plan meeting the requirements of paragraph (l) of this section for safe and effective responses to emergencies, including the necessary PPE and other equipment.

**1910.120(b)(4)(ii)(I)**

Confined space entry procedures.

**1910.120(b)(4)(ii)(J)**

A spill containment program meeting the requirements of paragraph (j) of this section.

**1910.120(b)(4)(iii)**

*Pre-entry briefing.* The site specific safety and health plan shall provide for pre-entry briefings to be held prior to initiating any site activity, and at such other times as necessary to ensure that employees are apprised of the site safety and health plan and that this plan is being followed. The information and data obtained from site characterization and analysis work required in paragraph (c) of this section shall be used to prepare and update the site safety and health plan.

**1910.120(b)(4)(iv)**

*Effectiveness of site safety and health plan.* Inspections shall be conducted by the site safety and health supervisor or, in the absence of that individual, another individual who is knowledgeable in occupational safety and health, acting on behalf of the employer as necessary to determine the effectiveness of the site safety and health plan. Any deficiencies in the effectiveness of the site safety and health plan shall be corrected by the employer.

**1910.120(c)**

*Site characterization and analysis --*

**1910.120(c)(1)**

*General.* Hazardous waste sites shall be evaluated in accordance with this paragraph to identify specific site hazards and to determine the appropriate safety and health control procedures needed to protect employees from the identified hazards.

**1910.120(c)(2)**

*Preliminary evaluation.* A preliminary evaluation of a site's characteristics shall be performed prior to site entry by a qualified person in order to aid in the selection of appropriate employee protection methods prior to site entry. Immediately after initial site entry, a more detailed evaluation of the site's specific characteristics shall be performed by a qualified person in order to further identify existing site hazards and to further aid in the selection of the appropriate engineering controls and personal protective equipment for the tasks to be performed.

**1910.120(c)(3)**

*Hazard identification.* All suspected conditions that may pose inhalation or skin absorption hazards that are immediately

dangerous to life or health (IDLH) or other conditions that may cause death or serious harm shall be identified during the preliminary survey and evaluated during the detailed survey. Examples of such hazards include, but are not limited to, confined space entry, potentially explosive or flammable situations, visible vapor clouds, or areas where biological indicators such as dead animals or vegetation are located.

1910.120(c)(4)

*Required information.* The following information to the extent available shall be obtained by the employer prior to allowing employees to enter a site:

1910.120(c)(4)(i)

Location and approximate size of the site.

1910.120(c)(4)(ii)

Description of the response activity and/or the job task to be performed.

1910.120(c)(4)(iii)

Duration of the planned employee activity.

1910.120(c)(4)(iv)

Site topography and accessibility by air and roads.

1910.120(c)(4)(v)

Safety and health hazards expected at the site.

1910.120(c)(4)(vi)

Pathways for hazardous substance dispersion.

1910.120(c)(4)(vii)

Present status and capabilities of emergency response teams that would provide assistance to on-site employees at the time of an emergency.

1910.120(c)(4)(viii)

Hazardous substances and health hazards involved or expected at the site and their chemical and physical properties.

1910.120(c)(5)

*Personal protective equipment.* Personal protective equipment (PPE) shall be provided and used during initial site entry in accordance with the following requirements:

1910.120(c)(5)(i)

Based upon the results of the preliminary site evaluation, an ensemble of PPE shall be selected and used during initial site entry which will provide protection to a level of exposure below permissible exposure limits and published exposure levels for known or suspected hazardous substances and health hazards and which will provide protection against other known and suspected hazards identified during the preliminary site evaluation. If there is no permissible exposure limit or published exposure level, the employer may use other published studies and information as a guide to appropriate personal protective equipment.

1910.120(c)(5)(ii)

If positive-pressure self-contained breathing apparatus is not used as part of the entry ensemble, and if respiratory protection is warranted by the potential hazards identified during the preliminary site evaluation, an escape self-contained breathing apparatus of at least five minute's duration shall be carried by employees during initial site entry.

1910.120(c)(5)(iii)

If the preliminary site evaluation does not produce sufficient information to identify the hazards or suspected hazards of the site an ensemble providing equivalent to Level B PPE shall be provided as minimum protection, and direct reading instruments shall be used as appropriate for identifying IDLH conditions. (See Appendix B for guidelines on Level B protective equipment.)

1910.120(c)(5)(iv)

Once the hazards of the site have been identified, the appropriate PPE shall be selected and used in accordance with paragraph (g) of this section.

1910.120(c)(6)

*Monitoring.* The following monitoring shall be conducted during initial site entry when the site evaluation produces information which shows the potential for ionizing radiation or IDLH conditions, or when the site information is not sufficient reasonably to eliminate these possible conditions:

1910.120(c)(6)(i)

Monitoring with direct reading instruments for hazardous levels of ionizing radiation.

1910.120(c)(6)(ii)

Monitoring the air with appropriate direct reading test equipment for (i.e., combustible gas meters, detector tubes) for IDLH and other conditions that may cause death or serious harm (combustible or explosive atmospheres, oxygen deficiency, toxic substances.)

1910.120(c)(6)(iii)

Visually observing for signs of actual or potential IDLH or other dangerous conditions.

**1910.120(c)(6)(iv)**

An ongoing air monitoring program in accordance with paragraph (h) of this section shall be implemented after site characterization has determined the site is safe for the start-up of operations.

**1910.120(c)(7)**

*Risk identification.* Once the presence and concentrations of specific hazardous substances and health hazards have been established, the risks associated with these substances shall be identified. Employees who will be working on the site shall be informed of any risks that have been identified. In situations covered by the Hazard Communication Standard, 29 CFR 1910.1200, training required by that standard need not be duplicated.

NOTE TO PARAGRAPH (c)(7). - Risks to consider include, but are not limited to:

- [a] Exposures exceeding the permissible exposure limits and published exposure levels.
- [b] IDLH Concentrations.
- [c] Potential Skin Absorption and Irritation Sources.
- [d] Potential Eye Irritation Sources.
- [e] Explosion Sensitivity and Flammability Ranges.
- [f] Oxygen deficiency.

**1910.120(c)(8)**

*Employee notification.* Any information concerning the chemical, physical, and toxicologic properties of each substance known or expected to be present on site that is available to the employer and relevant to the duties an employee is expected to perform shall be made available to the affected employees prior to the commencement of their work activities. The employer may utilize information developed for the hazard communication standard for this purpose.

**1910.120(d)**

*Site control.* --

**1910.120(d)(1)**

*General.* Appropriate site control procedures shall be implemented to control employee exposure to hazardous substances before clean-up work begins.

**1910.120(d)(2)**

*Site control program.* A site control program for protecting employees which is part of the employer's site safety and health program required in paragraph (b) of this section shall be developed during the planning stages of a hazardous waste clean-up operation and modified as necessary as new information becomes available.

**1910.120(d)(3)**

*Elements of the site control program.* The site control program shall, as a minimum, include: A site map; site work zones; the use of a "buddy system"; site communications including alerting means for emergencies; the standard operating procedures or safe work practices; and, identification of the nearest medical assistance. Where these requirements are covered elsewhere they need not be repeated.

**1910.120(e)**

*Training.* --

**1910.120(e)(1)**

*General.*

**1910.120(e)(1)(i)**

All employees working on site (such as but not limited to equipment operators, general laborers and others) exposed to hazardous substances, health hazards, or safety hazards and their supervisors and management responsible for the site shall receive training meeting the requirements of this paragraph before they are permitted to engage in hazardous waste operations that could expose them to hazardous substances, safety, or health hazards, and they shall receive review training as specified in this paragraph.

**1910.120(e)(1)(ii)**

Employees shall not be permitted to participate in or supervise field activities until they have been trained to a level required by their job function and responsibility.

**1910.120(e)(2)**

*Elements to be covered.* The training shall thoroughly cover the following:

**1910.120(e)(2)(i)**

Names of personnel and alternates responsible for site safety and health;

**1910.120(e)(2)(ii)**

Safety, health and other hazards present on the site;

**1910.120(e)(2)(iii)**

Use of personal protective equipment;

**1910.120(e)(2)(iv)**

Work practices by which the employee can minimize risks from hazards;

**1910.120(e)(2)(v)**

Safe use of engineering controls and equipment on the site;

**1910.120(e)(2)(vi)**

Medical surveillance requirements including recognition of symptoms and signs which might indicate over exposure to hazards; and

**1910.120(e)(2)(vii)**

The contents of paragraphs (G) through (J) of the site safety and health plan set forth in paragraph (b)(4)(ii) of this section.

**1910.120(e)(3)**

*Initial training.*

**1910.120(e)(3)(i)**

General site workers (such as equipment operators, general laborers and supervisory personnel) engaged in hazardous substance removal or other activities which expose or potentially expose workers to hazardous substances and health hazards shall receive a minimum of 40 hours of instruction off the site, and a minimum of three days actual field experience under the direct supervision of a trained experienced supervisor.

**1910.120(e)(3)(ii)**

Workers on site only occasionally for a specific limited task (such as, but not limited to, ground water monitoring, land surveying, or geophysical surveying) and who are unlikely to be exposed over permissible exposure limits and published exposure limits shall receive a minimum of 24 hours of instruction off the site, and the minimum of one day actual field experience under the direct supervision of a trained, experienced supervisor.

**1910.120(e)(3)(iii)**

Workers regularly on site who work in areas which have been monitored and fully characterized indicating that exposures are under permissible exposure limits and published exposure limits where respirators are not necessary, and the characterization indicates that there are no health hazards or the possibility of an emergency developing, shall receive a minimum of 24 hours of instruction off the site, and the minimum of one day actual field experience under the direct supervision of a trained, experienced supervisor.

**1910.120(e)(3)(iv)**

Workers with 24 hours of training who are covered by paragraphs (e)(3)(ii) and (e)(3)(iii) of this section, and who become general site workers or who are required to wear respirators, shall have the additional 16 hours and two days of training necessary to total the training specified in paragraph (e)(3)(i).

**1910.120(e)(4)**

*Management and supervisor training.* On-site management and supervisors directly responsible for, or who supervise employees engaged in, hazardous waste operations shall receive 40 hours initial training, and three days of supervised field experience (the training may be reduced to 24 hours and one day if the only area of their responsibility is employees covered by paragraphs (e)(3)(ii) and (e)(3)(iii)) and at least eight additional hours of specialized training at the time of job assignment on such topics as, but not limited to, the employer's safety and health program and the associated employee training program, personal protective equipment program, spill containment program, and health hazard monitoring procedure and techniques.

**1910.120(e)(5)**

*Qualifications for trainers.* Trainers shall be qualified to instruct employees about the subject matter that is being presented in training. Such trainers shall have satisfactorily completed a training program for teaching the subjects they are expected to teach, or they shall have the academic credentials and instructional experience necessary for teaching the subjects. Instructors shall demonstrate competent instructional skills and knowledge of the applicable subject matter.

**1910.120(e)(6)**

*Training certification.* Employees and supervisors that have received and successfully completed the training and field experience specified in paragraphs (e)(1) through (e)(4) of this section shall be certified by their instructor or the head instructor and trained supervisor as having completed the necessary training. A written certificate shall be given to each person so certified. Any person who has not been so certified or who does not meet the requirements of paragraph (e)(9) of this section shall be prohibited from engaging in hazardous waste operations.

**1910.120(e)(7)**

*Emergency response.* Employees who are engaged in responding to hazardous emergency situations at hazardous waste clean-up sites that may expose them to hazardous substances shall be trained in how to respond to such expected emergencies.

**1910.120(e)(8)**

*Refresher training.* Employees specified in paragraph (e)(1) of this section, and managers and supervisors specified in paragraph (e)(4) of this section, shall receive eight hours of refresher training annually on the items specified in paragraph (e)(2) and/or (e)(4) of this section, any critique of incidents that have occurred in the past year that can serve as training examples of related work, and other relevant topics.

**1910.120(e)(9)**

*Equivalent training.* Employers who can show by documentation or certification that an employee's work experience and/or training has resulted in training equivalent to that training required in paragraphs (e)(1) through (e)(4) of this section shall

not be required to provide the initial training requirements of those paragraphs to such employees and shall provide a copy of the certification or documentation to the employee upon request. However, certified employees or employees with equivalent training new to a site shall receive appropriate, site specific training before site entry and have appropriate supervised field experience at the new site. Equivalent training includes any academic training or the training that existing employees might have already received from actual hazardous waste site experience.

**1910.120(f)**

*Medical surveillance --*

**1910.120(f)(1)**

*General.* Employees engaged in operations specified in paragraphs (a)(1)(i) through (a)(1)(iv) of this section and not covered by (a)(2)(iii) exceptions and employers of employees specified in paragraph (q)(9) shall institute a medical surveillance program in accordance with this paragraph.

**1910.120(f)(2)**

*Employees covered.* The medical surveillance program shall be instituted by the employer for the following employees:

**1910.120(f)(2)(i)**

All employees who are or may be exposed to hazardous substances or health hazards at or above the established permissible exposure limit, above the published exposure levels for these substances, without regard to the use of respirators, for 30 days or more a year;

**1910.120(f)(2)(ii)**

All employees who wear a respirator for 30 days or more a year or as required by 1910.134;

**1910.120(f)(2)(iii)**

All employees who are injured, become ill or develop signs or symptoms due to possible overexposure involving hazardous substances or health hazards from an emergency response or hazardous waste operation; and

**1910.120(f)(2)(iv)**

Members of HAZMAT teams.

**1910.120(f)(3)**

*Frequency of medical examinations and consultations.* Medical examinations and consultations shall be made available by the employer to each employee covered under paragraph (f)(2) of this section on the following schedules:

**1910.120(f)(3)(i)**

For employees covered under paragraphs (f)(2)(i), (f)(2)(ii), and (f)(2)(iv);

**1910.120(f)(3)(i)(A)**

Prior to assignment;

**1910.120(f)(3)(i)(B)**

At least once every twelve months for each employee covered unless the attending physician believes a longer interval (not greater than biennially) is appropriate;

**1910.120(f)(3)(i)(C)**

At termination of employment or reassignment to an area where the employee would not be covered if the employee has not had an examination within the last six months.

**1910.120(f)(3)(i)(D)**

As soon as possible upon notification by an employee that the employee has developed signs or symptoms indicating possible overexposure to hazardous substances or health hazards, or that the employee has been injured or exposed above the permissible exposure limits or published exposure levels in an emergency situation;

**1910.120(f)(3)(i)(E)**

At more frequent times, if the examining physician determines that an increased frequency of examination is medically necessary.

**1910.120(f)(3)(ii)**

For employees covered under paragraph (f)(2)(iii) and for all employees including of employers covered by paragraph (a)(1)(iv) who may have been injured, received a health impairment, developed signs or symptoms which may have resulted from exposure to hazardous substances resulting from an emergency incident, or exposed during an emergency incident to hazardous substances at concentrations above the permissible exposure limits or the published exposure levels without the necessary personal protective equipment being used:

**1910.120(f)(3)(ii)(A)**

As soon as possible following the emergency incident or development of signs or symptoms;

**1910.120(f)(3)(ii)(B)**

At additional times, if the examining physician determines that follow-up examinations or consultations are medically necessary.

**1910.120(f)(4)**

*Content of medical examinations and consultations.*

**1910.120(f)(4)(i)**

Medical examinations required by paragraph (f)(3) of this section shall include a medical and work history (or updated history if one is in the employee's file) with special emphasis on symptoms related to the handling of hazardous substances and health hazards, and to fitness for duty including the ability to wear any required PPE under conditions (i.e., temperature extremes) that may be expected at the work site.

**1910.120(f)(4)(ii)**

The content of medical examinations or consultations made available to employees pursuant to paragraph (f) shall be determined by the attending physician. The guidelines in the *Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities* (See Appendix D, reference # 10) should be consulted.

**1910.120(f)(5)**

*Examination by a physician and costs.* All medical examinations and procedures shall be performed by or under the supervision of a licensed physician, preferably one knowledgeable in occupational medicine, and shall be provided without cost to the employee, without loss of pay, and at a reasonable time and place.

**1910.120(f)(6)**

*Information provided to the physician.* The employer shall provide one copy of this standard and its appendices to the attending physician and in addition the following for each employee:

**1910.120(f)(6)(i)**

A description of the employee's duties as they relate to the employee's exposures,

**1910.120(f)(6)(ii)**

The employee's exposure levels or anticipated exposure levels.

**1910.120(f)(6)(iii)**

A description of any personal protective equipment used or to be used.

**1910.120(f)(6)(iv)**

Information from previous medical examinations of the employee which is not readily available to the examining physician.

**1910.120(f)(6)(v)**

Information required by §1910.134.

**1910.120(f)(7)**

*Physician's written opinion.*

**1910.120(f)(7)(i)**

The employer shall obtain and furnish the employee with a copy of a written opinion from the examining physician containing the following:

**1910.120(f)(7)(i)(A)**

The physician's opinion as to whether the employee has any detected medical conditions which would place the employee at increased risk of material impairment of the employee's health from work in hazardous waste operations or emergency response, or from respirator use.

**1910.120(f)(7)(i)(B)**

The physician's recommended limitations upon the employees assigned work.

**1910.120(f)(7)(i)(C)**

The results of the medical examination and tests if requested by the employee.

**1910.120(f)(7)(i)(D)**

A statement that the employee has been informed by the physician of the results of the medical examination and any medical conditions which require further examination or treatment.

**1910.120(f)(7)(ii)**

The written opinion obtained by the employer shall not reveal specific findings or diagnoses unrelated to occupational exposure.

**1910.120(f)(8)**

*Recordkeeping.*

**1910.120(f)(8)(i)**

An accurate record of the medical surveillance required by paragraph (f) of this section shall be retained. This record shall be retained for the period specified and meet the criteria of 29 CFR 1910.1020.

**1910.120(f)(8)(ii)**

The record required in paragraph (f)(8)(i) of this section shall include at least the following information:

**1910.120(f)(8)(ii)(A)**

The name and social security number of the employee;

1910.120(f)(8)(ii)(B)

Physicians' written opinions, recommended limitations and results of examinations and tests;

1910.120(f)(8)(ii)(C)

Any employee medical complaints related to exposure to hazardous substances;

1910.120(f)(8)(ii)(D)

A copy of the information provided to the examining physician by the employer, with the exception of the standard and its appendices.

1910.120(g)

*Engineering controls, work practices, and personal protective equipment for employee protection.* Engineering controls, work practices and PPE for substances regulated in Subpart Z. (i) Engineering controls, work practices, personal protective equipment, or a combination of these shall be implemented in accordance with this paragraph to protect employees from exposure to hazardous substances and safety and health hazards.

1910.120(g)(1)

*Engineering controls, work practices and PPE for substances regulated in Subparts G and Z.*

1910.120(g)(1)(i)

Engineering controls and work practices shall be instituted to reduce and maintain employee exposure to or below the permissible exposure limits for substances regulated by 29 CFR Part 1910, to the extent required by Subpart Z, except to the extent that such controls and practices are not feasible.

NOTE TO PARAGRAPH (g)(1)(i): Engineering controls which may be feasible include the use of pressurized cabs or control booths on equipment, and/or the use of remotely operated material handling equipment. Work practices which may be feasible are removing all non-essential employees from potential exposure during opening of drums, wetting down dusty operations and locating employees upwind of possible hazards.

1910.120(g)(1)(ii)

Whenever engineering controls and work practices are not feasible, or not required, any reasonable combination of engineering controls, work practices and PPE shall be used to reduce and maintain to or below the permissible exposure limits or dose limits for substances regulated by 29 CFR Part 1910, Subpart Z.

1910.120(g)(1)(iii)

The employer shall not implement a schedule of employee rotation as a means of compliance with permissible exposure limits or dose limits except when there is no other feasible way of complying with the airborne or dermal dose limits for ionizing radiation.

1910.120(g)(1)(iv)

The provisions of 29 CFR, subpart G, shall be followed.

1910.120(g)(2)

*Engineering controls, work practices, and PPE for substances not regulated in Subparts G and Z.* An appropriate combination of engineering controls, work practices, and personal protective equipment shall be used to reduce and maintain employee exposure to or below published exposure levels for hazardous substances and health hazards not regulated by 29 CFR Part 1910, Subparts G and Z. The employer may use the published literature and SDS as a guide in making the employer's determination as to what level of protection the employer believes is appropriate for hazardous substances and health hazards for which there is no permissible exposure limit or published exposure limit.

1910.120(g)(3)

*Personal protective equipment selection.*

1910.120(g)(3)(i)

Personal protective equipment (PPE) shall be selected and used which will protect employees from the hazards and potential hazards they are likely to encounter as identified during the site characterization and analysis.

1910.120(g)(3)(ii)

Personal protective equipment selection shall be based on an evaluation of the performance characteristics of the PPE relative to the requirements and limitations of the site, the task-specific conditions and duration, and the hazards and potential hazards identified at the site.

1910.120(g)(3)(iii)

Positive pressure self-contained breathing apparatus, or positive pressure air-line respirators equipped with an escape air supply shall be used when chemical exposure levels present will create a substantial possibility of immediate death, immediate serious illness or injury, or impair the ability to escape.

1910.120(g)(3)(iv)

Totally-encapsulating chemical protective suits (protection equivalent to Level A protection as recommended in Appendix B) shall be used in conditions where skin absorption of a hazardous substance may result in a substantial possibility of immediate death, immediate serious illness or injury, or impair the ability to escape.

1910.120(g)(3)(v)

The level of protection provided by PPE selection shall be increased when additional information or site conditions show that increased protection is necessary to reduce employee exposures below permissible exposure limits and published exposure



levels for hazardous substances and health hazards. (See Appendix B for guidance on selecting PPE ensembles.)

NOTE TO PARAGRAPH (g)(3): The level of employee protection provided may be decreased when additional information or site conditions show that decreased protection will not result in hazardous exposures to employees.

1910.120(g)(3)(vi)

Personal protective equipment shall be selected and used to meet the requirements of 29 CFR Part 1910, Subpart I, and additional requirements specified in this section.

1910.120(g)(4)

*Totally-encapsulating chemical protective suits.*

1910.120(g)(4)(i)

Totally-encapsulating suits shall protect employees from the particular hazards which are identified during site characterization and analysis.

1910.120(g)(4)(ii)

Totally-encapsulating suits shall be capable of maintaining positive air pressure. (See Appendix A for a test method which may be used to evaluate this requirement.)

1910.120(g)(4)(iii)

Totally-encapsulating suits shall be capable of preventing inward test gas leakage of more than 0.5 percent. (See Appendix A for a test method which may be used to evaluate this requirement.)

1910.120(g)(5)

*Personal protective equipment (PPE) program.* A personal protective equipment program, which is part of the employer's safety and health program required in paragraph (b) of this section or required in paragraph (p)(1) of this section and which is also a part of the site-specific safety and health plan shall be established. The PPE program shall address the elements listed below. When elements, such as donning and doffing procedures, are provided by the manufacturer of a piece of equipment and are attached to the plan, they need not be rewritten into the plan as long as they adequately address the procedure or element.

1910.120(g)(5)(i)

PPE selection based upon site hazards,

1910.120(g)(5)(ii)

PPE use and limitations of the equipment,

1910.120(g)(5)(iii)

Work mission duration,

1910.120(g)(5)(iv)

PPE maintenance and storage,

1910.120(g)(5)(v)

PPE decontamination and disposal,

1910.120(g)(5)(vi)

PPE training and proper fitting,

1910.120(g)(5)(vii)

PPE donning and doffing procedures,

1910.120(g)(5)(viii)

PPE inspection procedures prior to, during, and after use,

1910.120(g)(5)(ix)

Evaluation of the effectiveness of the PPE program, and

1910.120(g)(5)(x)

Limitations during temperature extremes, heat stress, and other appropriate medical considerations.

1910.120(h)

*Monitoring. --*

1910.120(h)(1)

*General.*

1910.120(h)(1)(i)

Monitoring shall be performed in accordance with this paragraph where there may be a question of employee exposure to hazardous concentrations of hazardous substances in order to assure proper selection of engineering controls, work practices and personal protective equipment so that employees are not exposed to levels which exceed permissible exposure limits, or published exposure levels if there are no permissible exposure limits, for hazardous substances.

1910.120(h)(1)(ii)

Air monitoring shall be used to identify and quantify airborne levels of hazardous substances and safety and health hazards in order to determine the appropriate level of employee protection needed on site.

**1910.120(h)(2)**

*Initial entry.* Upon initial entry, representative air monitoring shall be conducted to identify any IDLH condition, exposure over permissible exposure limits or published exposure levels, exposure over a radioactive material's dose limits or other dangerous condition such as the presence of flammable atmospheres, oxygen-deficient environments.

**1910.120(h)(3)**

*Periodic monitoring.* Periodic monitoring shall be conducted when the possibility of an IDLH condition or flammable atmosphere has developed or when there is indication that exposures may have risen over permissible exposure limits or published exposure levels since prior monitoring. Situations where it shall be considered whether the possibility that exposures have risen are as follows:

**1910.120(h)(3)(i)**

When work begins on a different portion of the site.

**1910.120(h)(3)(ii)**

When contaminants other than those previously identified are being handled.

**1910.120(h)(3)(iii)**

When a different type of operation is initiated (e.g., drum opening as opposed to exploratory well drilling.)

**1910.120(h)(3)(iv)**

When employees are handling leaking drums or containers or working in areas with obvious liquid contamination (e.g., a spill or lagoon.)

**1910.120(h)(4)**

*Monitoring of high-risk employees.* After the actual clean-up phase of any hazardous waste operation commences; for example, when soil, surface water or containers are moved or disturbed; the employer shall monitor those employees likely to have the highest exposures to those hazardous substances and health hazards likely to be present above permissible exposure limits or published exposure levels by using personal sampling frequently enough to characterize employee exposures. The employer may utilize a representative sampling approach by documenting that the employees and chemicals chosen for monitoring are based on the criteria stated in the first sentence of this paragraph. If the employees likely to have the highest exposure are over permissible exposure limits or published exposure limits, then monitoring shall continue to determine all employees likely to be above those limits. The employer may utilize a representative sampling approach by documenting that the employees and chemicals chosen for monitoring are based on the criteria stated above.

NOTE TO PARAGRAPH (h): It is not required to monitor employees engaged in site characterization operations covered by paragraph (c) of this section.

**1910.120(i)**

*Informational programs.* Employers shall develop and implement a program which is part of the employer's safety and health program required in paragraph (b) of this section to inform employees, contractors, and subcontractors (or their representative) actually engaged in hazardous waste operations of the nature, level and degree of exposure likely as a result of participation in such hazardous waste operations. Employees, contractors and subcontractors working outside of the operations part of a site are not covered by this standard.

**1910.120(j)**

*Handling drums and containers --*

**1910.120(j)(1)**

*General.*

**1910.120(j)(1)(i)**

Hazardous substances and contaminated, liquids and other residues shall be handled, transported, labeled, and disposed of in accordance with this paragraph.

**1910.120(j)(1)(ii)**

Drums and containers used during the clean-up shall meet the appropriate DOT, OSHA, and EPA regulations for the wastes that they contain.

**1910.120(j)(1)(iii)**

When practical, drums and containers shall be inspected and their integrity shall be assured prior to being moved. Drums or containers that cannot be inspected before being moved because of storage conditions (i.e., buried beneath the earth, stacked behind other drums, stacked several tiers high in a pile, etc.) shall be moved to an accessible location and inspected prior to further handling.

**1910.120(j)(1)(iv)**

Unlabeled drums and containers shall be considered to contain hazardous substances and handled accordingly until the contents are positively identified and labeled.

**1910.120(j)(1)(v)**

Site operations shall be organized to minimize the amount of drum or container movement.

**1910.120(j)(1)(vi)**

Prior to movement of drums or containers, all employees exposed to the transfer operation shall be warned of the potential hazards associated with the contents of the drums or containers.

1910.120(j)(1)(vii)

U.S. Department of Transportation specified salvage drums or containers and suitable quantities of proper absorbent shall be kept available and used in areas where spills, leaks, or ruptures may occur.

1910.120(j)(1)(viii)

Where major spills may occur, a spill containment program, which is part of the employer's safety and health program required in paragraph (b) of this section, shall be implemented to contain and isolate the entire volume of the hazardous substance being transferred.

1910.120(j)(1)(ix)

Drums and containers that cannot be moved without rupture, leakage, or spillage shall be emptied into a sound container using a device classified for the material being transferred.

1910.120(j)(1)(x)

A ground-penetrating system or other type of detection system or device shall be used to estimate the location and depth of buried drums or containers.

1910.120(j)(1)(xi)

Soil or covering material shall be removed with caution to prevent drum or container rupture.

1910.120(j)(1)(xii)

Fire extinguishing equipment meeting the requirements of 29 CFR Part 1910, Subpart L, shall be on hand and ready for use to control incipient fires.

1910.120(j)(2)

*Opening drums and containers.* The following procedures shall be followed in areas where drums or containers are being opened:

1910.120(j)(2)(i)

Where an airline respirator system is used, connections to the source of air supply shall be protected from contamination and the entire system shall be protected from physical damage.

1910.120(j)(2)(ii)

Employees not actually involved in opening drums or containers shall be kept a safe distance from the drums or containers being opened.

1910.120(j)(2)(iii)

If employees must work near or adjacent to drums or containers being opened, a suitable shield that does not interfere with the work operation shall be placed between the employee and the drums or containers being opened to protect the employee in case of accidental explosion.

1910.120(j)(2)(iv)

Controls for drum or container opening equipment, monitoring equipment, and fire suppression equipment shall be located behind the explosion-resistant barrier.

1910.120(j)(2)(v)

When there is a reasonable possibility of flammable atmospheres being present, material handling equipment and hand tools shall be of the type to prevent sources of ignition.

1910.120(j)(2)(vi)

Drums and containers shall be opened in such a manner that excess interior pressure will be safely relieved. If pressure cannot be relieved from a remote location, appropriate shielding shall be placed between the employee and the drums or containers to reduce the risk of employee injury.

1910.120(j)(2)(vii)

Employees shall not stand upon or work from drums or containers.

1910.120(j)(3)

*Material handling equipment.* Material handling equipment used to transfer drums and containers shall be selected, positioned and operated to minimize sources of ignition related to the equipment from igniting vapors released from ruptured drums or containers.

1910.120(j)(4)

*Radioactive wastes.* Drums and containers containing radioactive wastes shall not be handled until such time as their hazard to employees is properly assessed.

1910.120(j)(5)

*Shock sensitive wastes.* As a minimum, the following special precautions shall be taken when drums and containers containing or suspected of containing shock-sensitive wastes are handled:

1910.120(j)(5)(i)

All non-essential employees shall be evacuated from the area of transfer.

1910.120(j)(5)(ii)

Material handling equipment shall be provided with explosive containment devices or protective shields to protect equipment operators from exploding containers.

1910.120(j)(5)(iii)

An employee alarm system capable of being perceived above surrounding light and noise conditions shall be used to signal the commencement and completion of explosive waste handling activities.

1910.120(j)(5)(iv)

Continuous communications (i.e., portable radios, hand signals, telephones, as appropriate) shall be maintained between the employee-in-charge of the immediate handling area and both the site safety and health supervisor and the command post until such time as the handling operation is completed. Communication equipment or methods that could cause shock sensitive materials to explode shall not be used.

1910.120(j)(5)(v)

Drums and containers under pressure, as evidenced by bulging or swelling, shall not be moved until such time as the cause for excess pressure is determined and appropriate containment procedures have been implemented to protect employees from explosive relief of the drum.

1910.120(j)(5)(vi)

Drums and containers containing packaged laboratory wastes shall be considered to contain shock-sensitive or explosive materials until they have been characterized.

Caution: Shipping of shock sensitive wastes may be prohibited under U.S. Department of Transportation regulations. Employers and their shippers should refer to 49 CFR 173.21 and 173.50.

1910.120(j)(6)

*Laboratory waste packs.* In addition to the requirements of paragraph (j)(5) of this section, the following precautions shall be taken, as a minimum, in handling laboratory waste packs (lab packs):

1910.120(j)(6)(i)

Lab packs shall be opened only when necessary and then only by an individual knowledgeable in the inspection, classification, and segregation of the containers within the pack according to the hazards of the wastes.

1910.120(j)(6)(ii)

If crystalline material is noted on any container, the contents shall be handled as a shock-sensitive waste until the contents are identified.

1910.120(j)(7)

*Sampling of drum and container contents.* Sampling of containers and drums shall be done in accordance with a sampling procedure which is part of the site safety and health plan developed for and available to employees and others at the specific worksite.

1910.120(j)(8)

*Shipping and transport.*

1910.120(j)(8)(i)

Drums and containers shall be identified and classified prior to packaging for shipment.

1910.120(j)(8)(ii)

Drum or container staging areas shall be kept to the minimum number necessary to safely identify and classify materials and prepare them for transport.

1910.120(j)(8)(iii)

Staging areas shall be provided with adequate access and egress routes.

1910.120(j)(8)(iv)

Bulking of hazardous wastes shall be permitted only after a thorough characterization of the materials has been completed.

1910.120(j)(9)

*Tank and vault procedures.*

1910.120(j)(9)(i)

Tanks and vaults containing hazardous substances shall be handled in a manner similar to that for drums and containers, taking into consideration the size of the tank or vault.

1910.120(j)(9)(ii)

Appropriate tank or vault entry procedures as described in the employer's safety and health plan shall be followed whenever employees must enter a tank or vault.

1910.120(k)

*Decontamination --*

**1910.120(k)(1)**

*General.* Procedures for all phases of decontamination shall be developed and implemented in accordance with this paragraph.

**1910.120(k)(2)**

*Decontamination procedures.*

**1910.120(k)(2)(i)**

A decontamination procedure shall be developed, communicated to employees and implemented before any employees or equipment may enter areas on site where potential for exposure to hazardous substances exists.

**1910.120(k)(2)(ii)**

Standard operating procedures shall be developed to minimize employee contact with hazardous substances or with equipment that has contacted hazardous substances.

**1910.120(k)(2)(iii)**

All employees leaving a contaminated area shall be appropriately decontaminated; all contaminated clothing and equipment leaving a contaminated area shall be appropriately disposed of or decontaminated.

**1910.120(k)(2)(iv)**

Decontamination procedures shall be monitored by the site safety and health supervisor to determine their effectiveness. When such procedures are found to be ineffective, appropriate steps shall be taken to correct any deficiencies.

**1910.120(k)(3)**

*Location.* Decontamination shall be performed in geographical areas that will minimize the exposure of uncontaminated employees or equipment to contaminated employees or equipment.

**1910.120(k)(4)**

*Equipment and solvents.* All equipment and solvents used for decontamination shall be decontaminated or disposed of properly.

**1910.120(k)(5)**

*Personal protective clothing and equipment.*

**1910.120(k)(5)(i)**

Protective clothing and equipment shall be decontaminated, cleaned, laundered, maintained or replaced as needed to maintain their effectiveness.

**1910.120(k)(5)(ii)**

Employees whose non-impermeable clothing becomes wetted with hazardous substances shall immediately remove that clothing and proceed to shower. The clothing shall be disposed of or decontaminated before it is removed from the work zone.

**1910.120(k)(6)**

*Unauthorized employees.* Unauthorized employees shall not remove protective clothing or equipment from change rooms.

**1910.120(k)(7)**

*Commercial laundries or cleaning establishments.* Commercial laundries or cleaning establishments that decontaminate protective clothing or equipment shall be informed of the potentially harmful effects of exposures to hazardous substances.

**1910.120(k)(8)**

*Showers and change rooms.* Where the decontamination procedure indicates a need for regular showers and change rooms outside of a contaminated area, they shall be provided and meet the requirements of 29 CFR 1910.141. If temperature conditions prevent the effective use of water, then other effective means for cleansing shall be provided and used.

**1910.120(l)**

*Emergency response by employees at uncontrolled hazardous waste sites --*

**1910.120(l)(1)**

*Emergency response plan.*

**1910.120(l)(1)(i)**

An emergency response plan shall be developed and implemented by all employers within the scope of paragraphs (a)(1)(i) through (ii) of this section to handle anticipated emergencies prior to the commencement of hazardous waste operations. The plan shall be in writing and available for inspection and copying by employees, their representatives, OSHA personnel and other governmental agencies with relevant responsibilities.

**1910.120(l)(1)(ii)**

Employers who will evacuate their employees from the danger area when an emergency occurs, and who do not permit any of their employees to assist in handling the emergency, are exempt from the requirements of this paragraph if they provide an emergency action plan complying with 29 CFR 1910.38.

**1910.120(l)(2)**

*Elements of an emergency response plan.* The employer shall develop an emergency response plan for emergencies which

shall address, as a minimum, the following:

**1910.120(l)(2)(i)**

Pre-emergency planning.

**1910.120(l)(2)(ii)**

Personnel roles, lines of authority, training, and communication.

**1910.120(l)(2)(iii)**

Emergency recognition and prevention.

**1910.120(l)(2)(iv)**

Safe distances and places of refuge.

**1910.120(l)(2)(v)**

Site security and control.

**1910.120(l)(2)(vi)**

Evacuation routes and procedures.

**1910.120(l)(2)(vii)**

Decontamination procedures which are not covered by the site safety and health plan.

**1910.120(l)(2)(viii)**

Emergency medical treatment and first aid.

**1910.120(l)(2)(ix)**

Emergency alerting and response procedures.

**1910.120(l)(2)(x)**

Critique of response and follow-up.

**1910.120(l)(2)(xi)**

PPE and emergency equipment.

**1910.120(l)(3)**

*Procedures for handling emergency incidents.*

**1910.120(l)(3)(i)**

In addition to the elements for the emergency response plan required in paragraph (l)(2) of this section, the following elements shall be included for emergency response plans:

**1910.120(l)(3)(i)(A)**

Site topography, layout, and prevailing weather conditions.

**1910.120(l)(3)(i)(B)**

Procedures for reporting incidents to local, state, and federal governmental agencies.

**1910.120(l)(3)(ii)**

The emergency response plan shall be a separate section of the Site Safety and Health Plan.

**1910.120(l)(3)(iii)**

The emergency response plan shall be compatible and integrated with the disaster, fire and/or emergency response plans of local, state, and federal agencies.

**1910.120(l)(3)(iv)**

The emergency response plan shall be rehearsed regularly as part of the overall training program for site operations.

**1910.120(l)(3)(v)**

The site emergency response plan shall be reviewed periodically and, as necessary, be amended to keep it current with new or changing site conditions or information.

**1910.120(l)(3)(vi)**

An employee alarm system shall be installed in accordance with 29 CFR 1910.165 to notify employees of an emergency situation, to stop work activities if necessary, to lower background noise in order to speed communication, and to begin emergency procedures.

**1910.120(l)(3)(vii)**

Based upon the information available at time of the emergency, the employer shall evaluate the incident and the site response capabilities and proceed with the appropriate steps to implement the site emergency response plan.

**1910.120(m)**

*Illumination.* Areas accessible to employees shall be lighted to not less than the minimum illumination intensities listed in

the following Table H-120.1 while any work is in progress:

TABLE H-120.1. -- MINIMUM ILLUMINATION INTENSITIES IN FOOT-CANDLES

Foot-candles	Area or operations
5	General site areas.
3	Excavation and waste areas, accessways, active storage areas, loading platforms, refueling, and field maintenance areas.
5	Indoors: warehouses, corridors, hallways, and exitways.
5	Tunnels, shafts, and general underground work areas; (Exception: minimum of 10 foot-candles is required at tunnel and shaft heading during drilling, mucking, and scaling. Mine Safety and Health Administration approved cap lights shall be acceptable for use in the tunnel heading.
10	General shops (e.g., mechanical and electrical equipment rooms, active storerooms, barracks or living quarters, locker or dressing rooms, dining areas, and indoor toilets and workrooms.
30	First aid stations, infirmaries, and offices.

**1910.120(n)**

*Sanitation at temporary workplaces --*

1910.120(n)(1)

*Potable water.*

1910.120(n)(1)(i)

An adequate supply of potable water shall be provided on the site.

1910.120(n)(1)(ii)

Portable containers used to dispense drinking water shall be capable of being tightly closed, and equipped with a tap. Water shall not be dipped from containers.

1910.120(n)(1)(iii)

Any container used to distribute drinking water shall be clearly marked as to the nature of its contents and not used for any other purpose.

1910.120(n)(1)(iv)

Where single service cups (to be used but once) are supplied, both a sanitary container for the unused cups and a receptacle for disposing of the used cups shall be provided.

1910.120(n)(2)

*Nonpotable water.*

1910.120(n)(2)(i)

Outlets for nonpotable water, such as water for firefighting purposes shall be identified to indicate clearly that the water is unsafe and is not to be used for drinking, washing, or cooking purposes.

1910.120(n)(2)(ii)

There shall be no cross-connection, open or potential, between a system furnishing potable water and a system furnishing nonpotable water.

**1910.120(n)(3)**

*Toilet facilities.*

1910.120(n)(3)(i)

Toilets shall be provided for employees according to Table H-120.2.

TABLE H-120.2. -- TOILET FACILITIES

Number of employees	Minimum number of facilities
20 or fewer	One.
More than 20, fewer than 200	One toilet seat and 1 urinal per 40 employees.
More than 200	One toilet seat and 1 urinal per 50 employees.

1910.120(n)(3)(ii)

Under temporary field conditions, provisions shall be made to assure not less than one toilet facility is available.

1910.120(n)(3)(iii)

Hazardous waste sites, not provided with a sanitary sewer, shall be provided with the following toilet facilities unless prohibited by local codes:

**1910.120(n)(3)(iii)(A)**

Chemical toilets;

**1910.120(n)(3)(iii)(B)**

Recirculating toilets;

**1910.120(n)(3)(iii)(C)**

Combustion toilets; or

**1910.120(n)(3)(iii)(D)**

Flush toilets.

**1910.120(n)(3)(iv)**

The requirements of this paragraph for sanitation facilities shall not apply to mobile crews having transportation readily available to nearby toilet facilities.

**1910.120(n)(3)(v)**

Doors entering toilet facilities shall be provided with entrance locks controlled from inside the facility.

**1910.120(n)(4)**

*Food handling.* All food service facilities and operations for employees shall meet the applicable laws, ordinances, and regulations of the jurisdictions in which they are located.

**1910.120(n)(5)**

*Temporary sleeping quarters.* When temporary sleeping quarters are provided, they shall be heated, ventilated, and lighted.

**1910.120(n)(6)**

*Washing facilities.* The employer shall provide adequate washing facilities for employees engaged in operations where hazardous substances may be harmful to employees. Such facilities shall be in near proximity to the worksite; in areas where exposures are below permissible exposure limits and which are under the controls of the employer; and shall be so equipped as to enable employees to remove hazardous substances from themselves.

**1910.120(n)(7)**

*Showers and change rooms.* When hazardous waste clean-up or removal operations commence on a site and the duration of the work will require six months or greater time to complete, the employer shall provide showers and change rooms for all employees exposed to hazardous substances and health hazards involved in hazardous waste clean-up or removal operations.

**1910.120(n)(7)(i)**

Showers shall be provided and shall meet the requirements of 29 CFR 1910.141(d)(3).

**1910.120(n)(7)(ii)**

Change rooms shall be provided and shall meet the requirements of 29 CFR 1910.141(e). Change rooms shall consist of two separate change areas separated by the shower area required in paragraph (n)(7)(i) of this section. One change area, with an exit leading off the worksite, shall provide employees with a clean area where they can remove, store, and put on street clothing. The second area, with an exit to the worksite, shall provide employees with an area where they can put on, remove and store work clothing and personal protective equipment.

**1910.120(n)(7)(iii)**

Showers and change rooms shall be located in areas where exposures are below the permissible exposure limits and published exposure levels. If this cannot be accomplished, then a ventilation system shall be provided that will supply air that is below the permissible exposure limits and published exposure levels.

**1910.120(n)(7)(iv)**

Employers shall assure that employees shower at the end of their work shift and when leaving the hazardous waste site.

**1910.120(o)**

*New technology programs.*

**1910.120(o)(1)**

The employer shall develop and implement procedures for the introduction of effective new technologies and equipment developed for the improved protection of employees working with hazardous waste clean-up operations, and the same shall be implemented as part of the site safety and health program to assure that employee protection is being maintained.

**1910.120(o)(2)**

New technologies, equipment or control measures available to the industry, such as the use of foams, absorbents, absorbents, neutralizers, or other means to suppress the level of air contaminants while excavating the site or for spill control, shall be evaluated by employers or their representatives. Such an evaluation shall be done to determine the effectiveness of the new methods, materials, or equipment before implementing their use on a large scale for enhancing employee protection. Information and data from manufacturers or suppliers may be used as part of the employer's evaluation effort. Such evaluations shall be made available to OSHA upon request.

**1910.120(p)**



*Certain Operations Conducted Under the Resource Conservation and Recovery Act of 1976 (RCRA).* Employers conducting operations at treatment, storage and disposal (TSD) facilities specified in paragraph (a)(1)(iv) of this section shall provide and implement the programs specified in this paragraph. See the "Notes and Exceptions" to paragraph (a)(2)(iii) of this section for employers not covered.

**1910.120(p)(1)**

*Safety and health program.* The employer shall develop and implement a written safety and health program for employees involved in hazardous waste operations that shall be available for inspection by employees, their representatives and OSHA personnel. The program shall be designed to identify, evaluate and control safety and health hazards in their facilities for the purpose of employee protection, to provide for emergency response meeting the requirements of paragraph (p)(8) of this section and to address as appropriate site analysis, engineering controls, maximum exposure limits, hazardous waste handling procedures and uses of new technologies.

**1910.120(p)(2)**

*Hazard communication program.* The employer shall implement a hazard communication program meeting the requirements of 29 CFR 1910.1200 as part of the employer's safety and program.

NOTE TO §1910.120 - The exemption for hazardous waste provided in 1910.1200 is applicable to this section.

**1910.120(p)(3)**

*Medical surveillance program.* The employer shall develop and implement a medical surveillance program meeting the requirements of paragraph (f) of this section.

**1910.120(p)(4)**

*Decontamination program.* The employer shall develop and implement a decontamination procedure meeting the requirements of paragraph (k) of this section.

**1910.120(p)(5)**

*New technology program.* The employer shall develop and implement procedures meeting the requirements of paragraph (o) of this section for introducing new and innovative equipment into the workplace.

**1910.120(p)(6)**

*Material handling program.* Where employees will be handling drums or containers, the employer shall develop and implement procedures meeting the requirements of paragraphs (j)(1)(ii) through (viii) and (xi) of this section, as well as (j)(3) and (j)(8) of this section prior to starting such work.

**1910.120(p)(7)**

*Training program --*

**1910.120(p)(7)(i)**

*New employees.* The employer shall develop and implement a training program which is part of the employer's safety and health program, for employees exposed to health hazards or hazardous substances at TSD operations to enable the employees to perform their assigned duties and functions in a safe and healthful manner so as not to endanger themselves or other employees. The initial training shall be for 24 hours and refresher training shall be for eight hours annually. Employees who have received the initial training required by this paragraph shall be given a written certificate attesting that they have successfully completed the necessary training.

**1910.120(p)(7)(ii)**

*Current employees.* Employers who can show by an employee's previous work experience and/or training that the employee has had training equivalent to the initial training required by this paragraph, shall be considered as meeting the initial training requirements of this paragraph as to that employee. Equivalent training includes the training that existing employees might have already received from actual site work experience. Current employees shall receive eight hours of refresher training annually.

**1910.120(p)(7)(iii)**

*Trainers.* Trainers who teach initial training shall have satisfactorily completed a training course for teaching the subjects they are expected to teach or they shall have the academic credentials and instruction experience necessary to demonstrate a good command of the subject matter of the courses and competent instructional skills.

**1910.120(p)(8)**

*Emergency response program --*

**1910.120(p)(8)(i)**

*Emergency response plan.* An emergency response plan shall be developed and implemented by all employers. Such plans need not duplicate any of the subjects fully addressed in the employer's contingency planning required by permits, such as those issued by the U.S. Environmental Protection Agency, provided that the contingency plan is made part of the emergency response plan. The emergency response plan shall be a written portion of the employer's safety and health program required in paragraph (p)(1) of this section. Employers who will evacuate their employees from the worksite location when an emergency occurs and who do not permit any of their employees to assist in handling the emergency are exempt from the requirements of paragraph (p)(8) if they provide an emergency action plan complying with 29 CFR 1910.38.

**1910.120(p)(8)(ii)**

Elements of an emergency response plan. The employer shall develop an emergency response plan for emergencies which shall address, as a minimum, the following areas to the extent that they are not addressed in any specific program required in this paragraph:

1910.120(p)(8)(ii)(A)

Pre-emergency planning and coordination with outside parties.

1910.120(p)(8)(ii)(B)

Personnel roles, lines of authority, training, and communication.

1910.120(p)(8)(ii)(C)

Emergency recognition and prevention.

1910.120(p)(8)(ii)(D)

Safe distances and places of refuge.

1910.120(p)(8)(ii)(E)

Site security and control.

1910.120(p)(8)(ii)(F)

Evacuation routes and procedures.

1910.120(p)(8)(ii)(G)

Decontamination procedures.

1910.120(p)(8)(ii)(H)

Emergency medical treatment and first aid.

1910.120(p)(8)(ii)(I)

Emergency alerting and response procedures.

1910.120(p)(8)(ii)(J)

Critique of response and follow-up.

1910.120(p)(8)(ii)(K)

PPE and emergency equipment.

1910.120(p)(8)(iii)

*Training.*

1910.120(p)(8)(iii)(A)

Training for emergency response employees shall be completed before they are called upon to perform in real emergencies. Such training shall include the elements of the emergency response plan, standard operating procedures the employer has established for the job, the personal protective equipment to be worn and procedures for handling emergency incidents.

*Exception #1:* an employer need not train all employees to the degree specified if the employer divides the work force in a manner such that a sufficient number of employees who have responsibility to control emergencies have the training specified, and all other employees, who may first respond to an emergency incident, have sufficient awareness training to recognize that an emergency response situation exists and that they are instructed in that case to summon the fully trained employees and not attempt control activities for which they are not trained.

*Exception #2:* An employer need not train all employees to the degree specified if arrangements have been made in advance for an outside fully-trained emergency response team to respond in a reasonable period and all employees, who may come to the incident first, have sufficient awareness training to recognize that an emergency response situation exists and they have been instructed to call the designated outside fully-trained emergency response team for assistance.

1910.120(p)(8)(iii)(B)

Employee members of TSD facility emergency response organizations shall be trained to a level of competence in the recognition of health and safety hazards to protect themselves and other employees. This would include training in the methods used to minimize the risk from safety and health hazards; in the safe use of control equipment; in the selection and use of appropriate personal protective equipment; in the safe operating procedures to be used at the incident scene; in the techniques of coordination with other employees to minimize risks; in the appropriate response to over exposure from health hazards or injury to themselves and other employees; and in the recognition of subsequent symptoms which may result from over exposures.

1910.120(p)(8)(iii)(C)

The employer shall certify that each covered employee has attended and successfully completed the training required in paragraph (p)(8)(iii) of this section, or shall certify the employee's competency for certification of training shall be recorded and maintained by the employer.

1910.120(p)(8)(iv)

*Procedures for handling emergency incidents.*

1910.120(p)(8)(iv)(A)

In addition to the elements for the emergency response plan required in paragraph (p)(8)(ii) of this section, the following elements shall be included for emergency response plans to the extent that they do not repeat any information already contained in the emergency response plan:

1910.120(p)(8)(iv)(A)(1)

Site topography, layout, and prevailing weather conditions.

**1910.120(p)(8)(iv)(A)(2)**

Procedures for reporting incidents to local, state, and federal governmental agencies.

**1910.120(p)(8)(iv)(B)**

The emergency response plan shall be compatible and integrated with the disaster, fire and/or emergency response plans of local, state, and federal agencies.

**1910.120(p)(8)(iv)(C)**

The emergency response plan shall be rehearsed regularly as part of the overall training program for site operations.

**1910.120(p)(8)(iv)(D)**

The site emergency response plan shall be reviewed periodically and, as necessary, be amended to keep it current with new or changing site conditions or information.

**1910.120(p)(8)(iv)(E)**

An employee alarm system shall be installed in accordance with 29 CFR 1910.165 to notify employees of an emergency situation, to stop work activities if necessary, to lower background noise in order to speed communication; and to begin emergency procedures.

**1910.120(p)(8)(iv)(F)**

Based upon the information available at time of the emergency, the employer shall evaluate the incident and the site response capabilities and proceed with the appropriate steps to implement the site emergency response plan.

**1910.120(q)**

*Emergency response program to hazardous substance releases.* This paragraph covers employers whose employees are engaged in emergency response no matter where it occurs except that it does not cover employees engaged in operations specified in paragraphs (a)(1)(i) through (a)(1)(iv) of this section. Those emergency response organizations who have developed and implemented programs equivalent to this paragraph for handling releases of hazardous substances pursuant to section 303 of the Superfund Amendments and Reauthorization Act of 1986 (Emergency Planning and Community Right-to-Know Act of 1986, 42 U.S.C. 11003) shall be deemed to have met the requirements of this paragraph.

**1910.120(q)(1)**

*Emergency response plan.* An emergency response plan shall be developed and implemented to handle anticipated emergencies prior to the commencement of emergency response operations. The plan shall be in writing and available for inspection and copying by employees, their representatives and OSHA personnel. Employers who will evacuate their employees from the danger area when an emergency occurs, and who do not permit any of their employees to assist in handling the emergency, are exempt from the requirements of this paragraph if they provide an emergency action plan in accordance with 29 CFR 1910.38.

**1910.120(q)(2)**

*Elements of an emergency response plan.* The employer shall develop an emergency response plan for emergencies which shall address, as a minimum, the following areas to the extent that they are not addressed in any specific program required in this paragraph:

**1910.120(q)(2)(i)**

Pre-emergency planning and coordination with outside parties..

**1910.120(q)(2)(ii)**

Personnel roles, lines of authority, training, and communication.

**1910.120(q)(2)(iii)**

Emergency recognition and prevention.

**1910.120(q)(2)(iv)**

Safe distances and places of refuge.

**1910.120(q)(2)(v)**

Site security and control.

**1910.120(q)(2)(vi)**

Evacuation routes and procedures.

**1910.120(q)(2)(vii)**

Decontamination.

**1910.120(q)(2)(viii)**

Emergency medical treatment and first aid.

**1910.120(q)(2)(ix)**

Emergency alerting and response procedures.

**1910.120(q)(2)(x)**

Critique of response and follow-up.

**1910.120(q)(2)(xi)**

PPE and emergency equipment.

**1910.120(q)(2)(xii)**

Emergency response organizations may use the local emergency response plan or the state emergency response plan or both, as part of their emergency response plan to avoid duplication. Those items of the emergency response plan that are being properly addressed by the SARA Title III plans may be substituted into their emergency plan or otherwise kept together for the employer and employee's use.

**1910.120(q)(3)**

*Procedures for handling emergency response.*

**1910.120(q)(3)(i)**

The senior emergency response official responding to an emergency shall become the individual in charge of a site-specific Incident Command System (ICS). All emergency responders and their communications shall be coordinated and controlled through the individual in charge of the ICS assisted by the senior official present for each employer.

NOTE TO PARAGRAPH (q)(3)(i). - The "senior official" at an emergency response is the most senior official on the site who has the responsibility for controlling the operations at the site. Initially it is the senior officer on the first-due piece of responding emergency apparatus to arrive on the incident scene. As more senior officers arrive (i.e., battalion chief, fire chief, state law enforcement official, site coordinator, etc.) the position is passed up the line of authority which has been previously established.

**1910.120(q)(3)(ii)**

The individual in charge of the ICS shall identify, to the extent possible, all hazardous substances or conditions present and shall address as appropriate site analysis, use of engineering controls, maximum exposure limits, hazardous substance handling procedures, and use of any new technologies.

**1910.120(q)(3)(iii)**

Based on the hazardous substances and/or conditions present, the individual in charge of the ICS shall implement appropriate emergency operations, and assure that the personal protective equipment worn is appropriate for the hazards to be encountered. However, personal protective equipment shall meet, at a minimum, the criteria contained in 29 CFR 1910.156(e) when worn while performing fire fighting operations beyond the incipient stage for any incident.

**1910.120(q)(3)(iv)**

Employees engaged in emergency response and exposed to hazardous substances presenting an inhalation hazard or potential inhalation hazard shall wear positive pressure self-contained breathing apparatus while engaged in emergency response, until such time that the individual in charge of the ICS determines through the use of air monitoring that a decreased level of respiratory protection will not result in hazardous exposures to employees.

**1910.120(q)(3)(v)**

The individual in charge of the ICS shall limit the number of emergency response personnel at the emergency site, in those areas of potential or actual exposure to incident or site hazards, to those who are actively performing emergency operations. However, operations in hazardous areas shall be performed using the buddy system in groups of two or more.

**1910.120(q)(3)(vi)**

Back-up personnel shall be standing by with equipment ready to provide assistance or rescue. Qualified basic life support personnel, as a minimum, shall also be standing by with medical equipment and transportation capability.

**1910.120(q)(3)(vii)**

The individual in charge of the ICS shall designate a safety officer, who is knowledgeable in the operations being implemented at the emergency response site, with specific responsibility to identify and evaluate hazards and to provide direction with respect to the safety of operations for the emergency at hand.

**1910.120(q)(3)(viii)**

When activities are judged by the safety officer to be an IDLH and/or to involve an imminent danger condition, the safety officer shall have the authority to alter, suspend, or terminate those activities. The safety official shall immediately inform the individual in charge of the ICS of any actions needed to be taken to correct these hazards at the emergency scene.

**1910.120(q)(3)(ix)**

After emergency operations have terminated, the individual in charge of the ICS shall implement appropriate decontamination procedures.

**1910.120(q)(3)(x)**

When deemed necessary for meeting the tasks at hand, approved self-contained compressed air breathing apparatus may be used with approved cylinders from other approved self-contained compressed air breathing apparatus provided that such cylinders are of the same capacity and pressure rating. All compressed air cylinders used with self-contained breathing apparatus shall meet U.S. Department of Transportation and National Institute for Occupational Safety and Health criteria.

**1910.120(a)(4)**

*Skilled support personnel.* Personnel, not necessarily an employer's own employees, who are skilled in the operation of certain equipment, such as mechanized earth moving or digging equipment or crane and hoisting equipment, and who are needed temporarily to perform immediate emergency support work that cannot reasonably be performed in a timely fashion

by an employer's own employees, and who will be or may be exposed to the hazards at an emergency response scene, are not required to meet the training required in this paragraph for the employer's regular employees. However, these personnel shall be given an initial briefing at the site prior to their participation in any emergency response. The initial briefing shall include instruction in the wearing of appropriate personal protective equipment, what chemical hazards are involved, and what duties are to be performed. All other appropriate safety and health precautions provided to the employer's own employees shall be used to assure the safety and health of these personnel.

**1910.120(q)(5)**

*Specialist employees.* Employees who, in the course of their regular job duties, work with and are trained in the hazards of specific hazardous substances, and who will be called upon to provide technical advice or assistance at a hazardous substance release incident to the individual in charge, shall receive training or demonstrate competency in the area of their specialization annually.

**1910.120(q)(6)**

*Training.* Training shall be based on the duties and function to be performed by each responder of an emergency response organization. The skill and knowledge levels required for all new responders, those hired after the effective date of this standard, shall be conveyed to them through training before they are permitted to take part in actual emergency operations on an incident. Employees who participate, or are expected to participate, in emergency response, shall be given training in accordance with the following paragraphs:

**1910.120(q)(6)(i)**

*First responder awareness level.* First responders at the awareness level are individuals who are likely to witness or discover a hazardous substance release and who have been trained to initiate an emergency response sequence by notifying the proper authorities of the release. They would take no further action beyond notifying the authorities of the release. First responders at the awareness level shall have sufficient training or have had sufficient experience to objectively demonstrate competency in the following areas:

**1910.120(q)(6)(i)(A)**

An understanding of what hazardous substances are, and the risks associated with them in an incident.

**1910.120(q)(6)(i)(B)**

An understanding of the potential outcomes associated with an emergency created when hazardous substances are present.

**1910.120(q)(6)(i)(C)**

The ability to recognize the presence of hazardous substances in an emergency.

**1910.120(q)(6)(i)(D)**

The ability to identify the hazardous substances, if possible.

**1910.120(q)(6)(i)(E)**

An understanding of the role of the first responder awareness individual in the employer's emergency response plan including site security and control and the U.S. Department of Transportation's Emergency Response Guidebook.

**1910.120(q)(6)(i)(F)**

The ability to realize the need for additional resources, and to make appropriate notifications to the communication center.

**1910.120(q)(6)(ii)**

*First responder operations level.* First responders at the operations level are individuals who respond to releases or potential releases of hazardous substances as part of the initial response to the site for the purpose of protecting nearby persons, property, or the environment from the effects of the release. They are trained to respond in a defensive fashion without actually trying to stop the release. Their function is to contain the release from a safe distance, keep it from spreading, and prevent exposures. First responders at the operational level shall have received at least eight hours of training or have had sufficient experience to objectively demonstrate competency in the following areas in addition to those listed for the awareness level and the employer shall so certify:

**1910.120(q)(6)(ii)(A)**

Knowledge of the basic hazard and risk assessment techniques.

**1910.120(q)(6)(ii)(B)**

Know how to select and use proper personal protective equipment provided to the first responder operational level.

**1910.120(q)(6)(ii)(C)**

An understanding of basic hazardous materials terms.

**1910.120(q)(6)(ii)(D)**

Know how to perform basic control, containment and/or confinement operations within the capabilities of the resources and personal protective equipment available with their unit.

**1910.120(q)(6)(ii)(E)**

Know how to implement basic decontamination procedures.

**1910.120(q)(6)(ii)(F)**

An understanding of the relevant standard operating procedures and termination procedures.

**1910.120(q)(6)(iii)**

*Hazardous materials technician.* Hazardous materials technicians are individuals who respond to releases or potential releases for the purpose of stopping the release. They assume a more aggressive role than a first responder at the operations level in that they will approach the point of release in order to plug, patch or otherwise stop the release of a hazardous substance. Hazardous materials technicians shall have received at least 24 hours of training equal to the first responder operations level and in addition have competency in the following areas and the employer shall so certify:

1910.120(q)(6)(iii)(A)

Know how to implement the employer's emergency response plan.

1910.120(q)(6)(iii)(B)

Know the classification, identification and verification of known and unknown materials by using field survey instruments and equipment.

1910.120(q)(6)(iii)(C)

Be able to function within an assigned role in the Incident Command System.

1910.120(q)(6)(iii)(D)

Know how to select and use proper specialized chemical personal protective equipment provided to the hazardous materials technician.

1910.120(q)(6)(iii)(E)

Understand hazard and risk assessment techniques.

1910.120(q)(6)(iii)(F)

Be able to perform advance control, containment, and/or confinement operations within the capabilities of the resources and personal protective equipment available with the unit.

1910.120(q)(6)(iii)(G)

Understand and implement decontamination procedures.

1910.120(q)(6)(iii)(H)

Understand termination procedures.

1910.120(q)(6)(iii)(I)

Understand basic chemical and toxicological terminology and behavior.

1910.120(q)(6)(iv)

*Hazardous materials specialist.* Hazardous materials specialists are individuals who respond with and provide support to hazardous materials technicians. Their duties parallel those of the hazardous materials technician, however, those duties require a more directed or specific knowledge of the various substances they may be called upon to contain. The hazardous materials specialist would also act as the site liaison with Federal, state, local and other government authorities in regards to site activities. Hazardous materials specialists shall have received at least 24 hours of training equal to the technician level and in addition have competency in the following areas and the employer shall so certify:

1910.120(q)(6)(iv)(A)

Know how to implement the local emergency response plan.

1910.120(q)(6)(iv)(B)

Understand classification, identification and verification of known and unknown materials by using advanced survey instruments and equipment.

1910.120(q)(6)(iv)(C)

Know the state emergency response plan.

1910.120(q)(6)(iv)(D)

Be able to select and use proper specialized chemical personal protective equipment provided to the hazardous materials specialist.

1910.120(q)(6)(iv)(E)

Understand in-depth hazard and risk techniques.

1910.120(q)(6)(iv)(F)

Be able to perform specialized control, containment, and/or confinement operations within the capabilities of the resources and personal protective equipment available.

1910.120(q)(6)(iv)(G)

Be able to determine and implement decontamination procedures.

1910.120(q)(6)(iv)(H)

Have the ability to develop a site safety and control plan.

1910.120(q)(6)(iv)(I)

Understand chemical, radiological and toxicological terminology and behavior.

**1910.120(q)(6)(v)**

*On scene incident commander.* Incident commanders, who will assume control of the incident scene beyond the first responder awareness level, shall receive at least 24 hours of training equal to the first responder operations level and in addition have competency in the following areas and the employer shall so certify:

**1910.120(q)(6)(v)(A)**

Know and be able to implement the employer's incident command system.

**1910.120(q)(6)(v)(B)**

Know how to implement the employer's emergency response plan.

**1910.120(q)(6)(v)(C)**

Know and understand the hazards and risks associated with employees working in chemical protective clothing.

**1910.120(q)(6)(v)(D)**

Know how to implement the local emergency response plan.

**1910.120(q)(6)(v)(E)**

Know of the state emergency response plan and of the Federal Regional Response Team.

**1910.120(q)(6)(v)(F)**

Know and understand the importance of decontamination procedures.

**1910.120(q)(7)**

*Trainers.* Trainers who teach any of the above training subjects shall have satisfactorily completed a training course for teaching the subjects they are expected to teach, such as the courses offered by the U.S. National Fire Academy, or they shall have the training and/or academic credentials and instructional experience necessary to demonstrate competent instructional skills and a good command of the subject matter of the courses they are to teach.

**1910.120(q)(8)**

*Refresher training.*

**1910.120(q)(8)(i)**

Those employees who are trained in accordance with paragraph (q)(6) of this section shall receive annual refresher training of sufficient content and duration to maintain their competencies, or shall demonstrate competency in those areas at least yearly.

**1910.120(q)(8)(ii)**

A statement shall be made of the training or competency, and if a statement of competency is made, the employer shall keep a record of the methodology used to demonstrate competency.

**1910.120(q)(9)**

*Medical surveillance and consultation.*

**1910.120(q)(9)(i)**

Members of an organized and designated HAZMAT team and hazardous materials specialist shall receive a baseline physical examination and be provided with medical surveillance as required in paragraph (f) of this section.

**1910.120(q)(9)(ii)**

Any emergency response employees who exhibit signs or symptoms which may have resulted from exposure to hazardous substances during the course of an emergency incident either immediately or subsequently, shall be provided with medical consultation as required in paragraph (f)(3)(ii) of this section.

**1910.120(q)(10)**

*Chemical protective clothing.* Chemical protective clothing and equipment to be used by organized and designated HAZMAT team members, or to be used by hazardous materials specialists, shall meet the requirements of paragraphs (g)(3) through (5) of this section.

**1910.120(q)(11)**

*Post-emergency response operations.* Upon completion of the emergency response, if it is determined that it is necessary to remove hazardous substances, health hazards and materials contaminated with them (such as contaminated soil or other elements of the natural environment) from the site of the incident, the employer conducting the clean-up shall comply with one of the following:

**1910.120(q)(11)(i)**

Meet all the requirements of paragraphs (b) through (o) of this section; or

**1910.120(q)(11)(ii)**

Where the clean-up is done on plant property using plant or workplace employees, such employees shall have completed the training requirements of the following: 29 CFR 1910.38, 1910.134, 1910.1200, and other appropriate safety and health training made necessary by the tasks they are expected to perform such as personal protective equipment and decontamination procedures.

APPENDICES TO §1910.120 - HAZARDOUS WASTE OPERATIONS AND EMERGENCY RESPONSE

NOTE: The following appendices serve as non-mandatory guidelines to assist employees and employers in complying with the appropriate requirements of this section. However paragraph 1910.120(g) makes mandatory in certain circumstances the use of Level A and Level B PPE protection.

[61 FR 9227, March 7, 1996; 67 FR 67964, Nov. 7, 2002; 71 FR 16672, April 3, 2006; 76 FR 80738, Dec. 27, 2011; 77 FR 17776, March 26, 2012; 78 FR 9313, Feb. 8, 2013]

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