



Edwin M. Lee
Mayor

Micki Callahan
Human Resources Director

Date: May 1, 2015

To: The Honorable Civil Service Commission

Through: Micki Callahan *Micki*
Human Resources Director

From: Cynthia Avakian, AIR
Michael Nettles, ASR
Joyce Kimotsuki, CON
Danny Yeung, CPC
Brent Lewis, DHR
Genie Wong, POL
Jacquie Hale, DPH
Joan Lubamersky, ADM
Sheila Layton, JUV
Cynthia Hamada, MTA
Amanda Fried, TTX

Subject: **Personal Services Contracts Approval Request**

This report contains fifteen (15) personal services contracts (PSCs) in accordance with the revised Civil Service Commission (CSC) procedures for processing PSCs that became effective on November 5, 2014.

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 FY2014-2015	Total for FY2014-2015
\$39,489,000	\$55,327,327	\$1,803,181,184

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Published on *Personal Services Request Database* (<http://apps.sfgov.org/dhrdrupal>)

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POSTING FOR**May 18, 2015****PROPOSED PERSONAL SERVICES CONTRACTS – REGULAR****Commission Hearing Date**

2015-05-18

APPLY

PSC No	Dept Designation	PSC Amount	Description of Work	PSC Estimated Start Date	PSC Estimated End Date
46926 - 14/15	AIRPORT COMMISSION	\$6,000,000.00	Project Management Support Services (PMSS) including program planning, controls, reporting, scheduling, budgeting, document control and coordination and design management for the Airport's Security Infrastructure Program (SIP) at San Francisco International Airport (SFO). The SIP program will be implemented over five (5) years and includes replacement of access control system, addition of perimeter intrusion detection system, increase security camera coverage and upgrades to telecommunication fiber duct.	April 1, 2015	March 31, 2021
48685 - 14/15	ASSESSOR / RECORDER	\$250,000.00	Consultants are needed to provide analysis, configuration, and implementation services to implement the selected electronic document management system, OnBase by Hyland. OnBase is a leading enterprise content management software solution that provides organizations a centralized electronic repository and applications to capture and manage documents and related data, search for and access documents quickly and efficiently, manage retention policies, and integrate with other systems to support more efficient business processes. Please see attached for full response.	June 15, 2015	May 15, 2020
40778 - 14/15	CONTROLLER	\$1,500,000.00	Identify and correct sales and use tax allocation errors, identify businesses from which the City has not been receiving sales/use tax revenue, conduct local sales and use tax audits of the State Board of Equalization records and provide legislative impact analyses, identify and correct improperly registered permits; develop and maintain a database of sales tax information for use by City employees, provide as-needed tax revenue enhancement services, develop a website for sales and use tax data.	July 1, 2015	June 30, 2020
49884 - 14/15	CITY PLANNING	\$500,000.00	The Planning Department is seeking an Urban Design consulting team to expediently develop a Public Realm Plan for the Central Waterfront - Dogpatch Area that will guide the rapid pace of public space development in the neighborhood. A Public Realm Plan will develop a community-supported vision for the neighborhood's streets, sidewalks, and public places through a series of projects and initiatives built over time, including new streetscape designs, active transportation and circulation plan, and a plan for pedestrian amenities. The Public Realm Plan will be used to effectively guide the many new and upcoming development projects in the area, many of which are currently going through entitlement.	June 1, 2015	December 31, 2019
48218 - 14/15	HUMAN RESOURCES	\$250,000.00	The contractor will provide services to recruit, train and support mid-career executives as part of the annual Mayor's Senior Fellowship program. The contractor will: recruit senior level executives through national effort; match talent with departments' needs; provide on-going training and support for Fellows; and review and report on departmental outcomes, with the support of the Mayor's Office.	May 1, 2015	April 30, 2017
47916 - 14/15	POLICE	\$375,000.00	Phlebotomy services must be available 24 hours a day/7 days a week/365 days a year to conduct blood draws at various locations on suspects Driving Under the Influence (DUI) for law enforcement agencies in the City and County of San Francisco. These blood draws must be conducted according to specific standards that include informed consent and other legal requirements. Procedures for blood draws on suspected Driving Under the Influence (DUI) drivers are different from blood draws for health reasons. Phlebotomist must be available for scheduled testimony if requested by District Attorney. Phlebotomist must also participate in evidence handling training by Medical Examiner.	July 1, 2015	June 30, 2017

PSC No	Dept Designation	PSC Amount	Description of Work	PSC Estimated Start Date	PSC Estimated End Date
46237 - 14/15	PUBLIC HEALTH	\$25,352,000.00	Contractors will provide an array of primary prevention services (prevention, health education, outreach, and referral services), programs, and projects for the broad age, ethnic, gender, ability, and geographic diversity of San Francisco, especially in low income areas, to specific ethnic communities and neighborhoods, and including services targeted to multi-cultural/multi-lingual refugees/asylees, victims of trafficking, and other immigrant communities. Services will include community capacity building training, technical assistance and fiscal intermediary services with organizations providing community-based preventative services such as the tobacco free project, pedestrian traffic safety initiatives, healthy eating and active living initiatives, tattoo removal, drug and alcohol problem prevention, wellness, and other health-related preventative programs.	July 1, 2015	June 30, 2020
46444 - 14/15	PUBLIC HEALTH	\$700,000.00	Contractor will provide one-time moving and installation services to move and install Furniture Fixtures and Equipment (FF&E) into the new San Francisco General Hospital.	February 1, 2015	June 30, 2016
42832 - 14/15	PUBLIC HEALTH	\$940,800.00	As needed, temporary, supplemental and credential verification registry personnel services for the Medical Staff Services Departments of San Francisco General Hospital (SFGH) and Laguna Honda Hospital (LHH), as well as for Community Behavioral Health Services (CBHS). This service assists current staff to meet unanticipated workload peaks in demand and whenever staff is unavailable to attend standing meetings. Contractor's staff will also support in-house staff to verify providers licenses, certificates and board certifications of physicians, dentists, nurse practitioners, nurse anesthetists and midwives on as-needed basis. This will include assistance with credentialing and privileging of Medical Staff (e.g., physicians, dentists, psychologists & podiatrists) and Affiliate Professionals (e.g., nurse practitioners, certified midwives, certified nurse anesthetists, physician assistants), support for Clinical Services related to Bylaws, Rules and Regulations.	October 1, 2014	June 30, 2019

TOTAL AMOUNT \$35,867,800



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Posting For May 18, 2015**Proposed Modifications to Personal Services Contracts****Commission Hearing Date**

2015-05-18

APPLY

PSC Number	Commission Hearing Date	Department	Additional Amount	Cumulative Total	Description	Start Date	End Date	Approval Type
4165 07/08 - MODIFICATIONS	May 18, 2015	GENERAL SERVICES AGENCY - CITY ADMIN -- ADM	\$1,641,200	\$3,421,181	Under CA Labor Code Section 1776 and S.F. Admin. Code Section 6.22(E) all construction contractors working under contracts issued by the City of San Francisco awarding bodies and performing work covered by prevailing wage requirements are required to provide certified payroll records (CPRs) to the City. Vendor will provide a software license for their web based electronic certified payroll reporting system hosted on their secure server. (Please see continuation sheet attached.)	07/01/2008	06/30/2018	REGULAR
4112-11/12 - MODIFICATIONS	May 18, 2015	JUVENILE PROBATION -- JUV	\$0	\$450,000	The scope of work was created to allow the contractor to work with the department in two phases. The first phase is the planning phase and the second phase is the implementation phase. Phase 1 Includes: Kick off, Develop Scope of Work, Project Plan, Requirements Matrix and Fit Gap Report, Conversion Plan and Interface Matrix, Reports, Testing Strategy and Finalize Statement of Work. Phase 2 includes: Implement Case Management System Implementation Scope of Work, Develop and Implement Final Acceptance Testing Schedule.	05/01/2015	04/30/2017	REGULAR
4044 - 10/11 - MODIFICATIONS	May 18, 2015	MUNICIPAL TRANSPORTATION AGENCY -- MTA	\$1,000,000	\$3,500,000	The SFMTA requires the services of a contractor to provide comprehensive investigative services on workers' compensation claims arising out of employment or in the course of employment. Investigative services include: written and recorded statements; background investigations; forms and releases; medical records retrieval; subrogation investigations; medical facility canvassing; database and online research; surveillance; investigators' court appearances; and the acquisition, storage and accessibility of video documentation. All services must make use of current technologies to the extent possible.	06/01/2015	11/30/2018	REGULAR
4091-10/11 - MODIFICATIONS	May 18, 2015	POLICE -- POL	\$130,000	\$880,000	Initial Entry: Contractor will provide outpatient behavioral health services to the San Francisco Police Department (SFPD) members and their families.	07/01/2015	06/30/2016	REGULAR

PSC Number	Commission Hearing Date	Department	Additional Amount	Cumulative Total	Description	Start Date	End Date	Approval Type
					These services will provide 8 visits per family per fiscal year and be available throughout the United States. However, the selected vendor in 2011 provides 10 sessions per member (and their families) and a critical incident stress residential program for 5 members. For FY 15-16, the vendor will continue to provide 10 sessions and a critical incident stress residential program for 6 members.			
4082 12/13 - MODIFICATIONS	May 18, 2015	TREASURER/TAX COLLECTOR -- TTX	\$350,000	\$1,840,000	The Gross Receipts Tax and Business Registration Fees Ordinance (2012) Proposition E) was approved by San Francisco voters on November 6, 2012. It mandates that the City implement changes to local business taxes and registration fees by January 1, 2014 with a phased implementation through 2018. The Treasurer & Tax Collector has previously procured a proprietary software solution for Cashiering under PSC# 4035 09/10 approved on 9/21/2009. The software must be configured to meet the requirements of the Ordinance.	05/04/2015	06/30/2017	REGULAR
4035 - 09/10 - MODIFICATIONS	May 18, 2015	TREASURER/TAX COLLECTOR -- TTX	\$500,000	\$900,000	Provide new payment processing system; licensing fees and annual software maintenance costs; professional service cost in custom programming, installation and training. See attached sheet titled Description of Work.	05/11/2015	06/30/2017	REGULAR

TOTAL AMOUNT \$3,621,200

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: Project Management Support Services (PMSS) for Airport Security Infrastructure Program

Funding Source: General Airport Revenue Bond PSC Duration: 6 years 1 day
PSC Amount: \$6,000,000 PSC Est. Start Date: 04/01/2015 PSC Est. End Date: 03/31/2021

1. Description of Work

A. Scope of Work:

Project Management Support Services (PMSS) including program planning, controls, reporting, scheduling, budgeting, document control and coordination and design management for the Airport's Security Infrastructure Program (SIP) at San Francisco International Airport (SFO). The SIP program will be implemented over five (5) years and includes replacement of access control system, addition of perimeter intrusion detection system, increase security camera coverage and upgrades to telecommunication fiber duct.

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

This service is necessary to ensure the safety and security for the staff and passengers at SFO and to ensure a complete security infrastructure. Without system upgrades, the security network would be outdated and may have service failures.

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 the service.

2. Union Notification: On 03/06/2015, the Department notified the following employee organizations of this PSC/RFP request: Prof & Tech Eng, Local 21,

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 46926 - 14/15

DHR Analysis/Recommendation:
Commission Approval Required
DHR Approved for 05/18/2015

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:
 Specialized skills, knowledge, and expertise in security infrastructure related to airports are required. Experience in assessing, programming and managing airport security systems are essential to updating and improving a security infrastructure. In addition, the PMSS must be current on Transportation Security Administration (TSA) regulations and requirements.

B. Which, if any, civil service class(es) normally perform(s) this work?
 5201,5207,5211,5215,5219,5241,6318,

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:

Portions of the PMSS work can be covered by the existing engineering classifications, however, they would not have the required expertise and skills to assess and improve the airport security infrastructure program to meet TSA regulations on airport security and operations.

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

No, security infrastructure projects do not occur frequently enough to justify permanent staffing. The Airport staff will work with the PMSS contractor to obtain knowledge and experience for future security infrastructure development and improvement work at the Airport.

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?
 There is no formal training, but Airport staff will learn from working on this p 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 04/22/2015 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)

From: dhr-pscordinator@sfgov.org on behalf of cynthia.avakian@fiysfo.com
To: [Cynthia Avakian \(AIR\)](#); L21PSCReview@fppte21.org; [Yen Pang \(AIR\)](#); [Isen, Richard \(TIS\)](#); [DHR-PSCCoordinator, DHR \(HRD\)](#)
Subject: Receipt of Notice for new PCS over \$100K PSC # 46926 - 14/15
Date: Friday, March 06, 2015 1:47:31 PM

RECEIPT for Union Notification for PSC 46926 - 14/15 more than \$100k

The AIRPORT COMMISSION -- AIR has submitted a request for a Personal Services Contract (PSC) 46926 - 14/15 for \$6,000,000 for Initial Request services for the period 04/01/2015 -- 03/31/2021. 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/4168> 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)

PSC 46926-14/15

5 years or more justification

For all PSCs if the duration requested is 5 years or more, an explanation is required- historical PSC required:

The contracts will span 5 years to ensure consistency in the PMSS for the Airport Security Infrastructure Program.

Training

Will the contractor train employees? If so, please explain what that will entail; if not, explain why not.:

no

Describe Training including number of hours. Indicate occupational type of employees. If no training, please explain:

There is no formal training, but Airport staff will learn from working on this project.

NOTICE OF INTENT

DATE: November 13, 2014

TO: Public Utilities Commission, Department of Public Works, Port of San Francisco,
San Francisco Municipal Transportation Agency

SUBJECT: **NOTICE OF INTENT FOR: Request for Proposals (RFP) No. 10511.41 for Program Management Support Services (PMSS) for the Security Infrastructure Program at San Francisco International Airport**

REQUESTED RESPONSE DATE IS CLOSE OF BUSINESS DAY: November 21, 2014

The San Francisco International Airport Design and Construction Division is seeking professional services for: **Program Management Support Services for the Airport Security Infrastructure Program at San Francisco International Airport** as listed below. If your Department is interested please fill out one of the boxes below, sign, date and send back this form via email. If the Airport has not received a response from your organization by **November 21, 2014** it shall be assumed that your staff is not available to perform these services and the Airport will execute a contract service order for completion of these services.

Estimated duration of PMSS contracts: July 2015 -- June 2020

Summary of Scope of Work:

The safety and security of SFO is a basic tenant in the Airport's doctrine. To implement the security infrastructure of an Airport -wide security master plan, the PMSS contractor will collaborate with an on-board security contractor and the Airport during the security contractor's work effort. The PMSS Contractor will provide PMSS services to the Airport during the planning phase and will manage and oversee the implementation program. The Airport requires Program Management Support Services (PMSS) teams with design, design-build, construction management at risk, and design-bid-build experience at airports to manage the design and construction of Airport Security Infrastructure Program.

The general scope of work will include integrated project delivery within the Airport's "Delivering Exceptional Projects" guiding principles.

Work will include project planning, controls, reporting, scheduling, budgeting, document control, coordination, design management, contracts management and constructability review for the following proposed security infrastructure initiatives:

- Access Control Systems Replacement (ACS) at the Terminal and outlying areas of existing MDI components
- Close Circuit TV Expansion (CCTV) at the specific locations in Boarding Areas, Ticketing Lobbies Curbsides, Domestic Garage Cores and Utility Tunnels
- Perimeter Intrusion Detection System (PIDS) surveillance of both the water edge (and beyond) and the landside fence and access gates of the Airport
- Fiber infrastructure Assessment and Redevelopment Airport Wide
- License Plate Recognition System

Listed above.

**SFO, DESIGN, CONSTRUCTION, & TECHNOLOGY DIVISION
NOTICE OF INTENT**

Request for Proposal (RFP) for Project Management Support Services (PMSS) for Security Infrastructure Program at San Francisco International Airport

Please provide the information check one of the boxes below, sign, date and email back by due date.

Our Department is interested.

If your department is interested in providing these services, the Project Managers for these RFPs will contact you for further discussions.

Our Department is not interested or available to perform these services.

NAME: _____

DEPARTMENT: _____

SIGNATURE: _____

Date: _____

Questions regarding this request should be sent via email to:
Norman.delPrado@flysfo.com

Thank you in advance for your consideration.

Sincerely,

Norman del Prado

Project Manager
Design and Construction Division
San Francisco International Airport

cc: Cynthia Avakian

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: ASSESSOR / RECORDER – ASR Dept. Code: ASR

Type of Request: Initial Modification of an existing PSC (PSC # _____)

Type of Approval: Expedited Regular (Omit Posting)

Type of Service: Software Professional Services

Funding Source: General Fund PSC Duration: 4 years 48 weeks

PSC Amount: \$250,000 PSC Est. Start Date: 06/15/2015 PSC Est. End Date: 05/15/2020

1. Description of Work

A. Scope of Work:

Consultants are needed to provide analysis, configuration, and implementation services to implement the selected electronic document management system, OnBase by Hyland. OnBase is a leading enterprise content management software solution that provides organizations a centralized electronic repository and applications to capture and manage documents and related data, search for and access documents quickly and efficiently, manage retention policies, and integrate with other systems to support more efficient business processes. Please see attached for full response.

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

This service is necessary because ASR does not have any resources that have the technical knowledge and experience to implement the software. If the request is denied, then ASR will not be able to implement the electronic document management system, and we will not be able to move forward with a key ASR initiative to move the department toward a paperless office. Please see attached for full response.

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 to ASR.

D. Will the contract(s) be renewed? If additional professional services are required...see attached.

2. Union Notification: On 03/23/2015, the Department notified the following employee organizations of this PSC/RFP request: Professional & Tech Engrs, Local 21,

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 48685 - 14/15

DHR Analysis/Recommendation:

Commission Approval Required

DHR Approved for 05/18/2015

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:

Technical skills using and configuring enterprise content management systems, specifically OnBase by Hyland. Must also be an expert in mapping business requirements to key features in OnBase, and know how to configure the system to implement those requirements. Must be able to train users on how to use OnBase, and how to use the specifically configured version of OnBase.

B. Which, if any, civil service class(es) normally perform(s) this work?
1043,1054,

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 work requires specialized knowledge, skills, and experience in installing and configuring enterprise content management systems, specifically OnBase by Hyland.

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

No. It would require either recruiting skilled or experienced people out of the software industry or sending someone to hundreds of hours of training in OnBase and providing them with enough work to keep them busy fulltime on an ongoing basis after the initial configuration is completed.

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?
Yes. Please see attached for full response. | <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 04/14/2015 BY:

Name: Michael Nettles Phone: 415-554-5256 Email: michael.nettles@sfgov.org

Address: 1 Dr. Carlton B. Goodlett Place, Room 190 San Francisco, CA, 94102

Receipt of Union Notification(s)

Lee, Christina (ASR)

From: dhr-psccordinator@sfgov.org on behalf of christina.m.lee@sfgov.org
Sent: Monday, March 23, 2015 3:52 PM
To: Lee, Christina (ASR); L21PSCReview@ifpte21.org; Lee, Christina (ASR); Isen, Richard (TIS); DHR-PSCCoordinator, DHR (HRD)
Subject: Receipt of Notice for new PCS over \$100K PSC # 48685 - 14/15

RECEIPT for Union Notification for PSC 48685 - 14/15 more than \$100k

The ASSESSOR / RECORDER -- ASR has submitted a request for a Personal Services Contract (PSC) 48685 - 14/15 for \$250,000 for Initial Request services for the period 06/15/2015 -- 05/15/2020. 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/4700> 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)

Assessor-Recorder's Office - Personal Services Contract (PSC) Form – 48685-14/15

Attachment for Full Responses to Questions 1A, 1B, 1D, 5B

Question 1A: Scope of Work

Response 1A: Consultants are needed to provide analysis, configuration, and implementation services to implement the selected electronic document management system, OnBase by Hyland. OnBase is a leading enterprise content management software solution that provides organizations a centralized electronic repository and applications to capture and manage documents and related data, search for and access documents quickly and efficiently, manage retention policies, and integrate with other systems to support more efficient business processes.

OnBase, a commercial off the shelf software (COTS) needs to be installed onto application servers and databases and configured to work according to business requirements. The first phase of the project is to digitize Real Property Division's paper files into OnBase and set up new business processes to utilize OnBase day-to-day as the primary repository for all incoming taxpayer forms, documents, correspondence related to their property assessments, as well as for appraiser work papers to justify assessments. Future phases will expand the use of OnBase to other divisions within the Assessor-Recorder (ASR) department and digitizing all documentation for Exemptions, Business Personal Property, and Possessory Interest. ASR will also be looking to expand its use of higher-level features and functions available in OnBase, such as eForms, Document Retention, and other modules that will improve business processes and customer service. We will require professional services to configure any new modules.

Question 1B: Explain why this service is necessary and the consequence of denial:

Response 1B: This service is necessary because ASR does not have any resources that have the technical knowledge and experience to implement the software. If the request is denied, then ASR will not be able to implement the electronic document management system, and we will not be able to move forward with a key ASR initiative to move the department toward a paperless office.

The Assessor-Recorder's office manages documentation for 205,000 parcels in the City. In addition, on the Business Property side, ASR receives about 35,000 business filings annually. The growing number of paper files is taking much needed office space, and the Assessor-Recorder is committed to improving operational efficiencies, modernizing the organization, and moving towards a paperless office. The Real Property Digitization Project is intended to realize this vision by focusing on the records management of Real Property files with the following department-wide goals:

- Reclaim office space currently used for file rooms and cabinets
- Eliminate lost documents
- Find and share information quickly
- Multiple user access to the same files
- Better safeguard confidential taxpayer information
- Increase productivity and efficiency
- Better compliance with Board of Equalization (BOE) regulations and retention policies
- Safeguard against disaster, theft and unforeseen circumstances by improving disaster recovery

Question 1D: Will the contract(s) be renewed?

Response 1D: If additional professional services are required, then the contract may be renewed.

Question 5B: Will the contractor train employees? If so, please explain what that will entail; if not, explain why not.

Response 5B: Yes. They will train staff on how to use the document management system after it has been configured and tested.

Real Property Division and Transaction Unit staff (approximately 70 staff) will be trained on how to use the configured system – TBD hours, but most likely at 2 to 4 hours of training per person in a hands-on classroom setting.

A System Administrator may be trained to handle ongoing administrative tasks and some lower-level configurations within the software for initial support and contact with the vendor.

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: CONTROLLER -- CON Dept. Code: CON

Type of Request: Initial Modification of an existing PSC (PSC # _____)

Type of Approval: Expedited Regular (Omit Posting)

Type of Service: Sales and Use Tax Audit, Analysis & System Services

Funding Source: Percentage of sales tax income PSC Duration: 5 years 1 day
PSC Amount: \$1,500,000 PSC Est. Start Date: 07/01/2015 PSC Est. End Date: 06/30/2020

1. **Description of Work**

A. Scope of Work:

Identify and correct sales and use tax allocation errors, identify businesses from which the City has not been receiving sales/use tax revenue, conduct local sales and use tax audits of the State Board of Equalization records and provide legislative impact analyses, identify and correct improperly registered permits; develop and maintain a database of sales tax information for use by City employees, provide as-needed tax revenue enhancement services, develop a website for sales and use tax data.

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

Misallocations of sales and use tax occur due to a variety of categorization and reporting errors. Without the expert sales and use tax audit, analysis and system services sought, the City/County would lose potential tax revenue to which it is entitled. The total number of undiscovered errors regarding sales and use tax allocations and improperly registered permits would increase each year, compounding the problem. Ultimately, it could cost the City millions of dollars in unrealized revenue.

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 by contract since 1994 and most recently through PSC#4110-10/11 approved on 6/6/2011 and amended by DHR on 7/8/2014.

D. Will the contract(s) be renewed? After contractor selection in the next few months through an open, compe

2. **Union Notification:** On 02/10/2015, the Department notified the following employee organizations of this PSC/RFP request: SEIU Local 1021, SEIU 1021 Miscellaneous, Professional & Tech Engrs, Local 21, Prof & Tech Eng, Local 21, Managemel

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 40778 - 14/15

DHR Analysis/Recommendation:
Commission Approval Required
DHR Approved for 05/18/2015

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:

Selected contractor is required to have experience conducting sales tax audit services for counties in California, including knowledge of State Board of Equalization regulations and requirements, as well as proof of successfully providing revenue to local governments as a direct outcome of its services. The Contractor must work closely with various City departments, businesses, taxpayers, as well as the State Board of Equalization, and to monitor changes in sales and use tax distribution practices and sales and use tax law. (See attached file.)

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

1684,4306,4308,4366,1824,1052,1053,1054,1062,1063,1064,1012,1021,1022,1023,

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:

City employees do not have the specialized expertise to audit sales tax distribution errors such as 'points of sale,' 'use tax,' allocation, or other errors successfully. Such expertise includes providing and maintaining a specialized database, keeping current on the latest State Board of Equalization sales and use tax distribution instructions, providing quarterly legislative impact analyses, and understanding and monitoring claims processes to maximize success in obtaining approval for increased revenue collection. (See attached file).

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

No. Independent appraisals and audits are required for this work, otherwise there would be a conflict of interest.

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?
None | <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 03/14/2015 BY:

Name: Joyce Kimotsuki Phone: (415) 554-6562 Email: joyce.kimotsuki@sfgov.org

Address: 1 Dr. Carlton B. Goodlett Place, Room 306 San Francisco, CA 94102

Receipt of Union Notification(s)

From: dhr-psccordinator@sfgov.org on behalf of joyce.kimotsuki@sfgov.org
To: [Kimotsuki, Joyce \(CON\); Sandeep.Jal@seiu1021.net; Wendy.Frigillana@seiu1021.org; leah.berlanga@seiu1021.org; davidmkersten@gmail.com; tiva.thiang@seiu1021.org; Lopez, Ricardo \(PDR\); Basconcillo, Katherine \(PUC\); pcamarillo_seiu@sbcglobal.net; Carey.dall@seiu1021.org; pscreview@seiu1021.org; joe.brenner@seiu1021.org; ted.zarzecki@seiu1021.net; ablood@cirseiu.org; xiumin.li@seiu1021.org; Poon, SinYee \(HSA\); david.canham@seiu1021.org; joe.tanner@seiu1021.net; Larry.Bradshaw@seiu1021.org; L2iPSCReview@ifpte21.org; Kimotsuki, Joyce \(CON\); Isen, Richard \(TIS\); DHR-PSCCoordinator, DHR \(HRD\)](mailto:Kimotsuki,Joyce(CON);Sandeep.Jal@seiu1021.net;Wendy.Frigillana@seiu1021.org;leah.berlanga@seiu1021.org;davidmkersten@gmail.com;tiva.thiang@seiu1021.org;Lopez,Ricardo(PDR);Basconcillo,Katherine(PUC);pcamarillo_seiu@sbcglobal.net;Carey.dall@seiu1021.org;pscreview@seiu1021.org;joe.brenner@seiu1021.org;ted.zarzecki@seiu1021.net;ablood@cirseiu.org;xiumin.li@seiu1021.org;Poon,SinYee(HSA);david.canham@seiu1021.org;joe.tanner@seiu1021.net;Larry.Bradshaw@seiu1021.org;L2iPSCReview@ifpte21.org;Kimotsuki,Joyce(CON);Isen,Richard(TIS);DHR-PSCCoordinator,DHR(HRD)@seiu1021.net)
Subject: Receipt of Notice for new PCS over \$100K PSC # 40778 - 14/15
Date: Tuesday, February 10, 2015 1:22:56 PM

RECEIPT for Union Notification for PSC 40778 - 14/15 more than \$100k

The CONTROLLER -- CON has submitted a request for a Personal Services Contract (PSC) 40778 - 14/15 for \$1,500,000 for Initial Request services for the period 07/01/2015 – 06/30/2020. 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/4433> 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)

5 year or more justification

For all PSCs if the duration requested is 5 years or more, an explanation is required- historical PSC required:

The work requires highly specialized knowledge and expertise on sales tax audit, sales tax county allocations, state legislation around sales and use tax, and overall sales tax revenue statewide. Having a longer term relationship with the selected contractor will benefit the City by allowing the City to utilize the relationship, especially in terms of the City's sales tax revenue projection, development of sales tax data website, and the accommodation of complicated sales tax data. A historical PSC 4110-11.11 is attached for the prior RFP#CON2011-02 for Sales and Use Tax Audit.

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:

Selected contractor is required to have experience conducting sales tax audit services for counties in California, including knowledge of State Board of Equalization regulations and requirements, as well as proof of successfully providing revenue to local governments as a direct outcome of its services. The Contractor must work closely with various City departments, businesses, taxpayers, as well as the State Board of Equalization, and to monitor changes in sales and use tax distribution practices and sales and use tax law. In order to develop the website for Sales and Use Tax Data, the contractor must have expert knowledge in of confidential State Board of Equalization restrictions and requirements in designing the public interface to data through the website.

4. Why Classified Civil Service Cannot Perform

A. Explain why civil service classes are not applicable:

City employees do not have the specialized expertise to audit sales tax distribution errors such as 'points of sale,' 'use tax,' allocation, or other errors successfully. Such expertise includes providing and maintaining a specialized database, keeping current on the latest State Board of Equalization sales and use tax distribution instructions, providing quarterly legislative impact analyses, and understanding and monitoring claims processes to maximize success in obtaining approval for increased revenue collection. In order to develop the website for Sales and Use Tax Data, the contractor must have expert knowledge in of confidential State Board of Equalization restrictions and requirements in designing the public interface to data through the website.

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: CONTROLLER Dept. Code: CON

Type of Request: [] Initial [x] Modification of an existing PSC (PSC # 4110 10/11)

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

Type of Service: Sales and Use Tax Audit, Analysis and System Services

Funding Source: Percentage of sales tax income
PSC Original Approved Amount: \$500,000 PSC Original Approved Duration: 06/01/11 - 06/30/16 (5 years 4 we
PSC Mod#1 Amount: \$245,000 PSC Mod#1 Duration: no duration added
PSC Mod#2 Amount: PSC Mod#2 Duration:
PSC Cumulative Amount Proposed: \$745,000 PSC Cumulative Duration Proposed: 5 years 4 weeks

1. Description of Work

A. Scope of Work:

Identify and correct sales and use tax allocation errors, identify businesses from which the City has not been receiving sales/use tax revenue, conduct local sales and use tax audits of State Board of Equalization records and provide legislative impact analyses, identify and correct improperly registered permits, develop and maintain a database of sales tax information for use by City employees, and provide as-needed tax revenue enhancement services.

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

Misallocations of sales and use tax occur due to a variety of categorization and reporting errors. Without the expert sales and use tax audit, analysis and system services sought, the City/County would lose potential tax revenue to which it is entitled. The total number of undiscovered errors regarding sales and use tax allocations and improperly registered permits would increase each year, compounding the problem. Ultimately, it could cost the City millions of dollars in unrealized revenue.

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, PSC 4110-10/11

D. Will the contract(s) be renewed? Yes. A new RFP will be issued in 2016.

2. Union Notification: On 06/26/14, the Department notified the following employee organizations of this PSC/RFP request: SEIU Local 1021; SEIU 1021 Miscellaneous; Professional & Tech Engrs, Local 21; Management & Superv Local 21; A

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 4110 10/11

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Not Required

Approved by DHR on 07/08/2014

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:

Contractor is required to have experience conducting sales tax audit services for counties in California, including knowledge of State Board of Equalization regulations and requirements, as well as proof of successfully providing revenue to local governments as a direct outcome of its services. The Contractor must work closely with various City departments, businesses, taxpayers, as well as the State Board of Equalization, and to monitor changes in sales and use tax distribution practices and sales and use tax law.

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

1684,4306,4308,4366,1824,

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:

City employees do not have the specialized expertise to audit sales tax distribution errors such as 'points of sale,' 'use tax,' allocation, or other errors successfully. Such expertise includes providing and maintaining a specialized database, keeping current on the latest State Board of Equalization sales and use tax distribution instructions, providing quarterly legislative impact analyses, and understanding and monitoring claims processes to maximize success in obtaining approval for increased revenue collection.

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

No. The work is highly specialized, time sensitive and intermittent in nature.

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? MuniServices LLC YES NO

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

ON 06/26/14 BY:

Name: Mary Hom Phone: 415-554-7536 Email: mary.hom@sfgov.org

Address: City Hall 306 San Francisco, CA

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: CITY PLANNING -- CPC Dept. Code: CPC

Type of Request: Initial Modification of an existing PSC (PSC # _____)

Type of Approval: Expedited Regular (Omit Posting)

Type of Service: Central Waterfront Area / Dogpatch Public Realm Plan

Funding Source: Impact Fees PSC Duration: 4 years 30 weeks

PSC Amount: \$500,000 PSC Est. Start Date: 06/01/2015 PSC Est. End Date: 12/31/2019

1. **Description of Work**

A. Scope of Work:

The Planning Department is seeking an Urban Design consulting team to expediently develop a Public Realm Plan for the Central Waterfront - Dogpatch Area that will guide the rapid pace of public space development in the neighborhood. A Public Realm Plan will develop a community-supported vision for the neighborhood's streets, sidewalks, and public places through a series of projects and initiatives built over time, including new streetscape designs, active transportation and circulation plan, and a plan for pedestrian amenities. The Public Realm Plan will be used to effectively guide the many new and upcoming development projects in the area, many of which are currently going through entitlement.

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

Urban Design services are necessary in order for the City to expediently provide a Public Realm Plan for the Central Waterfront Area that will guide the rapid pace of public space development in the neighborhood. At present, the Department does not have the internal capacity to deliver a Public Realm Plan within a timeline that allows for effective guidance to many developments which are currently going through entitlement. Denial of the PSC would delay the development of the Plan, which would result in significant lost opportunity to leverage funding for necessary public realm improvements.

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. Similar Urban Planning services have been provided in the past, such as PSC 4059-06/07, the Transit Center District Plan, completed in 2013.

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

2. **Union Notification:** On 03/19/2015, the Department notified the following employee organizations of this PSC/RFP request: Professional & Tech Engrs, Local 21, Prof & Tech Eng, Local 21, Management & Superv Local 21, Architect & Engineers,

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 49884 - 14/15

DHR Analysis/Recommendation:

Commission Approval Required

DHR Approved for 05/18/2015

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:

A consultant should have a multi-disciplined team with the following skills and expertise: planning, transportation, development, economic, graphic design, communication and public outreach, urban design, landscape architectural design, and civil engineering.

B. Which, if any, civil service class(es) normally perform(s) this work?
5283,5293,5291,5278,5277,

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 services classes are not applicable for a one-time project-specific request.

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 to perform for a one-time project-specific request, which occurs infrequently.

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 03/19/2015 BY:

Name: Danny Yeung Phone: 415-575-9042 Email: Danny.Yeung@sfgov.org

Address: 1650 Mission St, Suite 400 San Francisco, CA 94103

Receipt of Union Notification(s)

Yeung, Danny (CPC)

From: dhr-psccordinator@sfgov.org on behalf of Danny.Yeung@sfgov.org
Sent: Thursday, March 19, 2015 6:25 PM
To: Yeung, Danny (CPC); richardisen@gmail.com; L21PSCReview@ifpte21.org; Yeung, Danny (CPC); Isen, Richard (TIS); DHR-PSCCoordinator, DHR (HRD)
Subject: Receipt of Notice for new PCS over \$100K PSC # 49884 - 14/15

RECEIPT for Union Notification for PSC 49884 - 14/15 more than \$100k

The CITY PLANNING -- CPC has submitted a request for a Personal Services Contract (PSC) 49884 - 14/15 for \$500,000 for Initial Request services for the period 06/01/2015 – 12/31/2019. 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/4699> 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)

PERSONAL SERVICES CONTRACT SUMMARY

DATE: September 19, 2011

DEPARTMENT NAME: PLANNING DEPARTMENT

DEPARTMENT NUMBER: 29

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

TYPE OF REQUEST:

[] INITIAL REQUEST [X] MODIFICATION (PSC # 4059-06/07) Extension Request

TYPE OF SERVICE: Transbay Transit Center District Plan and 4th/King Railyards Conceptual Plan

FUNDING SOURCE: Transportation Authority Prop. K, through the Transbay Joint Powers Authority

Table with 4 columns: Item, Amount, PSC Duration, and Total as Modified. Rows include Original Amount, Mod #1-5 PSC Amount, and PSC AMOUNT.

1. DESCRIPTION OF WORK

A. Concise description of proposed work:

The San Francisco Planning Department requires a term extension of Personal Services Contract No. 4059-06/07 to allow adequate time for the completion of all services required for the Transit Center District Plan.

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

The Transit Center project, a key regional multi-modal transit project, which includes the downtown extension of Caltrain, is under-funded, and an evaluation of the potential air-rights development over the existing 4th/King Railyards site is necessary.

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 is a request for an extension of PSC No. 4059-06/07, which was previously approved by the Commission for these services. This service has not been provided prior to this PSC request. (Continued on the Attachment.)

D. Will the contract(s) be renewed? No; it is anticipated that 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):

[X] IFPTE Local 21 [Signature: Rita Chan] [Date: 9/19/11]

[] SEIU Local 790 [Signature:] [Date:]

RFP sent to [Union Name], on [Date], [Signature]

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 4059-06/07 STAFF ANALYSIS/RECOMMENDATION: CIVIL SERVICE COMMISSION ACTION:

3. DESCRIPTION OF REQUIRED SKILLS/EXPERTISE

A. Specify required skills and/or expertise:

The core analytical tools that will be provided by the consultant team will be technical engineering and architectural expertise regarding major infrastructure, including drawing from international experience with construction of development over active railyards, rail engineering, financial and economic analysis, and urban design analysis.

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 provide computer-modeling equipment, including software, hardware, and the expertise to manipulate it in order to analyze urban form, shadow, and wind impacts on the city.

4. WHY CLASSIFIED CIVIL SERVICE CANNOT PERFORM

A. Explain why civil service classes are not applicable:

The City's civil service classifications do not cover the expertise and technical skills necessary to do computer simulations and analyses, nor to do financial analyses on tax rates and methods for Mello-Roos districts. The consultant has completed more than half of the project; they need another year to finish the whole project.

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

No. This is currently a one-time project, and these skills and technical needs are necessary only on a sporadic and infrequent basis. Further, expensive equipment is necessary to conduct the modeling analyses, and simply creating a civil service class would not be sufficient to complete the task.

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"/>

B. Will the contractor train City and County employees?

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

- 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 numbers to be trained.

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? *SF County Transportation Authority 09/26/2006*

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

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

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

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

Signature of Departmental Personal Services Contract Coordinator

JES

Thomas DiSanto

415-575-9113

Print or Type Name

Telephone Number

1650 MISSION ST STE 400
SAN FRANCISCO CA 94103

Address

ATTACHMENT

DATE: September 19, 2011DEPARTMENT NAME: PLANNING DEPARTMENTDEPARTMENT NUMBER: 29TYPE OF SERVICE: Transbay Transit Center District Plan and 4th/King Railyards Conceptual Plan1.A. Concise description of proposed work:

The Transit Center District Plan was completed and the contractor started working on the second part of the project, 4th & King Railyards study, in 2010. The project has been slowed down in order to accommodate necessary coordination with Caltrain and the California High Speed Rail Authority, who are the primary agencies affecting the future of the Railyards and whose planning has advanced substantially since the initial Railyards study began. The High Speed Rail Authority now plans to issue the Environmental Impact Report on their project by the end of 2012, which will provide sufficient information to complete the subject study. Contractor is therefore expected to finish the Railyards study by the end of June 2013.

1.B. Explain why this service is necessary and the consequence of denial (Continued):

Potential air rights development over the Railyards may have the potential to generate sizable amounts of revenue to help complete the Downtown Rail Extension in the Transbay Transit Center, which is under construction and received \$400million from the federal government recently to build the train station that would be the terminus of this rail line. Denial of approval of this term extension would result in an inadequate period for the selected firm to perform the needed services, jeopardize the ability of the City to coordinate effectively with and have sufficient technical expertise to sufficiently evaluate proposals by the CA High Speed Rail Authority and Caltrain regarding the future of the 4th/King Railyards site, whose future is key in the future development of downtown San Francisco, Mission Bay, and the South of Market area. Further, denial of this extension would preclude the City from properly assessing the potential of the site to generate revenue for this major public infrastructure.

1.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) (Continued):

The core analytical tools that will be provided by the consultant team will be three-dimensional computer modeling, technical shadow and wind analysis, financial analysis, and architectural analysis of major infrastructure. The Department does not possess the expertise or infrastructure to conduct these technical analyses, nor would it be practical or feasible to attain them for a short-term project.

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: HUMAN RESOURCES – HRD Dept. Code: HRD

Type of Request: Initial Modification of an existing PSC (PSC # _____)

Type of Approval: Expedited Regular (Omit Posting)

Type of Service: Senior Leadership Fellowship Program

Funding Source: General Fund PSC Duration: 2 years
PSC Amount: \$250,000 PSC Est. Start Date: 05/01/2015 PSC Est. End Date: 04/30/2017

1. Description of Work

A. Scope of Work:

The contractor will provide services to recruit, train and support mid-career executives as part of the annual Mayor's Senior Fellowship program. The contractor will: recruit senior level executives through national effort; match talent with departments' needs; provide on-going training and support for Fellows; and review and report on departmental outcomes, with the support of the Mayor's Office.

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

It is necessary for the Department of Human Resources ("DHR") to engage the expertise of a non-profit organization with a proprietary executive leadership, training, and coaching program. The non-profit organization will identify senior level executives nationwide and attract them into the applicant pool. Further, the non-profit organization has a large network of qualified professionals in place to perform the necessary outreach. If approval is denied, the City and County of San Francisco would be unable to offer the program, bring in highly qualified individuals into the Mayor's Senior Fellowship program and high impact, time limited strategic projects in certain City departments will not be delivered.

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.

The services were provided in the past under PSC#32645-14/15, PSC#38171-14/15, and PSC#39816-14/15.

D. Will the contract(s) be renewed? Renewal is subject to contract performance and department needs.

2. **Union Notification:** On 03/18/2015, the Department notified the following employee organizations of this PSC/RFP request: Municipal Executive Association, Architect & Engineers, Local 21,

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 48218 - 14/15

DHR Analysis/Recommendation:
Commission Approval Required
DHR Approved for 05/18/2015

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:

Proven expertise in providing senior fellowship training program; ability to identify, recruit, engage and screen qualified individuals into the applicant pool and expertise in providing requested services to public sector or governmental entities.

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

1232,0931,

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 not applicable because the services require: established contacts, expert outreach to private sector executives, and demonstrated success in developing and executing a senior fellowship program. The services are highly specialized, intermittent and short-term in duration.

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

No, it would not be practical to adopt a new civil service class because this is a unique and proprietary program.

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

The training program is proprietary and not a train-the-trainer program.

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, Fuse Corps, Inc.

YES NO

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

ON 04/20/2015 BY:

Name: Brent Lewis

Phone: 557-4944

Email: brent.lewis@sfgov.org

Address: 1 South Van Ness Avenue, 4th Floor

San Francisco, CA 94103

Receipt of Union Notification(s)

From: dhr-pscordinator@sfgov.org on behalf of brent.lewis@sfgov.org
To: [Lewis_Brent \(HRD\)](mailto:Lewis_Brent@HRD); camaguey@sfmea.com; staff@sfmea.com; richardisen@gmail.com;
L21PSCReview@ifpte21.org; [Brusaca, Christina](mailto:Brusaca_Christina); [Isen, Richard \(TIS\)](mailto:Isen_Richard); [DHR-PSCCoordinator, DHR \(HRD\)](mailto:DHR-PSCCoordinator_DHR)
Subject: Receipt of Notice for new PCS over \$100K PSC # 48218 - 14/15
Date: Wednesday, March 18, 2015 11:42:24 AM

RECEIPT for Union Notification for PSC 48218 - 14/15 more than \$100k

The HUMAN RESOURCES -- HRD has submitted a request for a Personal Services Contract (PSC) 48218 - 14/15 for \$240,000 for Initial Request services for the period 05/01/2015 – 04/30/2017. 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/dhrrupal/node/4566> 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

Subject:

Kim Carter Martinez [<mailto:kcarter@ifpte21.org>]

Sent: Friday, April 24, 2015 4:21 PM

To: Conley, Darin (HRD)

Subject: RE: PSC#48218-14/15-Senior Leadership Fellowship Program

The Union does not object to this PSC at this time. Thank you Darin and have a good weekend.

Kim

From: Conley, Darin (HRD) [<mailto:darin.conley@sfgov.org>]

Sent: Friday, April 24, 2015 4:19 PM

To: Kim Carter Martinez

Subject: FW: PSC#48218-14/15-Senior Leadership Fellowship Program

Hi Kim,

Per our conversation I wanted to get the unions consent to amend the PSC amount from \$240k to \$250k. Let me know.

Have a great weekend.

Thank you,

Darin Conley | Employee Relations Representative
Department of Human Resources | City and County of San Francisco
1 South Van Ness Avenue, 4th Floor, San Francisco, CA 94103
Office: 415.557.4920 | Fax: 415.557.4919
Darin.Conley@sfgov.org

From: Brusaca, Christina

Sent: Monday, April 20, 2015 11:32 AM

To: 'L21PSCReview@ifpte21.org'

Subject: PSC#48218-14/15-Senior Leadership Fellowship Program

Good morning,

Attached is PSC#48218-14/15 for the Senior Leadership Fellowship Program. The Department of Human Resources ("DHR") entered the PSC on March 18, 2015 and the union notification period has concluded.

DHR is interested in increasing the PSC amount from \$240,000 to \$250,000. Does Local 21 approve the \$10,000 increase to the PSC amount?

Sincerely,

Christina Brusaca
Senior Administrative Analyst
Department of Human Resources

From: [Rebecca Rhine](#)
To: [Raquel Silva](#)
Cc: [Brusaca, Christina](#); [Lewis, Brent \(HRD\)](#)
Subject: Re: PSC#48218-14/15-Senior Leadership Fellowship Program
Date: Monday, April 20, 2015 2:47:10 PM

Brent,

Although your records indicate you sent us the email, we have absolutely no record of having received it. Let's hope that doesn't happen too often!

In any event, MEA will support both the initial and the increased PSC amount. If I understand this PSC, it is really to engage the non-profit to identify candidates. What MEA is interested in is being included in the "review and report on departmental outcomes" noted in the Scope of Work. In other words, what impact has this program had on the "high impact, time limited strategic projects" it seeks to serve. This review is consistent with the conversations MEA had with Micki and Jay when the program was initially discussed with us.

Thank you for getting back to us so quickly.

Rebecca

On Mon, Apr 20, 2015 at 1:58 PM, Raquel Silva <raquel@sfmea.com> wrote:
Christina:

Thank you, we have received the PSC. Rebecca will be forwarding her comments via separate email.

Raquel
[1-415-989-7244](tel:1-415-989-7244)

On Mon, Apr 20, 2015 at 1:48 PM, Brusaca, Christina
<christina.brusaca@sfgov.org> wrote:

Hi Rebecca,

Per our conversation, attached is the original PSC and a copy of the notification email.

Sincerely,

Christina Brusaca

Senior Administrative Analyst

Department of Human Resources

City and County of San Francisco

Christina.brusaca@sfgov.org

From: Raquel Silva [mailto:raquel@sfmea.com]
Sent: Monday, April 20, 2015 1:25 PM
To: Brusaca, Christina
Cc: Rebecca Rhine
Subject: Re: PSC#48218-14/15-Senior Leadership Fellowship Program

Christina:

MEA did not receive the original request on March 18th. We do have some questions about the request. Please provide the original for our review. We expect to be given a reasonable time to review as well as to receive response to questions we might have. Please give me a call if you have any questions about this. Thank you.

Raquel

1-415-989-7244

On Mon, Apr 20, 2015 at 11:32 AM, Brusaca, Christina
<christina.brusaca@sfgov.org> wrote:

Good morning,

Attached is PSC#48218-14/15 for the Senior Leadership Fellowship Program. The Department of Human Resources ("DHR") entered the PSC on March 18, 2015 and the union notification period has concluded.

DHR is interested in increasing the PSC amount from \$240,000 to \$250,000. Does MEA approve the \$10,000 increase to the PSC amount?

Sincerely,

Christina Brusaca
Senior Administrative Analyst
Department of Human Resources
City and County of San Francisco
Christina.brusaca@sfgov.org

--
Rebecca Rhine
Executive Director
Municipal Executives Association
870 Market Street, Suite 840
S. F., CA 94102
(415) 989-7244 (phone)
(415) 989-7077 (fax)
www.sfmea.com

Additional Attachment(s)

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: HUMAN RESOURCES – HRD Dept. Code: HRD

Type of Request: Initial Modification of an existing PSC (PSC # _____)

Type of Approval: Expedited Regular (Omit Posting)

Type of Service: Advisory Services for Mid-Career Fellows Program-Mayor's Office

Funding Source: General Fund PSC Duration: 1 year 21 weeks
PSC Amount: \$65,000 PSC Est. Start Date: 08/01/2014 PSC Est. End Date: 12/31/2015

1. Description of Work

A. Scope of Work:

The contractor will provide services to recruit, train and support mid-career executives as part of the year-long Mayor's Executive Fellowship program. The contractor will: recruit senior level executives through national effort; match talent with departments' needs; provide on-going training and support for Fellows; and review and broadcast departmental outcomes, with the support of Mayor's Communications Office. The contractor will support the Mayor's Office Fellow in implementing the City's Vision Zero policy.

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

It is necessary for the Department of Human Resources ("DHR") to engage the expertise of an executive search firm in order to identify senior level executives nationwide and attract them into the applicant pool. It is expected that the executive search firm has a large network of qualified professionals in place to perform the necessary outreach. If approval is denied, the City and County of San Francisco may be unable to implement the program.

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.

The Mayor's Office of Civic Innovation is implementing a new Fellows program, so the service has not been provided in the past.

D. Will the contract(s) be renewed? Renewal is dependent upon successful outcomes.

2. Union Notification: On 07/24/2014, the Department notified the following employee organizations of this PSC/RFP request: Municipal Executive Association, Architect & Engineers, Local 21,

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 38171 - 13/14

DHR Analysis/Recommendation:

Commission Approval Not Required

Approved by DHR on 08/04/2014

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:
 Must have the proven ability to identify, recruit, engage and screen qualified individuals into the applicant pool; proven expertise in quickly and effectively assessing and screening for the most qualified candidates for recommendation to DHR for final consideration; and skill in providing executive coaching.

B. Which, if any, civil service class(es) normally perform(s) this work?
 1232,0922,

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 primary service provided by a contractor is their skill in effectively identifying and recruiting highly qualified managers for the applicant pool. The City does not currently have the outreach resources, staffing, and/or data on potential quality applicants to engage in the selection process.

B. Would it be practical to adopt a new civil service class to perform this work? Explain.
 No. The City currently maintains classifications of employees who perform generalist work that is similar.

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 _____ BY:

Name: Brent Lewis Phone: 557-4944 Email: brent.lewis@sfgov.org

Address: 1 South Van Ness Avenue, 4th Floor San Francisco, CA, 94103

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: HUMAN RESOURCES – HRD Dept. Code: HRD

Type of Request: Initial Modification of an existing PSC (PSC # _____)

Type of Approval: Expedited Regular Omit Posting

Type of Service: Advisory Services for Mid-Career Fellows Program-Library

Funding Source: General Fund PSC Duration: 1 year 21 weeks
PSC Amount: \$65,000 PSC Est. Start Date: 08/01/2014 PSC Est. End Date: 12/31/2015

1. **Description of Work**

A. Scope of Work:

The contractor will provide services to recruit, train and support mid-career executives as part of the year-long Mayor's Executive Fellowship program. The contractor will: recruit senior level executives through national effort; match talent with departments' needs; provide on-going training and support for Fellows; and review and broadcast departmental outcomes, with the support of Mayor's Communications Office. The contractor will support the Library Fellow in developing an online program that helps 19-25 year olds attain their high school diploma and assist with the strategy of free family friendly resources in the Library.

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

It is necessary for the Department of Human Resources ("DHR") to engage the expertise of an executive search firm in order to identify senior level executives nationwide and attract them into the applicant pool. It is expected that the executive search firm has a large network of qualified professionals in place to perform the necessary outreach. If approval is denied, the City and County of San Francisco may be unable to implement the program.

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.

The Mayor's Office of Civic Innovation is implementing a new Fellows program, so the service has not been provided in the past.

D. Will the contract(s) be renewed? Renewal is dependent upon successful outcomes.

2. **Union Notification:** On 07/24/2014, the Department notified the following employee organizations of this PSC/RFP request: Municipal Executive Association, Architect & Engineers, Local 21,

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 39816 - 14/15

DHR Analysis/Recommendation:

Commission Approval Not Required

Approved by DHR on 07/31/2014

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:

Must have the proven ability to identify, recruit, engage and screen qualified individuals into the applicant pool; proven expertise in quickly and effectively assessing and screening for the most qualified candidates for recommendation to DHR for final consideration; and skill in providing executive coaching.

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

1232,0922,

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 primary service provided by a contractor is their skill in effectively identifying and recruiting highly qualified managers for the applicant pool. The City does not currently have the outreach resources, staffing, and/or data on potential quality applicants to engage in the selection process.

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

No. The City currently maintains classifications of employees who perform generalist work that is similar.

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?

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

ON _____ BY:

Name: Brent Lewis Phone: 557-4944 Email: brent.lewis@sfgov.org

Address: 1 South Van Ness Avenue, 4th Floor San Francisco, CA, 94103

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: HUMAN RESOURCES -- HRD Dept. Code: HRD

Type of Request: Initial Modification of an existing PSC (PSC # _____)

Type of Approval: Expedited Regular (Omit Posting)

Type of Service: Advisory Services for Mid-Career Fellows Program-MTA

Funding Source: General Fund PSC Duration: 1 year 21 weeks
PSC Amount: \$65,000 PSC Est. Start Date: 08/01/2014 PSC Est. End Date: 12/31/2015

1. Description of Work

A. Scope of Work:

The contractor will provide services to recruit, train and support mid-career executives as part of the year-long Mayor's Executive Fellowship program. The contractor will: recruit senior level executives through national effort; match talent with departments' needs; provide on-going training and support for Fellows; and review and broadcast departmental outcomes, with the support of Mayor's Communications Office. The contractor will support the MTA Fellow in developing a comprehensive workforce development program to provide meaningful employment opportunities and ladders into City jobs.

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

It is necessary for the Department of Human Resources ("DHR") to engage the expertise of an executive search firm in order to identify senior level executives nationwide and attract them into the applicant pool. It is expected that the executive search firm has a large network of qualified professionals in place to perform the necessary outreach. If approval is denied, the City and County of San Francisco may be unable to implement the program.

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.
The Mayor's Office of Civic Innovation is implementing a new Fellows program, so the service has not been provided in the past.

D. Will the contract(s) be renewed? Renewal is dependent upon successful outcomes.

2. Union Notification: On 07/24/2014, the Department notified the following employee organizations of this PSC/RFP request: Municipal Executive Association, Architect & Engineers, Local 21,

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 32645 - 14/15

DHR Analysis/Recommendation:

Commission Approval Not Required

Approved by DHR on 08/04/2014

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:

Must have the proven ability to identify, recruit, engage and screen qualified individuals into the applicant pool; proven expertise in quickly and effectively assessing and screening for the most qualified candidates for recommendation to DHR for final consideration; and skill in providing executive coaching.

B. Which, if any, civil service class(es) normally perform(s) this work?
1232,0922,

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 primary service provided by a contractor is their skill in effectively identifying and recruiting highly qualified managers for the applicant pool. The City does not currently have the outreach resources, staffing, and/or data on potential quality applicants to engage in the selection process.

B. Would it be practical to adopt a new civil service class to perform this work? Explain.
No. The City currently maintains classifications of employees who perform generalist work that is similar.

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 _____ BY:

Name: Brent Lewis Phone: 557-4944 Email: brent.lewis@sfgov.org

Address: 1 South Van Ness Avenue, 4th Floor San Francisco, CA 94103

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: POLICE -- POL Dept. Code: POL

Type of Request: Initial Modification of an existing PSC (PSC # _____)

Type of Approval: Expedited Regular (Omit Posting)

Type of Service: Phlebotomy Services for Law Enforcement Agencies

Funding Source: General Fund PSC Duration: 2 years
PSC Amount: \$375,000 PSC Est. Start Date: 07/01/2015 PSC Est. End Date: 06/30/2017

1. Description of Work

A. Scope of Work:

Phlebotomy services must be available 24 hours a day/7 days a week/365 days a year to conduct blood draws at various locations on suspects Driving Under the Influence (DUI) for law enforcement agencies in the City and County of San Francisco. These blood draws must be conducted according to specific standards that include informed consent and other legal requirements. Procedures for blood draws on suspected Driving Under the Influence (DUI) drivers are different from blood draws for health reasons.

Phlebotomist must be available for scheduled testimony if requested by District Attorney. Phlebotomist must also participate in evidence handling training by Medical Examiner.

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

This service is necessary to obtain evidence to successfully prosecute drunk drivers. California state laws and the laws of evidence mandate that blood draws are conducted according to specific standards and procedures. Denial of this request would prevent law enforcement agencies from obtaining necessary legal evidence and may jeopardize the prosecution of these cases.

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.
PSC 4138-07/08

D. Will the contract(s) be renewed? Unknown at this time.

2. Union Notification: On 11/13/2014, the Department notified the following employee organizations of this PSC/RFP request: SEIU, Local 1021 (Staff Nurse & Per Diem Nurse), SEIU 1021 Miscellaneous,

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 47916 - 14/15

DHR Analysis/Recommendation:

Commission Approval Required

DHR Approved for 05/18/2015

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:

Licensed Phlebotomist. Required skills/expertise include knowledge and training on blood draws for law enforcement purposes.

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

2312,2320,2830,2430,

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 service is required on an as-needed basis 24/7/365. Contractor must be able to staff more than one location in a particular time and have staff back-up procedures, particularly during peak periods, such as holidays and weekends.

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

No. This service is on an as-needed basis.

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 01/13/2015 BY:

Name: Genie Wong Phone: (415) 553-1736 Email: Genie.Wong@sfgov.org

Address: 1245-3rd Street, 6th Floor San Francisco, CA 94158

Receipt of Union Notification(s)

Receipt of Notice for new PCS over \$100K PSC # 47916 - 14/15

X DELETE ← REPLY ← REPLY ALL → FORWARD ...



dhr-psccordinator@sfgov.org on behalf of Genie.Wong@sfgov.org **Mark as unread**

Thu 11/13/2014 2:29 PM

Inbox

To: Wong, Genie (POL); ablood@cirseiu.org; david.canham@seiu1021.org; joe.tanner@seiu1021.net;
Wong, Genie (POL); Iseñ, Richard (TIS); DHR-PSCCoordinator, DHR (HRD);

Action Items

+ Get more apps

RECEIPT for Union Notification for PSC 47916 - 14/15 more than \$100k

The POLICE -- POL has submitted a request for a Personal Services Contract (PSC) 47916 - 14/15 for \$375,000 for Initial Request services for the period 07/01/2015 - 06/30/2017. 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/3889> 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

Re: Phlebotomy Contract to Perform Forced Blood Draws on DUI Suspects

Wong, Genie (POL)

Tue 2/10/2015 3:19 PM

RFP- DUI Phlebotomy 2015

To: pcamarillo_seiu@sbcglobal.net <pcamarillo_seiu@sbcglobal.net>; carey.dall@seiu1021.org <carey.dall@seiu1021.org>; xiumin.li@seiu1021.org <xiumin.li@seiu1021.org>; Poon, SinYee (HSA) <sin.yee.poon@sfgov.org>;

 2 attachments

PSC1.pdf; Scope of Work from RFP Issued on January 7, 2015.pdf;

PSC1 and scope of work is attached for your review as well. Thank you.

Regards,

Genie Wong
Contracts Analyst
Fiscal Division
San Francisco Police Department
850 Bryant Street, #511
San Francisco, CA 94103
(415) 553-1736
Genie.Wong@sfgov.org

From: Wong, Genie (POL)


Sent: Tuesday, February 10, 2015 2:28 PM

To: pcamarillo_seiu@sbcglobal.net; carey.dall@seiu1021.org; xiumin.li@seiu1021.org; Poon, SinYee (HSA); ted.carzecki@seiu1021.net

Cc: DHR-PSCCoordinator, DHR (HRD)

Subject: Phlebotomy Contract to Perform Forced Blood Draws on DUI Suspects

Hi Paul, Carey, Xiumin, Sin Yee or Ted:

 I just learned from DHR that I needed to reach out to you as well since you represent the Licensed Vocational Nurses under SEIU MISC listed on the DHR database. Sorry about this. I only notified your colleagues listed under SEIU Nurses on the PSC database thinking this group covered all the nurses. This PSC is tentatively scheduled for review at the Civil Service Commission meeting on March 2, 2015. Can one of you approve this by email to me, so that I can inform DHR that it's ok to put on the agenda for review by the commissioners?

Regards,

Genie Wong
Contracts Analyst

Fiscal Division
San Francisco Police Department
850 Bryant Street, #511
San Francisco, CA 94103
(415) 553-1736
Genie.Wong@sfgov.org

From: dhr-psccordinator@sfgov.org <dhr-psccordinator@sfgov.org> on behalf of Genie.Wong@sfgov.org
<Genie.Wong@sfgov.org>
Sent: Thursday, November 13, 2014 2:28 PM
To: Wong, Genie (POL); ablood@cirseiu.org; david.canham@seiu1021.org; joe.tanner@seiu1021.net; Wong, Genie (POL);
Isen, Richard (TIS); DHR-PSCCoordinator, DHR (HRD)
Subject: Receipt of Notice for new PCS over \$100K PSC # 47916 - 14/15

RECEIPT for Union Notification for PSC 47916 - 14/15 more than \$100k

The POLICE -- POL has submitted a request for a Personal Services Contract (PSC) 47916 - 14/15 for \$375,000 for Initial Request services for the period 07/01/2015 – 06/30/2017. 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/3889> 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

Re: Phlebotomy services


Wong, Genie (POL)

Mon 4/27/2015 12:45 PM

To: Terry Meadows <Terry.Meadows@seiu1021.org>; Gannon, Maureen (POL) <Maureen.Gannon@sfgov.org>; Joe Brenner <Joe.Brenner@seiu1021.org>;

Cc: Vintero, Eric (POL) <Eric.Vintero@sfgov.org>; Emma Gerould <Emma.Gerould@seiu1021.org>;


Hi Terry,

 Thank you for supporting a two-year contract period. Please let us know when the SEIU Local 1021 is available to meet again.
Best Regards,

Genie Wong
Contracts Analyst
Fiscal Division
San Francisco Police Department
1245 - 3rd Street, 6th Floor
San Francisco, CA 94158
(415) 837-7208
Genie.Wong@sfgov.org

From: Terry Meadows <Terry.Meadows@seiu1021.org>
Sent: Monday, April 27, 2015 11:43 AM
To: Wong, Genie (POL); Gannon, Maureen (POL); Joe Brenner
Cc: Vintero, Eric (POL); Emma Gerould
Subject: RE: Phlebotomy services

Good morning Genie, as referenced in our conversation earlier below is alternative language that hopefully fulfills your needs to move forward.

 "The parties agree and request that the Civil Service Commission grant Conditional Approval of PSC 47916 - 14/15 - Phlebotomy services for Law Enforcement Agencies for a two year period. The Police Department is committed to working with SEIU Local 1021 to return the work in PSC 47916-14/15 - Phlebotomy services for law enforcement agencies to City employees. Toward that end, over the next year, the Department and SEIU Local 1021 will meet and make every effort to transition this work to the City to be performed by Civil Service employees, and over the next few months to reach an agreement moving forward the will be beneficial and mutually acceptable to all parties."
Please advise,

Thank you,

Respectfully,

Terry Meadows

SEIU Local 1021
Field Representative
Cell 510-928-0277
Text 573-837-9947

From: Wong, Genie (POL) [<mailto:Genie.Wong@sfgov.org>]
Sent: Friday, April 24, 2015 9:09 AM
To: Gannon, Maureen (POL); Terry Meadows; Joe Brenner
Cc: Vintero, Eric (POL); Emma Gerould
Subject: Re: Phlebotomy services

Hi Terry,

Per our brief conversation, I am sending you an email so that you have my contact information to discuss the phlebotomy contract. I am also attaching a copy of an outline of the City's Professional Services Contracting Process which shows the lengthy process of procuring a contract and the current City contract template which shows Term #21 Termination for Convenience that Maureen refers to in the email below.

Best Regards,

Genie Wong

Contracts Analyst
Fiscal Division
San Francisco Police Department
1245 - 3rd Street, 6th Floor
San Francisco, CA 94158
(415) 837-7208
Genie.Wong@sfgov.org

From: Gannon, Maureen (POL)
Sent: Thursday, April 23, 2015 8:16 PM
To: Terry Meadows; Joe Brenner
Cc: Wong, Genie (POL); Vintero, Eric (POL); Emma Gerould
Subject: Re: Phlebotomy services

Please work with Genie. Thank you.

From: Terry Meadows <Terry.Meadows@seiu1021.org>
Sent: Thursday, April 23, 2015 5:00:00 PM
To: Gannon, Maureen (POL); Joe Brenner
Cc: Wong, Genie (POL); Vintero, Eric (POL); Emma Gerould
Subject: RE: Phlebotomy services

Good afternoon Ms. Gannon, I reached out via a phone call and left a message. Your voice mail indicated you were going to be away until 5-4-15. I will be available to discuss this if you or one of your staff want to contact me.

Thank you,

Respectfully,

Terry Meadows

SEIU Local 1021
Field Representative
Cell 510-928-0277
Text 573-837-9947

From: Gannon, Maureen (POL) [<mailto:Maureen.Gannon@sfgov.org>]
Sent: Thursday, April 23, 2015 8:50 AM
To: Terry Meadows; Joe Brenner
Cc: Wong, Genie (POL); Vintero, Eric (POL); Emma Gerould
Subject: RE: Phlebotomy services

Mr. Meadow, Mr. Brenner,
Thank you for your response. However, the department needs to requests a two year contract with CSC given the level of effort required for the lengthy contract process. We are committed to meet with your members to return to work to city employees. When we reach agreement on a plan including staffing and cost, we can terminate the contract for convenience.

Please let me know if this acceptable. We are reaching out to the Commission this morning to schedule our hearing.

Thank you.

Maureen Gannon
Chief Financial Officer
San Francisco Police Department
1245 3rd Street 6th floor
San Francisco, CA 94158
415-837-7209

From: Terry Meadows [mailto:Terry.Meadows@seiu1021.org]
Sent: Wednesday, April 22, 2015 3:00 PM
To: Gannon, Maureen (POL); Joe Brenner
Cc: Wong, Genie (POL); Vintero, Eric (POL); Emma Gerould
Subject: RE: Phlebotomy services

Ms. Gannon, understanding the critical concern that everyone has for these services to continue, while at the same time understanding that we have a certain interest in seeing this work being performed by bargaining unit employees we propose the following:

"The parties agree and request that the Civil Service Commission grant Conditional Approval of PSC 47916 - 14/15 - Phlebotomy services for Law Enforcement Agencies for one (1) year on the condition that during this one year period the parties will make every effort to transition this work to the City to be performed by Civil Service employees."

Further we would like to seek agreement that the City will meet with SEIU 1021 over the next few months with the same level of seriousness in order to effectively reach an agreement moving forward that will be beneficial and mutually acceptable to all parties.

Thank you,

Respectfully,

Terry Meadows

SEIU Local 1021
Field Representative
Cell 510-928-0277
Text 573-837-9947

Additional Attachment(s)

Phlebotomy Service to Obtain Blood Evidence

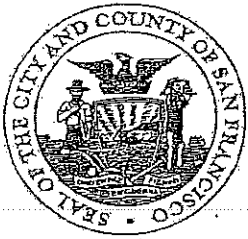
Scope of Work

The Scope of Work is to be used as a general guide and is not intended to be a complete list of all work necessary to complete the project.

The following are work tasks assumed necessary to **perform phlebotomy services to obtain forensic blood evidence**. Proposing teams may suggest a modified scope as part of their proposal.

- A. Contractor shall be required to provide blood draw services 24 hours a day, 7 days a week, 365 days a year, on arrested and incarcerated individuals of the SFPD, and any other local, state or federal law enforcement agencies working in conjunction with the SFPD. Services must be provided at designated site, including: Mission Police Station, San Francisco General Hospital, County Jail #1, San Bruno County Jail #5, and California Highway Patrol Office. Contractor shall be required to perform non-consensual (forced) blood draws on arrested or incarcerated individuals who refuse to voluntarily submit to a chemical test. Non-consensual blood draws will be performed at Mission Police Station in a restraint chair.
- B. Contractor must provide a California-licensed phlebotomist at the designated site within 45 minutes of being notified by the SFPD Department Operations Center. **Contractor must provide a clearly stated back-up plan that will be administered by the contractor for cases where a phlebotomist cannot arrive at the designated site within 45 minutes of notification to ensure that blood evidence can be obtained.**
- C. Contractor must provide only Phlebotomists that are certified by the California State Department of Health Services. These phlebotomists must fulfill California's Title 17, § 1219.1. (a) in that only persons authorized by Section 13354 of the California Vehicle Code may perform these forensic blood collections by venipuncture.
- D. Contractor must be available to testify in court as a result of services rendered, pursuant to subpoena. Contractor shall be responsible for serving each phlebotomist with the subpoenas in a timely fashion prior to the court date.
- E. Phlebotomists shall participate in Chain of Custody and Forensic Collection Training by the San Francisco Office of the Chief Medical Examiner. Contractor will be required to respond to the San Francisco Office of the Chief Medical Examiner (currently located at 850 Bryant Street, San Francisco, California) on a weekly basis to pick up the only blood draw kits that phlebotomists will use to perform the blood draws. Contractor must keep an adequate number of blood draw kits on hand to perform necessary blood draws on an as-needed basis. Contractor must call a week ahead of time to give the San Francisco Office of the Chief Medical Examiner sufficient notice to prepare up to 25 kits on a weekly basis. Unused or expired kits must be returned to the San Francisco Office of the Chief Medical Examiner and are prohibited from use for assignments outside of this contract.

Contractor will be required to complete two (2) forms at the blood draw site for each blood draw request. One form will be titled "Blood Draw Request by Peace Officer." It will be a duplicate form, which will allow phlebotomist to keep one copy and the Police Officer to keep the other one. The second form required will be titled the "Phlebotomy Checklist," which will be in triplicate form with copies for phlebotomist, police officer and the San Francisco Office of the Chief Medical Examiner laboratory.



CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

GAVIN NEWSOM
MAYOR

April 23, 2008

NOTICE OF CIVIL SERVICE COMMISSION ACTION

ALICIA D. BECERRIL
PRESIDENT

DONALD A. CASPER
VICE PRESIDENT

MORGAN R. GORRONO
COMMISSIONER

MARY Y. JUNG
COMMISSIONER

YU-YEE WU
COMMISSIONER

ANITA SANCHEZ
EXECUTIVE OFFICER

SUBJECT: REVIEW OF REQUEST FOR APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACT NUMBERS 4131-07/08 THROUGH 4149-07/08; AND 1003-08/09.

At its meeting of April 21, 2008 the Civil Service Commission had for its consideration the above matter.

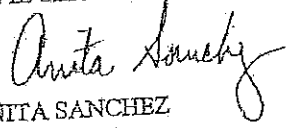
PLEASE NOTE: It is important that a copy of this action be kept in the department files as you will need it in the future as proof of Civil Service Commission approval.

It was the decision of the Commission to:

- (1) Postpone PSC #4134-07/08 to the meeting of May 19, 2008 at the request of the Department of Human Resources.
- (2) Adopt the Human Resources Director's report on PSC #s 4141-07/08, 4142-07/08 and 4143-07/08. Notify the offices of the Controller and the Purchaser. Note: The Public Utilities Commission to submit a report in 30 days to the Commission on their discussions with IFPTE Local 21.
- (3) Adopt the Human Resources Director's report on all remaining contracts. Notify the offices of the Controller and the Purchaser.

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: Shawn Allison, Department of Telecommunications & Information Services
- Parveen Boparai, Municipal Transportation Agency
- Eugene Clendinen, District Attorney
- Micki Callahan, Human Resources Director
- Connie Chang, Public Utilities Commission
- Gordon Choy, Department of Public Works
- Sharnica Jackson, Public Utilities Commission
- Jennifer Johnston, Department of Human Resources
- Galen Leung, San Francisco International Airport
- Julian Low, Mayor's Office of Business & Economics
- Joan Lubamersky, Administrative Services
- Patti Martin, Department of Human Resources
- Jonathan Nelly, Department of Human Resources
- Shawn Wallace, Police
- Commission File
- Chron

POSTING FOR
April 21, 2008

RECOMMENDED APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACTS

PSC No.	Dept No.	Dept Name	Approval Type	Contract Amount	Description of Work	Duration
4132-07/08	27	Airport Commission	Regular	\$94,000.00	Will provide pre-employment drug testing services and drug & alcohol testing for reasonable suspicion, random, post-accident, return-to-duty and follow-up testing.	31-Aug-16
4133-07/08	27	Airport Commission	Regular	\$120,000.00	Will provide services to assess business, management, infrastructure, construction safety, supply logistics, community relationship and stakeholder risks and to propose mitigation measures to improve the Airport's risk profile.	30-Apr-10
4134-07/08	33	Department of Human Resources	Regular	\$7,500,000.00	Will provide complete workers' compen. adjusting services, including investigation and adjudication of claims, data recording, payment processing, support of both litigation and rehabilitation processes, case estimate evaluation and preparation of reports.	31-Jul-11
4135-07/08	35	Municipal Transportation Agency	Regular	\$150,000.00	Will provide an off-site facility to collect pre-employment, post-accident, return-to-duty, reasonable suspicion breath and urine samples during normal working hours and/or after hours for MTA employees and contractors in compliance with DOT/FITA.	30-Jun-11
4136-07/08	35	Municipal Transportation Agency	Regular	\$239,470.00	Will provide 110 Muni diesel and electric coaches with Automatic Passenger Counting (APC) equipment. This equipment will count boardings and alighting to determine accurate ridership numbers.	31-Dec-08
4137-07/08	35	Municipal Transportation Agency	Regular	\$19,000,000.00	Will provide a 27-month fare box refurbishment project, which includes 15 months installation of refurbished fare boxes on all revenue vehicles and back-end system and 12 months post-installation system support, for a total amount not to exceed \$19 mill.	30-Sep-10
4138-07/08	38	Police Department	Regular	\$600,000.00	Will provide Phlebotomy services 24 hours per day, 7 days a week, to conduct blood draws at various locations on suspected drunk drivers for law enforcement agencies in the City and County of San Francisco.	30-Jun-12
4139-07/08	38	Police Department	Regular	\$850,000.00	Will provide the San Francisco Police Department with psychological evaluations of final entry level police officer candidates and refinement of predictive validity assessment procedures.	30-Jun-12



PERSONAL SERVICES CONTRACT SUMMARY

DATE: 03-10-2008

DEPARTMENT NAME: Police, DEPARTMENT NUMBER: 38

TYPE OF APPROVAL: EXPEDITED (X) REGULAR (OMIT POSTING _____)

CONTINUING ANNUAL

TYPE OF REQUEST:

(X) INITIAL REQUEST MODIFICATION (PSC# _____)
Phlebotomy Services for Law Enforcement Agencies

TYPE OF SERVICE: _____
Police General Fund

FUNDING SOURCE: _____
\$ 600,000.00 7-1-08 - 6-30-2012

PSC AMOUNT: _____ PSC DURATION _____

1. DESCRIPTION OF WORK

A. Concise description of proposed work: Phlebotomy services must be available 24 hours per day, 7 days a week, to conduct blood draws at various locations on suspected drunk drivers for law enforcement agencies in the City and County of San Francisco. These blood draws must be conducted according to specific standards that include informed consent and other legal requirements. Procedures for blood draws on suspected drunk drivers are different than blood draws for health reasons.

B. Explain why this service is necessary and the consequences of denial: This service is necessary in order to successfully prosecute drunk drivers. California state laws and the laws of evidence mandate that blood draws are conducted according to specific standards and procedures. Denial of this request would prevent law enforcement agencies from obtaining necessary legal evidence and may jeopardize the prosecution of these cases.

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 was provided through PSC # 4106-04/05.

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

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

SEIU Local # 790

Union Name	<i>Francis Waller</i>	3-19-08
	Signature of person mailing / faxing form	Date
Local # 21	<i>Francis Waller</i>	3-19-08
Union Name	Signature of person mailing / faxing form	Date

RFP sent to _____, on _____, Date _____ Signature _____

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 4138-07/08

STAFF ANALYSIS/RECOMMENDATION:
CIVIL SERVICE COMMISSION ACTION:

3. DESCRIPTION OF REQUIRED SKILLS/EXPERTISE

A. Specify required skills and/or expertise: Licensed Phlebotomist. Knowledge and training on blood draws for law enforcement purposes.

B. Which, if any, civil service class normally performs this work? The Department of Public Health has several classifications that perform blood draws for health reasons. There is no classification that performs this duty for law enforcement purposes.

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 service is required on an as needed basis. Contractor is available for peak periods, e.g. weekends, and will be able to staff more than one location in a particular time period.

B. Would it be practical to adopt a new civil service class to perform this work? Explain. No. Work is on an as needed basis and is specialized. The location and number of blood draws varies on a daily basis.

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

Yes No

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

B. Will the contractor train City and County employees? X

- 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.

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

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

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

F. Will the proposed work be completed by a contractor that has a current personal services contract with your department? Yes, "Arcadia Staff Resources" X

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

Signature of Departmental Personal Services Contract Coordinator

Officer Shawn Wallace
Print or Type Name

553-1096
Telephone Number

Hall of Justice, Room 575
850 Bryant Street
San Francisco Calif 94103
Address

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC HEALTH – DPH Dept. Code: DPH

Type of Request: Initial Modification of an existing PSC (PSC # _____)

Type of Approval: Expedited Regular Omit Posting

Type of Service: Community Health Equity and Promotion, Community-based Primary Prevention services

Funding Source: General Fund, Fed & State Grant PSC Duration: 5 years 1 day
PSC Amount: \$25,352,000 PSC Est. Start Date: 07/01/2015 PSC Est. End Date: 06/30/2020

1. Description of Work

A. Scope of Work:

Contractors will provide an array of primary prevention services (prevention, health education, outreach, and referral services), programs, and projects for the broad age, ethnic, gender, ability, and geographic diversity of San Francisco, especially in low income areas, to specific ethnic communities and neighborhoods, and including services targeted to multi-cultural/multi-lingual refugees/asylees, victims of trafficking, and other immigrant communities. Services will include community capacity building training, technical assistance and fiscal intermediary services with organizations providing community-based preventative services such as the tobacco free project, pedestrian traffic safety initiatives, healthy eating and active living initiatives, tattoo removal, drug and alcohol problem prevention, wellness, and other health-related preventative programs.

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

The Department of Public Health's (DPH's) mission is to protect and promote the health of all San Franciscans, including the utilization of programs and services focused on community-based primary prevention. While DPH provides some of these services directly, to complement and maximize the effectiveness of its programs, it must work closely with community based organizations in order to reach out and educate specific target populations most effectively. Many of these services also require the infrastructure and facilities within the community which are not available to the City. Denial of the services will result in an increase of physical and/or mental health issues, an overall increase in health problems for San Franciscans, and health disparities in the community.

(Continued on attachment)

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.
4161-09/10, 4160-09/10

D. Will the contract(s) be renewed? Yes, as funding is available.

2. Union Notification: On 02/06/2015, the Department notified the following employee organizations of this PSC/RFP request: SEIU Local 1021, SEIU 1021 Miscellaneous, Professional & Tech Engrs, SFAPP, Professional & Tech Engrs, Local 21, Pn

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 46237 - 14/15

DHR Analysis/Recommendation:
Commission Approval Required
DHR Approved for 05/18/2015

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:

The ability to work with diverse communities and individuals, including targeted ethnic communities and refugee, asylee and other recently arrived immigrant communities whose members speak over 20 different languages and to serve foreign-born individuals from as many as 40 other different countries, as well as expertise in service coordination and fiscal management.

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

2589,2591,2593,2585,2587,2586,2588,

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

4. Why Classified Civil Service Cannot Perform

A. Explain why civil service classes are not applicable:

Civil service classes exist, however, service capacity is at at maximum and is complemented and made more effective by the work of these community-based organizations which have expertise specific to the many diverse target populations needing services, by providing the most culturally competent, responsive and flexible outreach and education. (Continued on attachment)

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

No, civil service classes exist and are used to provide some of these services, which complement and maximize the effectiveness of the programs which utilize civil service classes.

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? Bayview Hunter's Point Foundation for Corr YES NO

THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE AND ACCURATE ON BEHALF OF THE DEPARTMENT HEAD ON 04/24/2015 BY:

Name: Jacquie Hale Phone: (415) 554-2609 Email: jacquie.hale@sfdph.org

Address: 101 Grove Street, Room 307 San Francisco, CA 94102

Receipt of Union Notification(s)

Receipt of Notice for new PCS over \$100K PSC # 46237 - 14/15

dhr-psccordinator@sfgov.org on behalf of Hale, Jacquie (DPH)

Fri 2/6/2015 3:14 PM

Inbox

To: Hale, Jacquie (DPH) <jacquie.hale@sfdph.org>; Sandeep.lal@seiu1021.net <Sandeep.lal@seiu1021.net>; Wendy.Frigillana@seiu1021.org <Wendy.Frigillana@seiu1021.org>; Leah.Berlanga@seiu1021.org <leah.berlanga@seiu1021.org>; DavidMkersten@gmail.com <davidmkersten@gmail.com>; Tiya.Thlang@seiu1021.org <tiya.thlang@seiu1021.org>; Lopez, Ricardo (PDR) <ricardo.lopez@sfgov.org>; Basconcillo, Katherine (PUC) <kbasconcillo@sfgov.org>; Pcamarillo_seiu@sbcglobal.net <pcamarillo_seiu@sbcglobal.net>; Carey.dall@seiu1021.org <Carey.dall@seiu1021.org>; pscreview@seiu1021.org <pscreview@seiu1021.org>; joe.brenner@seiu1021.org <joe.brenner@seiu1021.org>; ted.zarzecki@seiu1021.net <ted.zarzecki@seiu1021.net>; ablood@cirseiu.org <ablood@cirseiu.org>; xiumin.li@seiu1021.org <xiumin.li@seiu1021.org>; Poon, SinYee (HSA) <sin.yee.poon@sfgov.org>; david.canham@seiu1021.org <david.canham@seiu1021.org>; joe.tanner@seiu1021.net <joe.tanner@seiu1021.net>; Larry.Bradshaw@seiu1021.org <Larry.Bradshaw@seiu1021.org>; richardisen@gmail.com <richardisen@gmail.com>; L21PSCReview@ifpte21.org <L21PSCReview@ifpte21.org>; brenda_mendieta@sfdph.org <brenda_mendieta@sfdph.org>; Isen, Richard (TIS) <richard.isen@sfgov.org>; DHR-PSCCoordinator, DHR (HRD) <dhr-psccordinator@sfgov.org>;

RECEIPT for Union Notification for PSC 46237 - 14/15 more than \$100k

The PUBLIC HEALTH -- DPH has submitted a request for a Personal Services Contract (PSC) 46237 - 14/15 for \$25,352,000 for Initial Request services for the period 07/01/2015 - 06/30/2020. 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/4464> 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

From: Hale, Jacquie (DPH)
To: "Joe Brenner"
Cc: Emma Gerould; David Canham
Bcc: Ruggels, Michelle (DPH); Erwin, Patricia (DPH); Carmona, Irene (DPH)
Subject: RE: PSC 46237-14/15 Community Health Equity and Promotion, Community-based Primary Prevention services
Date: Friday, April 24, 2015 3:46:00 PM
Attachments: [46237_14-15 CHEP Grant Fund Information.xlsx](#)
[46237-1415 CHEP - Response to SEIU questions dated 3-31-15 for info mtg 4-2-15.pdf](#)

Joe,

Please find attached information responding to your request below regarding PSC 46237-14/15 Community Health Equity and Promotion, Community-based Primary Prevention services, as well as information provided to SEIU's previous questions on this PSC prior to our informational meeting on April 2, 2015.

Jacquie Hale

Director, Office of Contracts Management and Compliance

San Francisco Department of Public Health

101 Grove Street, Room 307/San Francisco, CA 94102

Phone: (415) 554-2609/Fax: (415) 554-2555

Jacquie.Hale@SFDPH.org

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From: Joe Brenner [mailto:Joe.Brenner@seiu1021.org]
Sent: Monday, April 13, 2015 3:58 PM
To: Hale, Jacquie (DPH)
Cc: Emma Gerould; David Canham
Subject: PSC 46237-14/15, PSC 2000-03/04, and PSC 49384-14/15

Hi Jacquie,

Following-up on our conversation from Friday, April 10.

Re: PSC 46237-14/15 - Community Health Equity and Promotion, Community-based Primary Prevention services

At the April 2, 2015 informational meeting with DPH about PSC PSC 46237-14/15 - Community Health Equity and Promotion, Community-based Primary Prevention services, SEIU Local 1021 expressed the concern that this work clearly could and should be performed by Civil Service workers. At that meeting SEIU Local 1021 requested the grant history of funding for the contract(s) funded under this PSC, including any previous PSCs on which the current PSC is base since 2009, including:

1. the grant source(s), including government and private sources, and names of the grantors
2. the dollar amounts of each grant
3. the duration of each grant

Please provide this information.

Re: PSC 2000-03/04 – Modification – Supportive Housing & Property Management Services Residential

At the March 18, 2015 information meeting with DPH about PSC 2000-03/04 – Modification – Supportive Housing & Property Management Services Residential, DPH informed Local 1021 that the City does run a number of residential services facilities, where SEIU Local 1021 Civil Service workers provide health and other services to residents. DPH expressed the interest and willingness in acquiring additional residential facilities. SEIU Local 1021 expressed interest in this prospective development as well, and on April 3, requested in writing the DPH meet with the Union regarding this PSC.

Re: PSC 49384 - 14/15 - Peer to Peer and Family to Family Training Services

At the March 18, 2015 information meeting with DPH about PSC 49384 - 14/15 - Peer to Peer and Family to Family Training Services, DPH representatives acknowledged that Civil Service classes could do this work, i.e., developing and conducting the training of peers to help fellow peers successfully navigate the mental health system and recover from mental illness. SEIU Local 1021 agreed, and requested in writing on April 3 that we meet with DPH to address how this may be accomplished.

Thank you.

Joe Brenner

Joe Brenner

joe.brenner@seiu1021.org

415-385-5148

Date: 03.31.15

Re: SEIU Local 1021 PSC Information Request regarding:

1. PSC 46237 14/15 Community Health Equity and Promotion, Community Based Primary Prevention Services (CHEP)

1. What efforts the Department has made to obtain these services through available resources with the City, including through the use of interdepartmental work orders.

DPH provides many of these services directly, and continues to employ a large workforce in the City and County of San Francisco to provide direct Community Health Prevention programs. However, as part of building community partnerships the Department works closely with community-based organizations to complement and maximize the effectiveness of its programs in order to reach and educate specific target populations most effectively. Many of these services also require the infrastructure and facilities within the community which are not available to the Department.

Many of our programs are supported by short term grants and are term limited. Community-based organizations are frequently able to maintain flexibility and provide high level of culturally competent services. Many of the projects are intermittent and as needed, or the needs for staff with various skills, such as language, shift quickly and with short notice, requiring ability to shift staffing to meet program and community needs. In addition, some of the funding is short term, project based and subject to availability, and therefore funding is not stable.

2. The number and type(s) of consultant positions (contracted or subcontracted) that are proposed to be hired.

Consultant positions are proposed for five separate programs with specific types identified through planning and community input. The consultant positions are short-term, time-limited and require specific skills such as provision of technical assistance to local stores converting to healthy retail, technical assistance to schools on healthy and safe commuting, project specific evaluation, primary community data collection, etc.

3. Skills and expertise required for these positions.

Examples of skills and expertise include smoking cessation specialist with expertise in working with diverse, low SES community and e-cigarette expertise, ability to work with targeted and traumatized foreign-born ethnic communities, such as refugees, trafficking victims and other recently arrived immigrant communities whose members speak over 20 languages and come from as many as 45 different countries, expertise in evaluation and community engagement with diverse communities, expertise in planning and supporting integrated service coordination, expertise in healthy retail, and expertise in healthy school commuting in coordination with school districts and other schools. These positions are short term, time limited, and project based.

4. Scope of work, including duties to be performed.

Contractors will provide an array of primary prevention, programs and projects for the broad age, ethnic, gender, ability, and geographic diversity of the City of San Francisco. Specific target populations include, low income areas, to specific ethnic communities and neighborhoods, and including services targeted to multicultural, multilingual, refugees, asylees, victims of trafficking, and other immigrant communities. Services will include community capacity building training, technical assistance and fiscal management services with organizations providing community-based preventive services such as the tobacco free project, pedestrian safety, healthy eating and active living initiatives, tattoo removal, drug and alcohol problem prevention, wellness, and other health-related prevention programs.

5. Estimated number of hours to be worked or FTE equivalents for these personnel.

This PSC covers 4 distinct contracts with various projects, the project positions and amount of time are as-needed and based on identified input and need from community, project planning, project implementation and evaluation including specific needs such as technical assistance identified through these processes.

6. Geographic locations(s), including sites where this work will be performed.

Tenderloin, Bayview Hunters Point and citywide.

7. Specific support the Department will provide, such as providing knowledge transfer to current staff, to help build internal capacity to do this work in the future.

The Department provides ongoing training in various related subject matter areas that support staff to remain on advancement paths. Through expanded training opportunities that DPH provides to Civil Service staff, the department continues to strengthen skills.

8. Whether there is a plan to transition this work back to the City – if so, please explain; if not please explain why not.

If additional ongoing stable funding streams are available in the future, strategies to include civil service staff will be considered. One position that is currently contractual will be converted to Civil Service as of July 1, 2015.

9. If this is an ongoing need for service:

- Has the Department requested additional staff to meet this ongoing requirement for service? If so, what is the status of that request? Please provide information.
- If not, is the Department willing to hire additional staff to create the capacity to do this work.

While there is an ongoing need for services, unstable funding sources and project based funding create uncertainties in the future of these programs. The Department has not requested additional staff. The Department would be willing to hire additional staff if the funding sources were stable and ongoing.

10. If this PSC relates to workload and or specialized staffing needs, any workload forecasting of staffing levels that the Department has made during the 2-year budget process, including:

- Projecting the number of FTE's required to do work related to this PSC;
- Forecasting of how changes in workload would change the number of City full-time equivalent employees (FTEs) needed to deliver the work
- Projected budgetary changes from the previous year for contractors/consultants required to meet temporary peak workload situations.

If funding sources stabilize and become ongoing for these and other projects, the department may consider strategies to include Civil Service staff when reasonable and appropriate.

Additional Attachment(s)



City and County of San Francisco

San Francisco Department of Public Health

Barbara A. Garcia, MPA
Director of Health

DATE: April 24, 2015

TO: Michael Brown, Executive Officer
Civil Service Commission

FROM: Jacquie Hale, Director, Office of Contract Management and Compliance
Department of Public Health Business Office

RE: PSC 46237-14/15 Community Health Equity and Promotion,
Community-based Primary Prevention services

This is to request that the above-referenced PSC be considered for approval at the May 18, 2015, meeting of the Civil Service Commission, as the Department of Public Health needs to move forward with the contract certification process so that payments may be made under the contracts under this PSC for immigrant/newcomer/refugee services, Safe Routes to Schools, and Tobacco Control programs and breaks in services may be avoided.

The Department met with the Service Employees International Union Local 1021 (SEIU) on April 2, 2015, and provided information on this PSC. We remain willing to continue to meet with SEIU in order to provide further information, but we need to continue the provision of services.

Note: The Department notified SEIU of this PSC on February 6, 2015. On the same date, SEIU requested a meeting regarding this PSC and eight (8) other PSCs. The Department met with SEIU to discuss this PSC and five (5) other PSCs on April 2, 2015, having already provided information on five (5) other PSCs at another informational meeting on March 18, 2015.

The written information provided to SEIU at the meeting of April 2, 2015, regarding the above referenced PSC has been uploaded into the PSC Database.

We appreciate your consideration of our request and will be happy to provide more information, in addition to that already provided through the PSC Database.

/jh

The mission of the San Francisco Department of Public Health is to protect and promote the health of all San Franciscans.

We shall ~ Assess and research the health of the community ~ Develop and enforce health policy ~ Prevent disease and injury ~
~ Educate the public and train health care providers ~ Provide quality, comprehensive, culturally-proficient health services ~ Ensure equal access to all ~

Jacquie.hale@sfdph.org - office 415-554-2509 fax 415 554-2555

101 Grove Street, Room 307, San Francisco, CA 94102

PERSONAL SERVICES CONTRACT SUMMARY

Attachment to 46237-14/15

I. DESCRIPTION OF WORK

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

In addition, it will lead to loss of grant funds because of inability to accomplish all grant deliverables and activities. Some of the services entail working with new 'refugee' arrivals - the populations that arrive with this federal designation can change quickly, are very diverse (close to 40 different countries of origin, speaking over 20 languages), and have unique cultures and experiences due to their refugee experience. Through contracted services, staff can be engaged quickly to effectively serve the population, FTE amounts can be shifted within the team, short-term staff can be hired, and additional team members can be hired if other language/cultural needs arise.

4. WHY CLASSIFIED CIVIL SERVICE CANNOT PERFORM

A. Explain why civil service classes are not applicable: (Continued)

and often also includes access to linkages and resources unavailable at a comparable level through services provided directly by the County. These community-based agencies frequently are able to maintain flexibility and provide high level of culturally competent services. In addition, many of the projects are intermittent and as needed, or the needs for staff with different skills (language for example) shift quickly and with short notice, requiring ability to shift staffing to meet program and community needs. In addition, some of the funding for those services are short-term, project-based and subject to availability, therefore, funding is not stable.

5. F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.

Bayview Hunter's Point Foundation for Community Improvement, International Institute of the Bay Area/Newcomers Program, and San Francisco Study Center.

PSC 46237-14/15 - Community Health Equity and Promotion, Community-based Primary Prevention services Attachment

San Francisco Study Center		Grant Source	Funding Duration	FY 10-11	FY 11-12	FY 12-13	FY 13-14	FY 14-15
Program	Grant - CA DPH California Tobacco Control Program		2010-13, 2013-14, 2014-17	\$ 235,521	\$ 289,083	\$ 162,241	\$ 146,842	\$ 117,660

San Francisco Study Center - Safe Routes to School		Grant Source	Funding Duration	FY 10-11	FY 11-12	FY 12-13	FY 13-14	FY 14-15
Program	Grant - Met Trans Comm		2014-17	\$ -	\$ -	\$ -	\$ -	\$ 367,661
Safe Routes to Schools	Grant - CalTrans		2013-14	\$ -	\$ -	\$ -	\$ 300,363	\$ -

International Institute of the Bay Area		Grant Source	Funding Duration	FY 10-11	FY 11-12	FY 12-13	FY 13-14	FY 14-15
Program	Grant - CA DPH Office of Refugee Health assessment		2010-11, 2011-12, 2012-13, 2013-14, 2014-15	\$ 85,000	\$ 90,000	\$ 85,000	\$ 85,358	\$ 31,173
RPHP	Grant - CA DPH Office of Refugee Health		2010-11	\$ 49,000	\$ -	\$ -	\$ -	\$ -
Trafficking Outreach and Education/Ref Prev Health	Grant - CA DPH Office of Refugee Health		2011-14	\$ -	\$ 16,045	\$ 14,000	\$ 3,840	\$ -

PERSONAL SERVICES CONTRACT SUMMARY

DATE: April 27, 2010 rev. May 17, 2010

DEPARTMENT NAME: DEPARTMENT OF PUBLIC HEALTH DEPARTMENT NUMBER

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

TYPE OF REQUEST: [x] INITIAL REQUEST [] MODIFICATION (PSC#)

TYPE OF SERVICE: Public Health Prevention Services

FUNDING SOURCE: General Fund, State, Federal, Grant and Private Funds

PSC AMOUNT: \$10,804,713/total for 3 yrs. PSC DURATION: 07/01/10- 06/30/2013

1. DESCRIPTION OF WORK

- A. Concise description of proposed work: Contractors will provide an array of prevention services...
B. Explain why this service is necessary and the consequences of denial: As the County's health department, DPH is responsible...
C. Explain how this service has been provided in the past...
D. Will the contract(s) be renewed: Yes, if funding is available.

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

SEIU Local 1021; IFPTE Locals 21 Union Name
Signature of person mailing/faxing form: Jacquie Hale
Date: April 30, 2010
RFP sent to SEIU Local 1021; IFPTE Locals 21 Union Name on November 5, 2009 Date
Signature: Mahlet Girma

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 461-09/10
STAFF ANALYSIS/RECOMMENDATION:
CIVIL SERVICE COMMISSION ACTION:

3. DESCRIPTION OF REQUIRED SKILLS/EXPERTISE

- A. Specify required skills and/or expertise:
Facilities in the community such as gyms, meeting spaces, access to hard to reach residents, etc. Specialty skills and knowledge include chiropractic, acupuncture, yoga, sports, physical education and physical activity, evaluation and specialty skills training, policy analysis.
- B. Which, if any, civil service class normally performs this work?
IFPTE Local 21: 258/2591/2593 Health Program Coordinators I, II, and III, 2819/2822/2825 Health Educator
SEIU Local 1021 series, 2585/86/87/88 Health Worker I, II, III, IV.
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If yes, explain:
Yes – Small neighborhood community based facilities.


4. WHY CLASSIFIED CIVIL SERVICE CANNOT PERFORM

- A. Explain why civil service classes are not applicable:
Existing civil service classes are currently utilized to provide some of these services. The County's service capacity is already overburdened and at the maximum level of service delivery. This community-based expertise is specific to the target population served or may be necessary to be able outreach to and achieve necessary credibility with the very diverse populations of San Francisco, and often also includes access to linkages and resources unavailable at a comparable level through services provided directly by the County. These community-based agencies frequently are able to maintain flexibility and provide the highest available level of culturally competent services.
- B. Would it be practical to adopt a new civil service class to perform this work? Explain.
No – A variety of neighborhood programs and small community facilities.

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

- | | <u>Yes</u> | <u>No</u> |
|---|-------------------------------------|-------------------------------------|
| 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| • 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"/> |
| 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 checked="" type="checkbox"/> | <input type="checkbox"/> |

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



 Signature of Departmental Personal Services Contract Coordinator
Jacquie Hale (415) 554-2609

 Print or Type Name Telephone Number

101 Grove Street, Room 307

 San Francisco, CA 94103

 Address

PERSONAL SERVICES CONTRACT SUMMARY

DATE: April 27, 2010-rev. May 17, 2010

DEPARTMENT NAME: Department of Public Health DEPARTMENT NUMBER 81-82

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

TYPE OF REQUEST: [X] INITIAL REQUEST [] MODIFICATION (PSC# [])

TYPE OF SERVICE: Prevention and Early Intervention (PEI)

FUNDING SOURCE: Mental Health Services Act (MHSA)

PSC AMOUNT: \$29,543,220 total for 6 yrs. PSC DURATION: July 1, 2010 - June 30, 2015

1. DESCRIPTION OF WORK

A. Concise description of proposed work:

The PEI project will provide prevention and early intervention programs designed to prevent the initial onset or worsening of mental illness among children, youth, their families, transitional age youth, adults and older adults who exhibit varying levels of risk of developing mental illness. The project will assist those at risk and train providers to better identify clients early and refer them to services. Programs include School Based Youth Centered Wellness; Screening, Planning and Supportive Services for Incarcerated Youth; Holistic Wellness Prevention in a Community Setting; Early Childhood Mental Health Consultation; Mental Health Consultation for Providers working with Youth at RISK or Involved with the Juvenile Justice System; Older Adult Behavioral Health Screening and Response; Early Intervention and Recovery for Young People with Early Psychosis; Transition Aged Youth Multi Service Center and Peer Outreach and Training.

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

The need for prevention exists at many levels, in K-12 schools, in juvenile justice detention, among distinct cultural communities in San Francisco, in child care classrooms, Family Resource Centers, family child care network and substance abuse residential treatment programs. The need also exists among juvenile justice staff who lack support and prevention training, among isolated adults age 55 and up who have limited access to mental health programs, among youth and their families at risk for psychosis, among transitional aged youth, in after school programs for children aged 6-13 and among the public who will benefit from a peer education system designed to stamp out stigma associated with mental illness. Without these services, there will be a critical population of clients not served.

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):

2013-04/05 and 2012-08/09

D. Will the contract(s) be renewed: Yes, if funding is available.

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

SEIU Local 1021; IFPTE Local 21; UAPD (Unit 8-CC)

Union Name

Jacque Hale

Signature of person mailing/faxing form

April 30, 2010

Date

Union Name

Signature of person mailing/faxing form

Date

RFP sent to SEIU Local1021; , on

IFPTE Local 21

July 30, 2009

Mahlet Girma

Union Name

Date

Signature

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 460-09110

STAFF ANALYSIS/RECOMMENDATION:

3. DESCRIPTION OF REQUIRED SKILLS/EXPERTISE

A. Specify required skills and/or expertise:

The PEI project must be awarded to contractors that have a State Licensed facility with trained and licensed/credentialed staff as applicable to provide prevention and early intervention support, case management, educational, social, vocational/rehabilitative and other needed community based services to cope with mental health crises, psychiatric symptoms and other mental disorders which may require testing, diagnosis, treatment, therapy, medication or a combination of therapeutic or rehabilitative services.

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

2230 Physician Specialist, 2232 Senior Physician Specialist (Psychiatrist), Psychologist 2585/86/87/88, Health Worker I, II, III, IV, 2910 Social Worker, 2930 Psychiatric Social Worker, Health Program Coordinators I, II, III, 2822 Senior Medical Social Worker, 2552 Director of Activities.

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

Yes. Contractors will provide services in licensed and approved facilities which are located in the community and that uniquely occur there.

4. WHY CLASSIFIED CIVIL SERVICE CANNOT PERFORM

These are grant funded programs. The contracts will be awarded to local community programs that will provide: School Based Youth Centered Wellness; Screening, Planning and Supportive Services for Incarcerated Youth; Holistic Wellness Prevention in a Community Setting; Early Childhood Mental Health Consultation; Mental Health Consultation for Providers working with Youth at RISK or Involved with the Juvenile Justice System; Older Adult Behavioral Health Screening and Response; Early Intervention and Recovery for Young People with Early Psychosis; Transition Aged Youth Multi Service Center and Peer Outreach and Training. The wide variety of services would make it difficult to establish Civil Service Classifications.

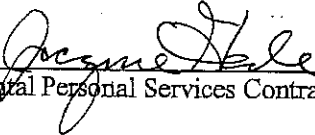
B. Would it be practical to adopt a new civil service class to perform this work? Explain.

No. The projects are all collaborative projects, primarily based in the community, designed to draw on the expertise and experience of the behavioral and primary health care systems, community-based organizations of all types, schools, community programs and centers, institutions of higher education and juvenile probation.

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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| • 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"/> |
| 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 checked="" type="checkbox"/> | <input type="checkbox"/> |

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


Signature of Departmental Personal Services Contract Coordinator

Print or Type Name

Telephone Number

Address

PERSONAL SERVICES CONTRACT AWARD NOTICE

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC HEALTH – DPH Dept. Code: DPH

Type of Request: Initial Modification of an existing PSC (PSC # _____)

Type of Approval: Expedited Regular Omit Posting

Type of Service: Professional moving and installation services for the SF General Hospital Rebuild Project

Funding Source: General Funds (SFGH rebuild) PSC Duration: 1 year 21 weeks

PSC Amount: \$700,000 PSC Est. Start Date: 02/01/2015 PSC Est. End Date: 06/30/2016

1. **Description of Work**

A. Scope of Work:

Contractor will provide one-time moving and installation services to move and install Furniture Fixtures and Equipment (FF&E) into the new San Francisco General Hospital.

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

This service is necessary in order to make the new San Francisco General Hospital operational by the scheduled completion date of December 2015. If the move does not happen, the new hospital will not be operational by the scheduled opening date. Further, the Department will be out of compliance with applicable building structural codes related to hospitals and earthquake safety which will jeopardize funding and revenue opportunities.

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 contract.

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

2. **Union Notification:** On 11/05/2014, the Department notified the following employee organizations of this PSC/RFP request: Laborers, Local 261, Carpenters, Local 22,

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 46444 - 14/15

DHR Analysis/Recommendation:

Commission Approval Required

DHR Approved for 05/18/2015

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:

Experience in moving complex healthcare facilities in an urban setting; access to a reliable and experienced pool of professional moving and installation professional laborers; knowledge and experience in installing equipment; knowledge of modern logistics; and the ability to work in a health care environment.

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

7215,7514,7344,7272,7226,

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

Yes the contractor will provide, moving trucks, moving equipment and tools, packing material, and generally all the needed supplies and equipment to facilitate the move on time.

4. Why Classified Civil Service Cannot Perform

A. Explain why civil service classes are not applicable:

This is a onetime project which needs to be done by a professional and licensed moving company that has experience in moving a medical facility in an urban environment. The City does not currently have a Civil Service class for professional movers.

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

No. The work is as-needed and project specific. Once the move is completed there will not be a need for moving and installation services of this size or complexity. All available appropriate Department resources will also be used to assist the SFGH rebuild project move into the new facility.

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 02/05/2015 BY:

Name: Jacquie Hale Phone: (415) 554-2609 Email: jacquie.hale@sfdph.org

Address: 101 Grove St. Rm. 307 San Francisco, CA 94102

Receipt of Union Notification(s)

Fw: Ready for DHR Review PSC # 46444 - 14/15

Hale, Jacquie (DPH)

Tue 4/14/2015 1:38 PM

Inbox

To: LiUNA.local261@gmail.com <LiUNA.local261@gmail.com>; smcgarry@nccrc.org <smcgarry@nccrc.org>;

Cc: Longhitano, Robert (DPH) <robert.longhitano@sfdph.org>; Isen, Richard (TIS) <richard.isen@sfgov.org>;
DHR-PSCCoordinator, DHR (HRD) <dhr-psccordinator@sfgov.org>;

To: Laborers Local 261; Sean McGarry, Carpenters Local 22

This is to notify you that the above-referenced Personal Services Contract request ("PSC"), for professional movers for the new building at San Francisco General Hospital, contained a clerical error which we corrected at the time, but we are unsure if you have received electronic notification (email) regarding this correction. The amount shown in the notification below should be \$700,000. We do not believe that this materially affects the factors for contracting out these services. If you have questions regarding the correction of this error or would like more information, please contact us prior to April 22, 2015, so that we may submit this PSC for calendaring for the May 18, 2015, Civil Service Commission meeting. If we do not hear from you by April 22, we will assume that you have no problem with this correction and we will proceed with our request to calendar this PSC.

Thank you,

Jacquie Hale

Director, DPH Office of Contracts Management and Compliance
101 Grove Street, Room 307 / San Francisco, CA 94102
(415) 554-2609 / Jacquie.Hale@SFDPH.org / fax: (415) 554-2555

This e-mail is not a secured data transmission for Protected Health Information (PHI) as defined by the Healthcare Portability and Accountability Act (HIPAA), and it is the responsibility of all parties involved to take all reasonable actions to protect this message from non-authorized disclosure. This e-mail is intended for the recipient only. If you receive this e-mail in error, you should notify the sender and destroy the e-mail immediately. Disclosure of the information contained herein could subject to disclosure to civil or criminal penalties under state and federal privacy laws.

From: dhr-psccordinator@sfgov.org <dhr-psccordinator@sfgov.org>

Sent: Thursday, February 5, 2015 12:28 PM

To: Longhitano, Robert (DPH); Hale, Jacquie (DPH); DHR-PSCCoordinator, DHR (HRD); Isen, Richard (TIS)

Subject: Ready for DHR Review PSC # 46444 - 14/15

PSC 46444 - 14/15 is ready for review by DHR

Professional moving and installation services for the SF General Hospital
Rebuild Project

DEPT: PUBLIC HEALTH -- DPH

After logging into the system please select link below, view the information

<http://apps.sfgov.org/dhrdrupal/node/4123> (NOTE: if you do not have a user name

or password to get into the system please go to

<http://apps.sfgov.org/dhrdrupal/user/register> to request access.

Receipt of Notice for new PCS over \$100K PSC # 46444 - 14/15

dhr-psccordinator@sfgov.org on behalf of jacquie.hale@sfdph.org

Wed 11/5/2014 1:48 PM

Inbox

To: Hale, Jacquie (DPH) <jacquie.hale@sfdph.org>; LiUNA.local261@gmail.com <LiUNA.local261@gmail.com>; smcgarry@nccrc.org <smcgarry@nccrc.org>; Longhitano, Robert (DPH) <robert.longhitano@sfdph.org>; Isen, Richard (TIS) <richard.isen@sfgov.org>; DHR-PSCCoordinator, DHR (HRD) <dhr-psccordinator@sfgov.org>;

RECEIPT for Union Notification for PSC 46444 - 14/15 more than \$100k

The PUBLIC HEALTH -- DPH has submitted a request for a Personal Services Contract (PSC) 46444 - 14/15 for \$300,000 for Initial Request services for the period 02/01/2015 -- 06/30/2016. 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/4123> 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 HEALTH – DPH Dept. Code: DPH

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

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

Type of Service: As Needed Credential Verification and Related Transcription Personnel Services

Funding Source: General Fund PSC Duration: 4 years 39 weeks

PSC Amount: \$940,800 PSC Est. Start Date: 10/01/2014 PSC Est. End Date: 06/30/2019

1. Description of Work

A. Scope of Work:

As needed, temporary, supplemental and credential verification registry personnel services for the Medical Staff Services Departments of San Francisco General Hospital (SFGH) and Laguna Honda Hospital (LHH), as well as for Community Behavioral Health Services (CBHS). This service assists current staff to meet unanticipated workload peaks in demand and whenever staff is unavailable to attend standing meetings. Contractor's staff will also support in-house staff to verify providers licenses, certificates and board certifications of physicians, dentists, nurse practitioners, nurse anesthetists and midwives on as-needed basis. This will include assistance with credentialing and privileging of Medical Staff (e.g., physicians, dentists, psychologists & podiatrists) and Affiliate Professionals (e.g., nurse practitioners, certified midwives, certified nurse anesthetists, physician assistants), support for Clinical Services related to Bylaws, Rules and Regulations.

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

This service is necessary in order to meet hospital accreditation and licensing requirements for medical staff committees to maintain a record of the minutes of meetings, the identity of the attendees and to monitor the number of meetings attended by individual staff members. Denial of registry personnel assistance will jeopardize the accreditation and licensing of SFGH, LHH and CBHS and their medical staffs.

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 PSC requested to correspond to a new competitive solicitation for these services which is necessitated by the termination by the vendor of an existing contract.

D. Will the contract(s) be renewed? Only if funding is available.

2. Union Notification: On 08/15/2014, the Department notified the following employee organizations of this PSC/RFP request: SEIU Local 1021, SEIU 1021 Miscellaneous, Professional & Tech Engrs, Local 21, Prof & Tech Eng, Local 21,

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 42832 - 14/15

DHR Analysis/Recommendation:

Commission Approval Required

DHR Approved for 05/18/2015

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:

Ability to provide transcription services on a short notice, work with on-line databases and licensing bureaus across the United States and verify professional credentials. Certification as a Certified Medical Staff Coordinator (CMSC), Certified Professional in Healthcare Quality (CPHQ) or equivalent experience and training.

B. Which, if any, civil service class(es) normally perform(s) this work?
2106,2107,

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:

Services are required only on an as needed basis to supplement existing Civil Service staff during unanticipated peak workloads.

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

No, The City has Civil Service classifications which are used to provide these services on an ongoing basis.

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?
Training is not applicable for this contract, as contractor's employees suppl | <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 04/24/2015 BY:

Name: Jacque Hale Phone: (415) 554-2609 Email: jacquie.hale@sfdph.org

Address: 101 Grove Street, Room 307 San Francisco, CA 94102

Receipt of Union Notification(s)

Receipt of Notice for new PCS over \$100K PSC # 42832 - 14/15

dhr-psccordinator@sfgov.org on behalf of jacquie.hale@sfdph.org

Fri 8/15/2014 6:33 PM

Inbox

To: Hale, Jacquie (DPH) <jacquie.hale@sfdph.org>; Leah Berlanga <leah.berlanga@seiu1021.org>;
David Mkersten <davidmkersten@gmail.com>; Tiya Thlang <tiya.thlang@seiu1021.org>;
Ablood @cirseiu.org <ablood@cirseiu.org>; Xiumin Li <xiumin.li@seiu1021.org>; Poon, SinYee (HSA)
<sin.yee.poon@sfgov.org>; David Canham <david.canham@seiu1021.org>; Joe Tanner <joe.tanner@seiu1021.net>;
<joe.tanner@seiu1021.net>; Larry Bradshaw <Larry.Bradshaw@seiu1021.org>; L21PSCReview@ifpte21.org
<L21PSCReview@ifpte21.org>; Brenda Mendieta <brenda_mendieta@sfdph.org>; Isen, Richard (TIS)
<richard.isen@sfgov.org>; DHR-PSCCoordinator, DHR (HRD) <dhr-psccordinator@sfgov.org>;

RECEIPT for Union Notification for PSC 42832 - 14/15 more than \$100k

The PUBLIC HEALTH -- DPH has submitted a request for a Personal Services Contract (PSC) 42832 - 14/15 for \$940,800 for Initial Request services for the period 10/01/2014 - 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/3776> 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

LOCAL 1021



SEIU

Stronger Together

Roxanne Sanchez
President

Crawford Johnson
Region A

Tom Popenuck
Region B

Gary Jimenez
Region C

Larry Bradshaw
Region D

Marcus Williams
Region E

Pamela Holmes-Morton
Secretary

Paul Camarillo
Treasurer

Karen Joubert
Vice President of Representation

Alysabeth Alexander
Vice President of Politics

Ramses Teon-Nichols
Vice President of Organizing

Executive Board

Priscilla Agbunag

Pete Albert

Nancy Atwell

Akbar Bibb

Derrick Boulté

Gina Castellano

Gayle Chadwick

Gregory Correa

Evelyn Curiel

Rhea Davis

Karla Faucett

David Fleming

Nancy Ghanim

Cynthia Landry

Andrea Longoria

Renato Pena

Patricia Reynolds

Mercedes Riggleman

Valoria Russell-Benson

Eric Stern

Renita Terry

Denis Villanueva

Erika Watkins

Jim Wise

Sent via U.S. Mail and Email
March 2, 2015

Ms. Jacquie Hale, Director
City & County of San Francisco
Office of Contracts Management & Compliance
101 Grove Street, Room 307
San Francisco, CA 94102

Re: Information Request on:

PSC 4157-09/10 - Intermittent, Supplemental Temporary Nursing Personnel for Community Health Network
PSC 44680-14/15 - Tuberculosis - Integrated Physician and Capacity Building Services
PSC 43868-14/15 - Personal Assisted Employment Services (PAES) Counseling and Pre-Vocational Services
PSC 2000-03/04 - Modification - Supportive Housing & Property Management Services Residential
PSC 49384 - 14/15 - Peer to Peer and Family to Family Training Services
PSC 4113 -11/12 - Modification - Third party vendor administrative and other services for Healthy SF
PSC 2011-08/09 - Modification - Behavioral Health Services: Fiscal Intermediary Services For Client Stabilization Programs
PSC 42832-14/15 - As Needed Credential Verification and Related Transcription Personnel Services
PSC 46237-14/15 - Community Health Equity and Promotion, Community-based Primary Prevention services

Dear Jacquie:

SEIU Local 1021 requests that the following information be provided in full, by PSC, for each PSC listed above. We request the following information be provided in electronic format where possible.

Please provide SEIU Local 1021 with the RFP and/or other documents which indicate:

1. What efforts the Department has made to obtain these services through available resources with the City, including through the use of interdepartmental work orders
2. The number and type(s) of consultant positions (contracted or subcontracted) that are proposed to be hired;
3. Skills and expertise required for these positions;
4. Scope of work, including duties to be performed;
5. Estimated number of hours to be worked or FTE equivalents for these personnel;

Executive Board Budget & Finance Committee

Theresa Breakfield Kathryn Cavness Tina Diep Richard Greenwood
Doug Marr Julie Meyers Peggy La Rossa Paul Little Nadeen Roach

350 Rhode Island Street, Suite 100 South Bldg. • San Francisco, CA 94103 • 415-848-3611 • 877-415-1021 • Fax 415-431-6241

Service Employees International Union CIO, CLC • www.seiu1021.org

6. Geographic location(s), including sites, where this work will be performed;
7. Specific support the Department will provide, such as providing knowledge transfer to current staff, to help build internal capacity to do this work in the future;
8. Whether there is a plan to transition this work back to the City – if so, please explain; if not, explain why not;
9. If this is an ongoing need for service:
 - o Has the Department requested additional staff to meet this ongoing requirement for service? If so, what is the status of that request? Please provide this information.
 - o If not, is the Department willing to hire additional staff to create the capacity to do this work?
10. If this PSC relates to workload and/or specialized staffing needs, any workload forecasting of staffing levels that the Department has made during the 2-year budget process, including:
 - o Projecting the number of FTE's required to do work related to this PSC;
 - o Forecasting of how changes in workload would change the number of City full-time equivalent employees (FTE's) needed to deliver the work;
 - o Projected budgetary changes from the previous year for contractors/consultants required for temporary specialized services, and contractors/consultants required to meet temporary peak workload situations.

Please provide this information by Thursday, March 11, 2015. Should you have questions in this regard, please feel free to contact me at 415- 606-8418.

Thank you.

Sincerely,



Emma Gerould
S.F. Field Supervisor
SEIU 1021

EG:JB:wcf:seiu1021:ctw:cwa9410

From: Hale, Jacquie (DPH)
To: "Diana Bello"; Joe Brenner; Emma Gerould; David Canham; Grant Hill
Cc: Ramirez, Willie (DPH); Schwager, Dan (DPH)
Bcc: Ruggels, Michelle (DPH)
Subject: RE: PSC 42832-14/15 (objection)
Date: Monday, April 27, 2015 3:51:00 PM

Diana,

Thank you for your email.

Please know that my office is not authorized to meet and confer. If you want to meet and confer, you should contact DPH Employee Relations.

I was also at the discussion on April 11. I believe we stated several times that we do not currently have the resources to hire more staff to provide these services. I don't recall any agreement to hire, but rather an acknowledgement that additional staff might relieve some of the need for these services if additional resources were available in the future.

We are willing to continue to meet about this PSC to provide information (not to meet and confer) as requested, but we do need to move forward with this contract in order to avoid a break in service, which would adversely impact SFGH operations significantly.

This is a new PSC but not a new service. We made the PSC an initial request to correspond to an RFP we conducted for these services earlier this year.

Please do let us know if you wish to continue to have another informational meeting, and 2-3 times when you might be available.

Thank you,

Jacquie
(415) 554-2609

From: Diana Bello [mailto:Diana.Bello@seiu1021.org]
Sent: Monday, April 27, 2015 8:39 AM
To: Hale, Jacquie (DPH); Joe Brenner; Emma Gerould; David Canham; Grant Hill
Subject: PSC 42832-14/15 (objection)

Dear Jackie,

In regard to the above PSC, we believe that there is no need for a contractor's staff due to the work being civil service work. Additionally, Joe Brenner and Grant Hill met with Dan Schwager on April 10th and there was agreement that by hiring (one) FTE, the city would save money and there would be no need for this PSC. Since this seems to be a new PSC, we believe that there is no need for it at this time and that services would be fulfilled just by hiring 1 FTE. We are available for meet and confer, but at this time the Union objects to

this PSC that affects 2106 classifications.

Diana Bello, MSHRM
SEIU 1021 Field Representative
SFGH

From: [Joe Brenner](#)
To: [Hale, Jacquie \(DPH\)](#)
Cc: [Grant Hill](#); [Emma Gerould](#)
Subject: Re: Meeting Re: PSC 42382-14/15 - As needed Credential Verification and Related Transcription Personnel Services
Date: Thursday, April 09, 2015 4:10:01 PM

See you tomorrow at 3:30 pm.

Joe

Joe Brenner
joe.brenner@seiu1021.org
415-385-5148

From: Hale, Jacquie (DPH) <jacquie.hale@sfdph.org>
Sent: Thursday, April 9, 2015 4:08 PM
To: Joe Brenner
Cc: Grant Hill; Emma Gerould
Subject: RE: Meeting Re: PSC 42382-14/15 - As needed Credential Verification and Related Transcription Personnel Services

Sorry, I just saw this email. Please confirm that we're meeting tomorrow at 3:30 p.m.? Thanks.

Jacquie
(415) 554-2609

From: Joe Brenner [<mailto:Joe.Brenner@seiu1021.org>]
Sent: Thursday, April 09, 2015 12:12 PM
To: Hale, Jacquie (DPH)
Cc: Grant Hill; Emma Gerould
Subject: Re: Meeting Re: PSC 42382-14/15 - As needed Credential Verification and Related Transcription Personnel Services

Jacquie,

Following-up on my voicemail message of this morning. Please confirm whether your team is available to meet tomorrow, Friday, April 10, at 3:30 pm at SFGH re: PSC 42382-14/15.

If we have not heard from you by 3:30 pm, we will assume you will not be available, and will make arrangements to reschedule with you.

Feel free to give me a call.

Thanks,

Joe

Joe Brenner
joe.brenner@seiu1021.org
415-385-5148

From: Joe Brenner
Sent: Wednesday, April 8, 2015 5:18 PM
To: Hale, Jacquie (DPH)
Cc: Grant Hill; Emma Gerould
Subject: Re: Meeting Re: PSC 42382-14/15 - As needed Credential Verification and Related Transcription Personnel Services

Jacquie,

We would like to meet with you for an informational meeting regarding PSC 42382-14/15 this Friday, April 10, at 3:30 pm. We have a schedule conflict before then. Please reply all regarding whether this will work for you and your team.

Thanks.

Joe

Joe Brenner
joe.brenner@seiu1021.org
415-385-5148

From: Hale, Jacquie (DPH) <jacquie.hale@sfdph.org>
Sent: Thursday, April 2, 2015 9:56 AM
To: Joe Brenner
Subject: Meeting Re: PSC 42382-14/15 - As needed Credential Verification and Related Transcription Personnel Services

Joe,

We've scheduled the following for our meeting related to the above-referenced PSC. Could you please let me know if this will work for SEIU?

Friday, April 10, 2015, 2:00 p.m.
SFGH Building 20, 3rd Floor, QM conference room

Thank you,

Jacquie Hale

Director, Office of Contracts Management and Compliance
San Francisco Department of Public Health
101 Grove Street, Room 307/San Francisco, CA 94102
Phone: (415) 554-2609/Fax: (415) 554-2555
Jacquie.Hale@SFDPH.org

Confidentiality Notice: This email transmission may contain confidential or legally privileged information that is intended only for the individual or entity named in the email address. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or reliance upon the contents of this email is strictly prohibited. If you have received this email transmission in error, please reply to the sender to arrange for proper delivery, and then delete the message from your inbox. Thank you.

From: [Joe Brenner](#)
To: [Hale, Jacquie \(DPH\)](#)
Cc: [David Canham](#); [Emma Gerould](#); [Alberto Mejia](#); [Diana Bello](#); [Grant Hill](#); [Kim Cantacessi](#); [Terry Meadows](#); [Ed Kinchley](#); [Wendy Fricilliana](#); [XiuMin Li](#)
Subject: Proposed Dates to Meet for Informational Meetings on DPH PSCs
Date: Friday, February 27, 2015 3:26:35 PM

Dear Jacquie,

In order to facilitate an effective process, SEIU Local 1021 is requesting informational meetings regarding 9 DPH PSCs for which the Union has questions. We request that the project/work managers for each of the PSCs for which they are responsible be present, along with you. As the number of PSCs is large, we propose and request two meetings. We are proposing the following dates to meet. Please let us know if you and your team will be available:

Meeting 1: Meet either Tuesday, March 17, 2015 from 3-5 pm OR Wednesday, March 18, from 3-5 pm, at the SEIU Local 1021 office, located at 350 Rhode Island (betw. 16th and 17th St.), Suite 100 South Building, San Francisco

PSC 4157-09/10 - Intermittent, Supplemental Temporary Nursing Personnel for Community Health Network
PSC 44680-14/15 - Tuberculosis - Integrated Physician and Capacity Building Services
PSC 43868-14/15 - Personal Assisted Employment Services (PAES) Counseling and Pre-Vocation Services
PSC 2000-03/04 – Modification – Supportive Housing & Property Management Services Residential

Meeting 2: Meet Thursday, April 2, 2015, from 3-5 pm, at the SEIU Local 1021 office (address above)

PSC 49384 - 14/15 - Peer to Peer and Family to Family Training Services
PSC 4113 -11/12 - Modification - Third party vendor administrative and other services for Healthy SF
PSC 2011-08/09 – Modification– Behavioral Health Services: Fiscal Intermediary Services For Client Stabilization Programs
PSC 42832-14/15 – As Needed Credential Verification and Related Transcription Personnel Services_
PSC 46237-14/15 - Community Health Equity and Promotion, Community-based Primary Prevention services

Thank you,

Additional Attachment(s)



City and County of San Francisco

San Francisco Department of Public Health

Barbara A. Garcia, MPA
Director of Health

DATE: April 24, 2015

TO: Michael Brown, Executive Officer
Civil Service Commission

FROM: Jacquie Hale, Director, Office of Contract Management and Compliance
Department of Public Health Business Office

RE: PSC 42832-1415, As needed Credential Verification and
Related Transcription Personnel Services

This is to request that the above-referenced PSC be considered for approval at the May 18, 2015 meeting of the Civil Service Commission, as the Department of Public Health needs to move forward with the contract certification process so that we will have a contract in place by June 1, 2015, at the latest, in order to avoid a breakdown in the provision of medical services at San Francisco General Hospital which are related to credentialing and transcription services.

We met with the Service Employees International Union Local 1021 (SEIU) on April 10, 2015, and provided information on this PSC. We remain willing to continue to meet with SEIU in order to provide further information, but we need to continue the provision of services.

Note: The Department notified SEIU of this PSC on August 15, 2015. SEIU requested a meeting regarding this PSC on February 6, 2015. The Department had scheduled an information meeting with SEIU to be held on February 19, 2015, however, SEIU subsequently requested that discussion of this PSC be scheduled as part of two multi-PSC informational meetings it was requesting regarding nine (9) other PSCs, meetings which were subsequently held on March 18, 2015, and April 2, 2015. Department staff who were able to provide information related to PSC 42832-14/15 were not available for either of those dates, so a separate meeting was scheduled and held on April 10, 2015.

We appreciate your consideration of our request and will be happy to provide more information, in addition to that already provided through the PSC Database.

/jh

The mission of the San Francisco Department of Public Health is to protect and promote the health of all San Franciscans.

We shall ~ Assess and research the health of the community ~ Develop and enforce health policy ~ Prevent disease and injury ~
~ Educate the public and train health care providers ~ Provide quality, comprehensive, culturally-proficient health services ~ Ensure equal access to all ~

Jacquie.hale@sfdph.org – office 415-554-2509 fax 415 554-2555
101 Grove Street, Room 307, San Francisco, CA 94102

5 years or more justification

For all PSCs if the duration requested is 5 years or more, an explanation is required- historical PSC required:

The Department of Public Health (DPH) anticipates a continued need for these services on an as-needed basis as a supplement to and support of existing Civil Service staff in order to maintain necessary staffing levels for these medical credentialing services which are critical to DPH's provision of medical and behavioral health services during unanticipated peak workloads.

Training Explanation

5B. Describe Training including number of hours. Indicate occupational type of employees. If no training, please explain.

Training is not applicable for this contract, as contractor's employees supplement existing civil service staff who are already trained to provide the needed services.

Modification
Personal Services Contracts

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: GENERAL SERVICES AGENCY - CITY ADMIN Dept. Code: ADM

Type of Request: [] Initial [x] Modification of an existing PSC (PSC # 4165 07/08)

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

Type of Service: Payroll Reporting Software

Funding Source: work order funds

Table with 2 columns: Amount and Duration. Rows include PSC Original Approved Amount, PSC Mod#1-4 Amounts, and PSC Cumulative Amount Proposed.

1. Description of Work

A. Scope of Work:

Under CA Labor Code Section 1776 and S.F. Admin. Code Section 6.22(E) all construction contractors working under contracts issued by the City of San Francisco awarding bodies and performing work covered by prevailing wage requirements are required to provide certified payroll records (CPRs) to the City.

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

City construction contracts require contractor to submit CPRs. Currently they are provided on paper and are time consuming for the contractor to produce and for City staff to collect, sort, file and store.

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

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

2. Union Notification: On 04/08/15, the Department notified the following employee organizations of this PSC/RFP request: Architect & Engineers, Local 21;

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 4165 07/08

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 05/18/2015

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:

Knowledge of proprietary web based labor compliance system.

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

5201,5203,5207,5241,2978,2992,1232,

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

Yes. The contractor will provide and maintain all equipment and facilities necessary to perform the services for this contract.

4. Why Classified Civil Service Cannot Perform

A. Explain why civil service classes are not applicable:

City staff does not have access to the software license and knowledge of applicable laws and regulations necessary to perform he services.

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

No. All available systems to perform this work are proprietary and require a wide range of skills to develop implement and operate a system.

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

30 Engineers, Class 5201, 5203, 5207 and 5241, and 4 Contract Compliance

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? This is to add funds to a contract with Elation

YES NO

THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE AND ACCURATE ON BEHALF OF THE DEPARTMENT HEAD
ON 04/08/15 BY:

Name: Joan Lubamersky Phone: 4155544859 Email: joan.lubamersky@sfgov.org

Address: One Carlton B. Goodlett Place Room 362 San Francisco, CA 94102

Receipt of Union Notification(s)

Lubamersky, Joan (ADM)

From: dhr-psccordinator@sfgov.org on behalf of joan.lubamersky@sfgov.org
Sent: Wednesday, April 08, 2015 10:56 AM
To: Lubamersky, Joan (ADM); richardisen@gmail.com; L21PSCReview@ifpte21.org; Lubamersky, Joan (ADM); DHR-PSCCoordinator, DHR (HRD); Isen, Richard (TIS)
Subject: Receipt of Modification Request to PSC # 4165 07/08 - MODIFICATIONS

PSC RECEIPT of Modification notification sent to Unions and DHR

The GENERAL SERVICES AGENCY - CITY ADMIN – ADM has submitted a modification request for a Personal Services Contract (PSC) for \$1,641,200 for services for the period July 1, 2008 – June 30, 2018. For all Modification requests, there is a 7-Day noticed to the union(s) prior to DHR Review.

If SEIU is one of the unions that represents the classes you identified in the initial PSC and the cumulative amount of the request is over \$100,000, there is a 60 day review period for SEIU

After logging into the system please select link below:

<http://apps.sfgov.org/dhrdrupal/node/4781>

Email sent to the following addresses: L21PSCReview@ifpte21.org richardisen@gmail.com

Additional Attachment(s)



OFFICE OF THE
CITY ADMINISTRATOR



Edwin M. Lee, Mayor
Naomi M. Kelly, City Administrator

April 15, 2015

MEMORANDUM

TO: Civil Service Commission
FROM: *Joan Lubamersky*
Joan Lubamersky, Contract Coordinator
SUBJ: PSC 4165-08/10 Duration Over Five Years

We request a duration in excess of five years for the convenience and efficiency of City contractors who use the system.

Approximately 6,400 individuals use the current system. Approximately 5,600 users are outside users (companies that do business with the City and report payroll and contract payment data) and 800 are City employees. If the system changed every five years, retraining would be necessary, and there could be slip ups when a new system is introduced. This would require companies to provide paper documents on payroll which City employees would need to review and validate by hand. This would cause considerable delay in paying vendors, some of which are small local businesses.

We plan to initiate a new Request for Proposals near the end of the requested contract term in order to learn if new and better systems are available in the marketplace, having been developed during the past 10 years.

I would be pleased to provide additional information upon request.

Thank you for your consideration.

Copy to: Ardis Graham, Office of Labor Standards Enforcement

PSC 4165-07/08, Continuation Sheet

Concise description of work:

All construction contractors working under contracts issued by the City of San Francisco awarding bodies and performing work covered by prevailing wage requirements will electronically input their certified payroll records (CPRs) into the system. The system will store the CPRs, audit them for compliance with prevailing wage requirements and flag potential violations. The system will provide automated email notices to contractors, store email communications between City staff and contractors and provide other data to the City. Vendor will provide phone and email technical support and training to contractors and City staff.

Consequences of denial:

Contractors would not be able to upload their CPRs directly into the system from their computerized accounting programs which reduces the cost to the contractor and reduces the amount of paper documents created and the need for space to store them. If this request is denied, efficient and timely automated auditing, identification and correction of many prevailing wage violations would not be provided, thus extending back wage assessments, at times for years

4165-07/08 Mod 4

5B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.

30 Engineers, Class 5201, 5203, 5207 and 5241, and 4 Contract Compliance Officer I and II, Class 2978 and 2992, will attend one 2 hour training each



OFFICE OF THE CITY ADMINISTRATOR



Edwin M. Lee, Mayor
Naomi M. Kelly, City Administrator

March 24, 2015

MEMORANDUM

To: Civil Service Commission
FROM: *Jean Lubamersky*
Jean Lubamersky
Personal Services Contracts Coordinator
SUBJ: Payroll Reporting Training

Many classifications are training on the use of this software. They are from departments that have construction contracts with which the classifications listed below work as project manager, an accountant or in another role.

The training is given to an employee once, when they first are assigned to work on construction contracts. It is approximately one hour long.

2978 Contract Compliance Officer II	5214 Building Plans Engineer	1630 Account Clerk
2992 Contract Compliance Officer 1	5215 Fire Protection Engineer	1632 Senior Account Clerk
5174 Administrative Engineer	5218 Structural Engineer	1634 Principal Account Clerk
5201 Junior Engineer	5219 Senior Structural Engineer	1650 Accountant I
5207 Assoc Engineer	5241 Engineer	1652 Accountant II
5209 Industrial Engineer	5362 Engineering Assistant	1654 Accountant III
5212 Engineer/Architect Principal	5364 Engineering Associate	1657 Accountant IV
	5366 Engineering Associate	1822 Administrative Analyst
	9197 Signal and Systems Engineer	1823 Senior Administrative Analyst
	O565 Sr Civil Engineer (OCII)	1824 Pr Administrative Analyst
	5502 Project Manager 1	
	5504 Project Manager 2	
	5506 Project Manager 3	
	5508 Project Manager 4	

COPY

Sole Source Waiver Request

Administrative Code Section 21.5(b) provides that commodities or services available only from a sole source shall be procured in accordance with Purchaser's regulations. Purchaser's regulations provide that, "If a department needs a commodity or service which is unique and which is known to be provided by only one vendor, then only one price quotation is solicited from the single vendor. The requesting department must submit documentation to the Purchaser justifying the transaction as a sole source. From time to time, the Purchaser may conduct a formal bid to determine the continuing validity of the sole source determination." (Procurement Instruction 12.06, Exhibit A, Section IX.D, dated April 28, 1989)

Directions: Use this form to justify a sole source transaction. The department requestor must complete the information below and attach a written memo with appropriate supporting documentation to justify this request. The memo must provide specific and comprehensive information that explains why the requested transaction should be considered a sole source. Departments are encouraged to consult with the Human Rights Commission and the City Attorney prior to submitting this request.

Department: Office of Labor Standards Enforcement Date

Submitted: August 3, 2010

Contact: Joseph Majer Phone: 554-6488

Vendor Name: Elation Systems Inc. Vendor # 76963

Type of Contract: Commodity Professional Service Other Non-Professional Service On-line
content

Amount: \$ 660,315 ADPICS Doc #: BPOC 09000001

Describe the product or service: Web based Certified Payroll reporting and auditing system.

Has the Human Rights Commission granted a sole source waiver on this transaction?

Yes

If yes, when was the sole source granted? 7/28/10 Please attach a copy of the HRC Waiver.

Check the appropriate statement. Attach a memo and documentation to address the questions following each statement.

 Goods or services are available from only one source.

Explain why this is the only product or service that will meet the City's needs. Why is this the only vendor or contractor that can provide the services or products? What steps were taken to verify that the goods or services are not available from another source? Explain what efforts were made to obtain the best possible price. Why do you feel the price to be fair and reasonable? How was this vendor chosen? How long has the vendor been providing goods or services for your department?

 Only one prospective vendor is willing to enter into a contract with the City.

Explain why no other vendors are willing to contract with the City. If there are compliance issues, what have you done to get other possible sources to become compliant? Have you contacted HRC? Have you received a waiver from HRC?

 X Item has design and/or performance features that are essential to the department, and no other source satisfies the City's requirements.

Explain why the design/performance features are essential. Have you contacted other suppliers to evaluate items/services with similar features and capabilities? If no, explain why not. If yes, list the suppliers and explain why their goods or services do not meet the department's needs.

 Licensed or patented good or service.

Provide proof that the license or patent limits the availability of the product or service to only one source.

Other: _____

INSTRUCTIONS:

The Sole Source request must be approved before the department makes a commitment to the vendor, and before funds are encumbered. If the Sole Source request is denied, the department will be advised to conduct a competitive process to select the vendor/contractor. If the Sole Source request is to extend an existing professional service contract, attach a copy of the original contract and any prior sole source determinations made by HRC or Purchasing. When processing professional service contracts and modifications for signature, attach the approved sole source waiver form to the contract documents.

This form is required for every transaction, contract, or contract modification that the department wishes to be treated as a sole source. For additional information call the Purchaser assigned to your department.

The Department Head must sign this request before it is sent to OCA-Purchasing.

This Sole Source request is being submitted by:

Department Head Signature: Donna Lewis
2010 _____

Date: August 3,

Name of Department: Office of Labor Standards
Enforcement _____

OCA Review and Approval:

Sole Source Approved:

Sole Source Denied: _____

Reason for Determination

21.30 renewal of existing sole source blanket to Elations labor compliance system. Elation Systems is the OEM of the software.

OCA Staff: [Signature]

Date: 8/9/10

OCA Staff: [Signature]

Date: 8/10/10

OCA Director: [Signature] for Naomh Kelly

Date: 8/12/10

California Labor Code §1776

Source: <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=lab&group=01001-02000&file=1770-1784>

1776. (a) Each contractor and subcontractor shall keep accurate payroll records, showing the name, address, social security number, work classification, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by him or her in connection with the public work. Each payroll record shall contain or be verified by a written declaration that it is made under penalty of perjury, stating both of the following:

- (1) The information contained in the payroll record is true and correct.
- (2) The employer has complied with the requirements of Sections 1771, 1811, and 1815 for any work performed by his or her employees on the public works project.

(b) The payroll records enumerated under subdivision (a) shall be certified and shall be available for inspection at all reasonable hours at the principal office of the contractor on the following basis:

- (1) A certified copy of an employee's payroll record shall be made available for inspection or furnished to the employee or his or her authorized representative on request.
- (2) A certified copy of all payroll records enumerated in subdivision (a) shall be made available for inspection or furnished upon request to a representative of the body awarding the contract and the Division of Labor Standards Enforcement of the Department of Industrial Relations.

- (3) A certified copy of all payroll records enumerated in

subdivision (a) shall be made available upon request by the public for inspection or for copies thereof. However, a request by the public shall be made through either the body awarding the contract or the Division of Labor Standards Enforcement. If the requested payroll records have not been provided pursuant to paragraph (2), the requesting party shall, prior to being provided the records, reimburse the costs of preparation by the contractor, subcontractors, and the entity through which the request was made. The public may not be given access to the records at the principal office of the contractor.

(c) Unless required to be furnished directly to the Labor Commissioner in accordance with paragraph (3) of subdivision (a) of Section 1771.4, the certified payroll records shall be on forms provided by the Division of Labor Standards Enforcement or shall contain the same information as the forms provided by the division. The payroll records may consist of printouts of payroll data that are maintained as computer records, if the printouts contain the same information as the forms provided by the division and the printouts are verified in the manner specified in subdivision (a).

(d) A contractor or subcontractor shall file a certified copy of the records enumerated in subdivision (a) with the entity that requested the records within 10 days after receipt of a written request.

(e) Except as provided in subdivision (f), any copy of records made available for inspection as copies and furnished upon request to the public or any public agency by the awarding body or the Division of Labor Standards Enforcement shall be marked or obliterated to prevent disclosure of an individual's name, address, and social

security number. The name and address of the contractor awarded the contract or the subcontractor performing the contract shall not be marked or obliterated. Any copy of records made available for inspection by, or furnished to, a multiemployer Taft-Hartley trust fund (29 U.S.C. Sec. 186(c)(5)) that requests the records for the purposes of allocating contributions to participants shall be marked or obliterated only to prevent disclosure of an individual's full social security number, but shall provide the last four digits of the social security number. Any copy of records made available for inspection by, or furnished to, a joint labor-management committee established pursuant to the federal Labor Management Cooperation Act of 1978 (29 U.S.C. Sec. 175a) shall be marked or obliterated only to prevent disclosure of an individual's social security number.

(f) (1) Notwithstanding any other provision of law, agencies that are included in the Joint Enforcement Strike Force on the Underground Economy established pursuant to Section 329 of the Unemployment Insurance Code and other law enforcement agencies investigating violations of law shall, upon request, be provided nonredacted copies of certified payroll records. Any copies of records or certified payroll made available for inspection and furnished upon request to the public by an agency included in the Joint Enforcement Strike Force on the Underground Economy or to a law enforcement agency investigating a violation of law shall be marked or redacted to prevent disclosure of an individual's name, address, and social security number.

(2) An employer shall not be liable for damages in a civil action for any reasonable act or omission taken in good faith in compliance with this subdivision.

(g) The contractor shall inform the body awarding the contract of the location of the records enumerated under subdivision (a), including the street address, city, and county, and shall, within five working days, provide a notice of a change of location and address.

(h) The contractor or subcontractor has 10 days in which to comply subsequent to receipt of a written notice requesting the records enumerated in subdivision (a). In the event that the contractor or subcontractor fails to comply within the 10-day period, he or she shall, as a penalty to the state or political subdivision on whose behalf the contract is made or awarded, forfeit one hundred dollars (\$100) for each calendar day, or portion thereof, for each worker, until strict compliance is effectuated. Upon the request of the Division of Labor Standards Enforcement, these penalties shall be withheld from progress payments then due. A contractor is not subject to a penalty assessment pursuant to this section due to the failure of a subcontractor to comply with this section.

(i) The body awarding the contract shall cause to be inserted in the contract stipulations to effectuate this section.

(j) The director shall adopt rules consistent with the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code) and the Information Practices Act of 1977 (Title 1.8 (commencing with Section 1798) of Part 4 of Division 3 of the Civil Code) governing the release of these records, including the establishment of reasonable fees to be charged for reproducing copies of records required by this section.

San Francisco Administrative Code §6.22 PUBLIC WORK CONSTRUCTION CONTRACT TERMS AND WORKING CONDITIONS.

Source: [http://www.amlegal.com/nxt/gateway.dll/California/administrative/chapter6publicworkscontractingpoliciesan?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:sanfrancisco_ca\\$anc=JD_6.22](http://www.amlegal.com/nxt/gateway.dll/California/administrative/chapter6publicworkscontractingpoliciesan?f=templates$fn=default.htm$3.0$vid=amlegal:sanfrancisco_ca$anc=JD_6.22)

(E) Prevailing Wages.

(1) **Generally.** All contractors and subcontractors performing a public work or improvement for the City and County of San Francisco shall pay its workers on such projects the prevailing rate of wages as provided below. For the purpose of prevailing wage requirements only, the definition of a public work shall include those public works or improvements defined in the foregoing section 6.1 of this Chapter and shall also include (a) any trade work performed at any stage of construction (including preconstruction work) and (b) any public work paid for by the City and County of San Francisco with "the equivalent of money" under the meaning of Labor Code section 1720(b).

(2) Additional Projects Included Within Definition of "Public Work or Improvement" for Purposes of Prevailing Wages.

(a) **Property Leased by the City.** For the limited purposes of this subsection 6.22(E), a "public work or improvement" also means and includes any construction work done under private contract when all of the following conditions exist:

(i) The construction contract is between private persons; and

(ii) The property subject to the construction contract is privately owned, but upon completion of the construction work will be leased to the City and County of San Francisco for its use; and

(iii) Either of the following conditions exist: (1) The lease agreement between the lessor and the City and County of San Francisco, as lessee, is entered into prior to the construction contract, or (2) The construction work is performed according to the plans, specifications, or criteria furnished by the City and County of San Francisco, and the lease agreement between the lessor and the City and County of San Francisco as lessee, is entered into during, or upon completion, of the construction work.

(b) **Public Works Under California Labor Code.** For the limited purposes of this subsection 6.22(E), a "public work or improvement" also means and includes all projects for which prevailing wages are required to be paid on "public works" pursuant to California Labor Code section 1782. This subsection 6.22(E)(2)(b) is intended to have prospective effect only, and shall not be interpreted to impair the obligations of any pre-existing grant agreement, lease, development agreement or other contract entered into by the City. Notwithstanding the prior sentence, this subsection shall apply to newly included work in pre-existing grant agreements, leases, development agreements, or other contracts amended on or after the operative date. The subsection shall apply to grant agreements, leases, development agreements and other contracts entered into by the City on or after the operative date. All grant agreements, leases, development agreements and other contracts which allow for such construction on property owned by the City that the City enters after the operative date of the subsection must contain a provision that such construction shall comply with this subsection.

(3) **Determination of the Prevailing Wage.** It shall be the duty of the Board of Supervisors, from time to time and at least once during each calendar year, to fix and determine the prevailing rate of wages as follows:

On or before the first Monday in November of each year, the Civil Service Commission shall furnish to the Board of Supervisors data as to the highest general prevailing rate of wages of the various crafts and kinds of labor as paid in private employment in the City and County of San Francisco, plus "per diem wages" and wages for overtime and holiday work. The Civil Service Commission shall provide the Board of Supervisors data for "per diem wages" pursuant to California Labor Code sections 1773.1 and 1773.9, as amended from time to time. The Board of Supervisors shall, upon receipt of such data, fix and determine the prevailing rate of wages. The prevailing rate of wages as so fixed and determined by the Board of Supervisors shall remain in force and shall be deemed to be the highest general prevailing rate of wages paid in private employment for similar work, until the same is changed by the Board of Supervisors. In determining the highest general prevailing rate of wages per diem wages and wages for overtime and holiday work, as provided for in this section, the Board of Supervisors shall not be limited to the consideration of data furnished by the Civil Service Commission, but may consider such other evidence upon the subject as the Board shall deem proper and thereupon base its determination upon any or all of the data or evidence considered.

In the event that the Board of Supervisors does not fix or determine the highest general prevailing rate of wages in any calendar year, the rates established by the California Department of Industrial Relations for such year shall be deemed adopted.

(4) **Specifications to Include Wage Rate.** The department head authorized to execute a construction contract under this Chapter shall include in the contract specifications, or make available in the offices of the department or at the job site, a detailed statement of the prevailing rate of wages as fixed and determined by the Board of Supervisors at the time the department issued the Advertisement For Bids on the contract. The contractor shall agree to pay to all persons performing labor in and about the public work or improvement the highest general prevailing rate of wages as determined pursuant to this Chapter, including wages for holiday and overtime work. If the specifications do not include the prevailing rate of wages, the specifications shall include a statement that copies of the prevailing rate of wages as fixed and determined by the Board of Supervisors are on file at the department's principal office or at the job site and shall be made available to any interested party on request.

(5) **Subcontractors Bound by Wage Provisions.** Every contract for any public work or improvement shall also contain a provision that the contractor shall insert in every subcontract or other arrangement which he or she may make for the performance of any work or labor on a public work or improvement. This provision shall be that the subcontractor shall pay to all persons performing labor or rendering service under said subcontract or other arrangement the highest general prevailing rate of wages as fixed and determined by the Board of Supervisors for such labor or services.

(6) **Records to be Kept by Contractors and Subcontractors.** Every public works contract or subcontract awarded under this Chapter shall contain a provision that the contractor shall keep, or cause to be kept, for a period of four years from the date of substantial completion of a public work, payrolls and basic records including time cards, trust fund forms, apprenticeship agreements, accounting ledgers, tax forms and superintendent and foreman daily logs for all trades workers performing work at or for a City and County of San Francisco public work or improvement. Such records shall include the name, address and social security number of each worker who worked on the project, including apprentices, his or her classification, a general description of the work each worker performed each day, the rate of pay (including rates of contributions for, or costs assumed to provide fringe benefits), daily and weekly number of hours worked, deductions made and actual wages paid. Every subcontractor who shall undertake the performance of any part of a public work or improvement shall keep a like record of each person engaged in the execution of the subcontract.

The contractor shall maintain weekly certified payroll records for submission to the awarding department as required. The contractor shall be responsible for the submission of payroll records of its subcontractors. All certified payroll records shall be accompanied by a statement of compliance signed by the contractor indicating that the payroll records are correct and complete, that the wage rates contained therein are not less than those determined by the San Francisco Board of Supervisors and that the classifications set forth for each employee conform with the work performed.

All such records as described in this section shall at all times be open to inspection and examination of the duly authorized officers and agents of the City and County of San Francisco, including representatives of the Office of Labor Standards Enforcement.

Should the department head responsible for the public work or the Labor Standards Enforcement Officer determine that a contractor or subcontractor is not in compliance with the requirements of this subsection, the department head or the Labor Standards Enforcement Officer shall issue written notification to the contractor or subcontractor mandating compliance within not fewer than ten calendar days from the date of the notification. Should the contractor or subcontractor fail to comply as required in the notification, the department head who executed the contract or the Labor Standards Enforcement Officer may impose a penalty of \$25.00 for each calendar day of noncompliance, or portion thereof, for each worker. Upon the request of the responsible department head or the Labor Standards Enforcement Officer, the Controller shall withhold these penalties from progress payments then due or to become due.

(7) Additional Required Contract Provisions. Every public works contract shall contain provisions stating that (1) the contractor will cooperate fully with the Labor Standards Enforcement Officer and other City employees and agents authorized to assist in the administration and enforcement of the prevailing wage requirements and other labor standards imposed on public works contractors by the Charter and Chapter 6 of the San Francisco Administrative Code; (2) the contractor agrees that the Labor Standards Enforcement Officer and his or her designees, in the performance of their duties, shall have the right to engage in random inspections of job sites and to have access to the employees of the contractor, employee time sheets, inspection logs, payroll records and employee paychecks; (3) the contractor shall maintain a sign-in and sign-out sheet showing which employees are present on the job site; (4) the contractor shall prominently post at each job-site a sign informing employees that the project is subject to the City's prevailing wage requirements and that these requirements are enforced by the Labor Standards Enforcement Officer; and (5) that the Labor Standards Enforcement Officer may audit such records of the contractor as he or she reasonably deems necessary to determine compliance with the prevailing wage and other labor standards imposed by the Charter and this Chapter on public works contractors. Failure to comply with these requirements may result in penalties and forfeitures consistent with California Labor Code section 1776(g), as amended from time to time.

(8) Non-compliance with Wage Provisions – Penalties.

(a) Penalty and Forfeiture. Any contractor or subcontractor who shall fail or neglect to pay to the several persons who shall perform labor under any contract, subcontract or other arrangement on any public work or improvement as defined in this Chapter the highest general prevailing rate of wages as fixed by the Board of Supervisors under authority of this Chapter, shall forfeit; and, in the case of any subcontractor so failing or neglecting to pay said wage, the original contractor and the subcontractor shall jointly and severally forfeit to the City and County of San Francisco back wages due plus the penal sum of \$50.00 per day for each laborer, workman or mechanic employed for each calendar day or

portion thereof, while they shall be so employed and not paid said highest general prevailing rate of wages, and in addition shall be subject to the penalties set forth in Article V of this Chapter, including debarment.

(b) **Enforcement.** It shall be the duty of the officer, board or commission under whose jurisdiction said public work or improvement is being carried on, made or constructed, when certifying to the Controller any payment which may become due under said contract, to deduct from said payment or payments the total amount of said forfeiture provided for in this subsection. In doing so, the department head must also notify in writing the Labor Standards Enforcement Officer of his/her action. The Labor Standards Enforcement Officer may also upon written notice to the department head who is responsible for the project, certify to the Controller any forfeiture(s) to deduct from any payment as provided for in this Subsection 6.22(E)(8). Certification of forfeitures under this subsection shall be made only upon an investigation and audit by the responsible department head or the Labor Standards Enforcement Officer and upon service of written notice to the contractor that includes identification of the grounds for the forfeiture or forfeitures ("Certification of Forfeiture"). The audit supporting the forfeiture shall be appended to the Certification of Forfeiture, but failure to append such documentation shall not invalidate the Certification. Service of the Certification of Forfeiture shall be made by United States mail and the date of service shall be the date of mailing. The Controller, in issuing any warrant for any such payment, shall deduct from the amount which would otherwise be due on said payment or payments the amount of said forfeiture or forfeitures as so certified.

(c) **Recourse Procedure.** A contractor and/or a subcontractor may appeal from a Certification of Forfeiture. The Controller shall adopt and maintain rules and regulations for any appeal under this Subsection 6.22(E)(8)(c), which rules shall generally include the following parameters for efficient and effective due process:

(i) Any Appeal from Certification of Forfeiture shall be filed in writing by the contractor and/or subcontractor (referred to in this Subsection 6.22(E)(8)(c), whether singular or plural, as the "Appellant") within 15 days of the date of service of the Certification of Forfeiture. Appellant shall file the Appeal from Certification of Forfeiture with the City Controller and serve a copy on the Labor Standards Enforcement Officer. Failure by the contractor or subcontractor to submit a timely, written Appeal from Certification of Forfeiture shall constitute concession to the forfeiture, and the forfeiture shall be deemed final upon expiration of the 15-day period.

(ii) The Office of Labor Standards Enforcement shall promptly afford Appellant an opportunity to meet and confer in good faith regarding possible resolution of the Certification of Forfeiture in advance of further proceedings under this Subsection 6.22(E)(8)(c), with the intention that such meeting occur within 30 days of the date the Appeal from Certification of Forfeiture is filed.

(iii) After the expiration of 30 days following the date the Appeal from Certification of Forfeiture is filed, any party may request in writing, with concurrent notice to all other parties, that the Controller appoint a hearing officer to hear and decide the appeal. If no party requests appointment of a hearing officer, the Certification of Forfeiture shall be deemed final on the 60th day after the date the Appeal from Certification of Forfeiture is filed.

(iv) Within 15 days of receiving a written request for appointment of a hearing officer under Section 6.22(E)(8)(c)(iii), the Controller shall appoint an impartial hearing officer and immediately notify the enforcing official and Appellant, and their respective counsel or authorized representative if any, of the appointment. The appointed hearing officer shall be an Administrative Law Judge with at least ten years experience with the City and not less than two years experience in labor law, prevailing wage, and/or wage and hour matters; or shall be an attorney with knowledge and not less than five years' experience in labor law, prevailing wage, and/or wage and hour matters.

(v) The hearing officer shall promptly set a date for a hearing. The hearing must commence within 45 days of the date the Controller notice of the hearing officer appointment, and conclude within 75 days of such notice. The hearing officer shall conduct a fair and impartial evidentiary hearing in conformance with the time limitations set forth in this subsection 6.22(E)(8)(c) and in the rules and regulations, so as to avoid undue delay in the resolution of any appeal. The hearing officer shall have the discretion to extend the times under this subsection 6.22(E)(8)(c), and any time requirements under the rules and regulations, only upon a showing of good cause.

(vi) Appellant has the burden of proving by a preponderance of the evidence that the basis for the Certification of Forfeiture is incorrect, including any back wage and penalty assessments that are at issue in the appeal.

(vii) Within 30 days of the conclusion of the hearing, the hearing officer shall issue a written decision affirming, modifying, or dismissing the forfeiture. The decision of the hearing officer shall consist of findings and a determination. The hearing officer's findings and determination shall be final.

(viii) Appellant may appeal a final determination under this section only by filing in the San Francisco Superior Court a petition for a writ of mandate under California Code of Civil Procedure, section 1084, *et seq.*, as applicable and as may be amended from time to time.

(d) **Distribution of Forfeiture.** The Controller shall withhold any forfeiture as provided in the foregoing paragraphs until such time as either the contractor or subcontractor has conceded to the forfeiture or, in the event of an appeal, there is a determination no longer subject to judicial review. The Controller shall then distribute the amounts withheld in the following order: (1) the Labor Standards Enforcement Officer shall make best efforts to distribute back wages withheld to the individual workers identified as not having been paid the proper wage rate; (2) the penal sums provided for above shall inure to the benefit of the general fund of the City and County of San Francisco; (3) the Controller shall hold the balance of any back wages in escrow for workers whom the Labor Standards Enforcement Officer, despite his/her best efforts, cannot locate. In the event back wages are unclaimed for a period of three years, the Controller shall undertake administrative procedures for unclaimed funds in conformance with Government Code Section 50050, *et seq.*, as may be amended from time to time.

(F) Hours and Days of Labor.

(1) **Generally.** For the purpose of meeting prevailing conditions and enabling employers to secure a sufficient number of satisfactory workers and artisans, no person performing labor or rendering service in the performance of any contract or subcontract for any public work or improvement as defined in this Chapter shall perform labor for a longer period than five days (Monday through Friday) of eight hours each, with two 10-minute breaks per eight-hour day, except in those crafts in which a different work day or week now prevails by agreement in private employment. Any person working hours in addition to the above shall be compensated in accordance with the prevailing overtime standards and rates.

(2) **Noncompliance and Forfeiture.** Any contractor or subcontractor who shall violate any of the provisions of this subsection shall be liable for the same penalties and forfeits as those specified in Subsection 6.22(E) of this Chapter; penalties and forfeits shall be applicable for each laborer, mechanic or artisan employed for each calendar day or portion thereof whereon such laborer, mechanic or artisan is compelled or permitted to work more than the days and hours specified herein. The provisions of this subsection shall be made a part of all contracts and subcontracts for the construction of any public work or improvement.

(3) **Contracts Outside City and County.** In the event that any public work or improvement is to be constructed outside of the City and County of San Francisco and at such a distance therefrom that those engaged in performing labor on said public work or improvement must under ordinary conditions remain at or near the site of said work or improvement when not actually engaged in the performance of labor thereon, then the officer, board or commission responsible for the construction of said public work or improvement may, in making specifications or letting contracts therefor, make provision therein for days and hours of labor beyond the limitations provided for in Section 6.22(F) of this Chapter; but not to exceed eight hours in any one calendar day, or six days in any calendar week. In the event that emergency conditions shall arise, making a change advisable during the performance of any such contract, or any portion thereof, the hours and days of labor may be extended beyond the limits hereinabove expressed; but not to exceed eight hours per day, upon the written authority of the officer, board or commission awarding such contract. Failure of the contractor to perform such contract within the time provided shall not constitute an emergency.

(G) Short Title. This subsection 6.22(G) shall be known as and may be cited as the San Francisco Local Hiring Policy for Construction ("Policy").

(1) Findings and Purpose.

(a) The Board of Supervisors passed Ordinance 286-94 on August 4, 1994, to establish local hiring requirements for City public work or improvement projects performed within the boundaries of the City.

(b) In 2010, the San Francisco Redevelopment Agency and the City's Office of Economic and Workforce Development commissioned a study of the labor market in the construction industry in San Francisco (the "Labor Market Analysis"), including review of comparative demographic data regarding workers on public and private projects, scope of past and future public and private construction work in San Francisco, comparative compensation on public and private projects, demographic data regarding apprenticeship programs operating in San Francisco, and income and residency data regarding construction workers in San Francisco.

(c) In 2010, the Walter and Elise Haas Fund and the San Francisco Foundation, with assistance of the City's Office of Economic and Workforce Development, convened a local hiring stakeholder process to discuss possible revision of subsection 6.22(G), at which community, labor, contractor, and City stakeholders participated.

(d) In August 2010, a report from Chinese for Affirmative Action and Brightline Defense Project entitled, "The Failure of Good Faith," found that the City has historically failed to meet its local hiring goals.

(e) The Budget & Finance and Land Use & Economic Development Committees of the Board of Supervisors held public hearings regarding local hiring and proposed revisions to subsection 6.22(G).

(f) The San Francisco Public Utilities Commission, Redevelopment Agency, Human Rights Commission, and other City departments and agencies held public hearings regarding local hiring.

(g) The construction industry is one of the few industries providing a path to middle-class careers for individuals without advanced degrees or facing barriers to quality employment, and is therefore a crucial component of the effort to build economic opportunities for targeted residents of San Francisco, with a particular emphasis on low-income and underrepresented workers in various building and construction trades, in order to elevate historically disadvantaged populations and create more sustainable communities throughout San Francisco.

(h) The City has awarded more than \$8 billion in public work and improvement contracts during the last 10 years.

(i) The City anticipates that it will award approximately \$27 billion in public work and improvement contracts in the next 10 years.

(j) City spending on public work and improvement projects over the next 10 years will generate tens of thousands of construction work hours.

(k) The Board desires to ensure that employment and training opportunities created by such public work and improvement projects provide consistent and high-quality opportunities to the San Francisco labor pool, especially low-income residents of San Francisco and other disadvantaged residents.

(l) Although approximately 40% of construction workers employed in San Francisco are San Francisco residents, from 2002 to 2010 San Francisco residents worked only approximately 24% of the work-hours on publicly-funded construction projects in the City, and only 20% of work-hours since July 2009.

(m) The City faces unemployment levels that have risen dramatically over the past four years, climbing from a low of 3.7% in December 2006 to an average of 9.8% for each month of 2010 through July, leaving at least 44,500 San Franciscans out of work according to the California Employment Development Department, with disproportionate concentrations of high unemployment in neighborhoods such as Bayview-Hunters Point, Chinatown, the Mission, Western Addition, Visitacion Valley, the Excelsior, South of Market, Ocean View, Merced Heights and Ingleside.

(n) The 2010-2014 Consolidated Plan for the City and County of San Francisco indicates that several San Francisco neighborhoods face concentrated poverty and San Francisco's slow job growth rate and changing job base has had major impacts on patterns of income inequality and disparity in the City, with distinctive, adverse, neighborhood-specific effects.

(o) The loss of middle-income jobs has been associated with a diminishing middle class in San Francisco, as indicated by rising income inequality. San Francisco's unequal income distribution threatens the City's future competitiveness and overall economic stability, and the City's anti-poverty strategy aims to ensure that the City and its partners are marshaling its limited resources in an effective and coordinated way to create economic opportunities in San Francisco's low-income communities.

(p) The City has made substantial public investments in its workforce development system, including CityBuild and the City's community-based partners, to create job opportunities in industries such as construction, which are vital to the economic health of the local economy, have a capacity to generate a significant number of jobs, are accessible to low- and middle-skilled individuals, have career ladder opportunities where workers can move up with additional training and skill development, and provide access to living wage and family-sustaining jobs.

(q) City-funded construction projects provide a crucial opportunity to connect participants in these City-funded or City-operated workforce development programs with employment and training opportunities, and to direct employment and training opportunities created by the City's public expenditures.

(r) The City and the San Francisco Redevelopment Agency have made substantial public investments toward creating and facilitating growth in economic opportunities for low-income individuals and neighborhoods in San Francisco.

(s) CityBuild, San Francisco's construction training workforce program, was initiated in 2005 to serve as a training vehicle for ushering disadvantaged workers into the construction skilled trades. The program is a multi-craft pre-

apprenticeship training program, and has assisted over 450 graduates, into union-sponsored apprentice programs. CityBuild, in 2009-2010, contributed approximately 44 percent of all new San Francisco resident apprentice intakes based on data provided by the California Department of Industrial Relations, Division of Apprenticeship Standards. San Francisco's workforce construction training infrastructure has the capacity to meet future demand for high quality and well trained workers in the construction trades.

(t) Employment of workers that reside close to job sites has environmental benefits, including reducing the distance of commutes and resulting vehicle emissions. These environmental benefits are consistent with the mandates, policies and goals of the California Global Warming Solutions Act (AB 32), the Sustainable Communities and Climate Protection Act (SB 375), and the Climate Action Plan for San Francisco.

(u) The Board seeks terms and conditions that advance the City's workforce and community development goals, removing obstacles that may have historically limited the full employment of local residents on the wide array of opportunities created by public works projects, curbing spiraling unemployment, population decline, and reduction in the number of local businesses located in the City, eroding property values and depleting San Francisco's tax base.

(v) A local hiring policy is necessary to counteract these grave economic and social ills.

(w) The San Francisco Local Hiring Policy for Construction 2012-2013 Annual Report shows that the Policy has proven to be a highly effective tool in guaranteeing good-paying jobs for Local Residents on Covered Projects, which includes public work construction projects completed under City contracts.

(x) The 2012-2013 Annual Report is evidence that a true partnership between the City, CityBuild and its community-based partners, contractors, labor organizations, and state-certified apprenticeship programs has increased local hiring on projects covered by the Policy by an average of 35% as of 2013. This compares to an average of 20% under the "good faith efforts" policy it replaced.

(y) The City has a proprietary interest in the construction contracts it issues, and also has a proprietary interest in the leases and development agreements that it enters that all allow for construction on city-owned property.

(z) Expanding the Policy to include construction projects on City-owned property promotes an equitable share of job opportunities for San Francisco residents to pursue a career in construction; and provides the opportunity for the use of state-certified apprenticeships that expands the local construction workforce pipeline to support the continued success of local hiring on public works projects.

(2) Definitions. For purposes of this subsection 6.22(G), the following terms shall have the following meanings:

(a) "Apprentice" means any worker who is indentured in a construction apprenticeship program that maintains current registration with the State of California's Division of Apprenticeship Standards.

(b) "Area Median Income" or "AMI" means unadjusted median income levels derived from the Department of Housing and Urban Development ("HUD") on an annual basis for the San Francisco area, adjusted solely for household size, but not high housing cost area.

(c) "Awarding department" means a department or commission empowered on behalf of the City to contract for a covered project.

(d) "City" means the City and County of San Francisco, California.

(e) "Contractor" means any person, firm, partnership, owner operator, limited liability company, corporation, joint venture, proprietorship, trust, association, or other entity that contracts directly with the City to perform construction work on a covered project. A contractor may also be referred to as a "prime contractor" or "general contractor."

(f) "Covered project" means a public work or improvement project or part thereof to which this subsection 6.22(G) applies, under standards set forth in subsection 6.22(G)(3).

(g) "Disadvantaged worker" means a local resident, as defined below, who (i) resides in a census tract within the City with a rate of unemployment in excess of 150% of the City unemployment rate, as reported by the State of California Employment Development Department; or (ii) at the time of commencing work on a covered project has a household income of less than 80% of the AMI, or (iii) faces or has overcome at least one of the following barriers to employment: being homeless; being a custodial single parent; receiving public assistance; lacking a GED or high school diploma; participating in a vocational English as a second language program; or having a criminal record or other involvement with the criminal justice system.

(h) "Local hiring incentives" means the incentives set forth in subsection 6.22(G)(5) of this Policy.

(i) "Local hiring requirements" means the requirements set forth in subsection 6.22(G)(4) of this Policy.

(j) "Local resident" means an individual who is domiciled, as defined by Section 349(b) of the California Election Code, within the City at least seven (7) days prior to commencing work on the project.

(k) "OEWD" means the City's Office of Economic and Workforce Development.

(l) "Policy" means this subsection 6.22(G).

(m) "Project work" means construction work performed as part of a covered project.

(n) "Project work hours" means the total hours worked on a construction contract by all apprentices and journey level workers, whether those workers are employed by the contractor or any subcontractor.

(o) "Subcontractor" means any person, firm, partnership, owner operator, limited liability company, corporation, joint venture, proprietorship, trust, association, or other entity that contracts with a prime contractor or another subcontractor to provide services to a prime contractor or another subcontractor in fulfillment of the prime contractor's or that other subcontractor's obligations arising from a contract for construction work on a covered project.

(p) "Targeted worker" means any local resident or disadvantaged worker.

(q) "New hire" means any employee of a contractor who is not listed on the contractor's quarterly tax statements for the tax period and has been hired prior to the commencement of work.

(r) "Core employee or worker" means an apprentice or journey level employee, who possesses any license required by state or federal law for the project work to be performed, of a contractor or subcontractor who appears on that contractor or subcontractor's certified payroll sixty (60) of the previous one hundred calendar (100) days prior to date of award of a city contract.

(3) Coverage.

(a) **Threshold for Public Work and Improvement Projects.** This Policy applies to contracts issued by the City with prime contractors for public works or improvements estimated to cost in excess of the Threshold Amount set forth in Section 6.1 of this Chapter, as that amount may be amended.

(b) **Threshold for Projects Constructed on Property Owned by the City.** For purposes of subsection 6.22(G) only, this Policy applies to all construction projects on property owned by the City that are estimated to cost in excess of the Threshold Amount set forth in Section 6.1 of this Chapter, as that amount may be amended, including construction contracts that are issued by an entity or individual other than the City. The following construction projects are exempt from this subsection 6.22(G)(3)(b): (i) tenant improvement projects estimated to cost less than \$750,000 per building permit, where the project is undertaken and contracted for by the tenant; (ii) projects for special events where the special event is three (3) or fewer consecutive or non-consecutive days within a two (2) week period; (iii) construction projects for which the construction work is fully funded and performed by a donor or donor's agent as a gift-in-place donation, where the gift agreement does not require City funds to be used for the construction and where the gift agreement includes a requirement that workers be paid the same prevailing rate of wages as would be required a public work project; and (iv) projects that as of the effective date of this subsection 6.22(G)(3)(b) have a term sheet that has been endorsed by the Board of Supervisors and have findings of fiscal feasibility, to the extent that such projects agree to be bound by a legally enforceable document, enforceable by OEWD, committing the project to Local Hire mandatory participation level of 30% per trade. All grant agreements, leases, development agreements and other contracts that the City enters that allow for such non-exempt construction projects on property owned by the City must contain a provision that such construction shall comply with this Policy.

(c) **Projects Constructed Outside the City.** Covered Projects constructed within 70 miles from the jurisdictional boundary of the City and County of San Francisco shall be governed by the terms of this Policy, except that percentage requirements shall apply in proportion to the City's actual cost after reimbursement from non-City sources compared to the total cost of the project, and, unless a reciprocity agreement exists, the "local" requirement shall include San Francisco residents, workers local to the area where the work is located, and workers residing within the San Francisco Public Utilities Commission service area. If a reciprocity agreement with another local agency exists, the terms of that reciprocity agreement shall govern. Covered City projects constructed 70 miles or more beyond the jurisdictional boundary of the City and County of San Francisco shall be subject to this Policy, except the "local" requirement shall include San Francisco residents, workers local to the area where the work is located, and workers residing within the region where the work is located. Awarding departments shall work with OEWD and regional local hiring programs to comply.

(d) **Projects Utilizing Federal or State Funds.**

(i) **Segregation of Funds and Contract Awards.** Where the application of this Policy would violate federal or state law, or would be inconsistent with the terms or conditions of a grant or a contract with an agency of the United States or the State of California, the City department or agency receiving the grant or contract shall, where administratively feasible, segregate federal or state funds from City funds, and/or segregate project administration and contracts, so as to maximize application of this Policy to City-funded construction work.

(ii) **Alternative Terms in Case of Conflict.** Where the provisions of this Policy would be prohibited by Federal or State law, or where the application of this Policy would violate or be inconsistent with the terms or conditions of a grant or a contract with an agency of the United States or the State of California, and where segregation of funds pursuant to subsection 6.22 (G)(3)(d)(i) is not administratively feasible with regard to some or all of the project in question, then

OEWD, in consultation with the awarding department, shall adapt requirements of this Policy into a set of contract provisions that advance the purposes of this Policy to the maximum extent feasible without conflicting with federal or state law or with terms or conditions of the State or Federal grant or contract in question. The awarding department shall include this set of contract provisions in the public works or improvement contract with regard to the project or portions of the project for which this Policy would conflict with Federal or State requirements.

(e) Out-of-State Workers. Project work hours performed by residents of states other than California shall not be considered in calculation of the number of project work hours to which the local hiring requirements apply. Contractors and subcontractors shall report to awarding departments and OEWD the number of project work hours performed by residents of states other than California.

(4) Local Hiring Requirements.

(a) For each covered project, the following requirements shall apply to each prime contractor and subcontractor that performs project work in excess of the Threshold Amount set forth in section 6.1 of this Chapter, as that amount may be amended, with regard to project work actually performed by the prime contractor and work included under any subcontract, including all work performed by a subcontractor and all lower-tier subcontractors under the subcontract:

(i) The initial mandatory participation level is 20% of all project work hours within each trade performed by local residents, with no less than 10% of all project work hours within each trade performed by disadvantaged workers. Subject to the periodic review process set forth in subsection 6.22(G)(4)(b), below, the mandatory participation level for project work hours shall increase annually up to a mandatory participation level of 50% of project work hours within each trade performed by local residents, with no less than 25% of all project work hours within each trade performed by disadvantaged workers. For each mandatory participation percentage specified below, one-half of the specified percentage of project work hours within each trade shall be performed by disadvantaged workers.

Year After Effective Date That

Contract Is Advertised for Bids

Mandatory Participation Level

For Project Work Hours

0 20%

1 25%

2 30%

Periodic Review

Periodic Review

3 30%

Periodic Review

Periodic Review

12

4 35%

5 40%

6 45%

Periodic Review

Periodic Review

7 50%

(ii) At least 50% of the project work hours performed by apprentices within each trade shall be performed by local residents, with no less than 25% of project work hours performed by apprentices within each trade to be performed by disadvantaged workers.

(b) Periodic Review By OEWD and Controller. OEWD, in coordination with the Controller's Office, shall every three years from the end of the prior Periodic Review, evaluate the impact of existing mandatory participation levels and the continued need for financial incentives as set forth in subsection 6.22(G)(5). The OEWD/Controller review shall (i) determine whether there is a sufficient supply of qualified unemployed resident workers to meet the escalation rate set forth in subsection 6.22(G)(4)(a)(i), above; (ii) assess the length of time required for each trade to develop a pool of qualified resident workers sufficient to support a 50% mandatory participation target; and (iii) make relevant findings in support of those determinations, and, if necessary, propose amendments to the mandatory participation level by trade. OEWD and the Controller's Office shall further report on the financial incentive program and make relevant findings and, if necessary, propose reducing or eliminating financial incentives. During the periodic review process, OEWD and the Controller's Office shall consult with a broad spectrum of relevant stakeholders (including the community, the California Department of Industrial Relations Division of Apprenticeship Standards, contractors, building trades, and City departments and agencies). Promptly upon completion of a periodic review, OEWD and the Controller's Office shall furnish to the Board of Supervisors a report setting forth their findings, determinations and proposed amendments to the mandatory participation level by trade and/or the financial incentive program, if any. The Board shall, by resolution, fix and determine the mandatory participation levels by trade and available financial incentives, if any. The mandatory participation levels by trade and financial incentives as so fixed and determined by the Board shall supplant the mandatory participation levels and financial incentives that this Policy sets and shall remain in force until the same are changed by the Board. In determining the mandatory participation levels by trade and available financial incentives, as so provided for in this subsection, the Board shall not be limited to consideration of the periodic review report furnished by OEWD and the Controller's Office, but may consider other such evidence upon the subject as the Board shall deem proper and base its determination upon any or all of the evidence considered.

(c) Pipeline and Retention Compliance. Contractors and subcontractors may use one or more of the following pipeline and retention compliance mechanisms to receive a conditional waiver from the local hiring requirements on a project-specific basis:

(i) Specialized Trades. Every two calendar years, OEWD shall publish a list of trades designated as "Specialized Trades," for which the local hiring requirements of this Policy shall not be applicable. Prior to designating a trade as a Specialized Trade, OEWD shall have made findings that: (a) considering all referral sources and best estimates of workers residing in the City, there will be insufficient numbers of qualified and available local residents and disadvantaged workers to enable contractors and subcontractors to satisfy the local hiring requirements for such trade; and (b) best

estimates indicate that on all covered projects during those calendar years, in the aggregate, demand for work hours in such trade will not exceed a maximum number of hours as determined by OEWD through the regulatory process set forth in subsection 6.22(G)(8)(a). All contractors and subcontractors shall report to OEWD the project work hours utilized in each designated Specialized Trade.

(ii) Credit for Hiring on Non-covered Projects. Contractors and subcontractors may accumulate credit hours for hiring San Francisco disadvantaged workers on non-covered projects in the nine-county San Francisco Bay Area and apply those credit hours to contracts for covered projects to meet the applicable minimum mandatory hiring requirements set forth above or to work off penalties assessed under subsection 6.22(G)(7)(f). OEWD shall establish criteria for credit hours and their application to meet the minimum participation requirements. OEWD shall consider credit hours to be accumulated for work on non-covered projects performed by San Francisco disadvantaged workers only if (a) the San Francisco disadvantaged worker performing work on the non-covered project is paid prevailing wages for such work; and, in the case of non-covered projects in the City and County of San Francisco, (b) the number of hours to be credited for the non-covered project in question exceed one-half of the number of disadvantaged worker hours that would be required if the project were a covered project.

(iii) Sponsoring Apprentices. A contractor or subcontractor may avoid the assessment of penalties under subsection 6.22(G)(7)(f) for failing to meet applicable hiring requirements by demonstrating the high impracticality of complying with the mandatory participation level for a particular contract or classes of employees before project commencement by agreeing to sponsor an OEWD-specified number of new apprentices in trades in which noncompliance is likely and retaining those apprentices for the entire period of a contractor's or subcontractor's work on the project. OEWD will verify with the California Department of Industrial Relations Division of Apprenticeship Standards that the OEWD-specified number of new apprentices are registered and active apprentices prior to issuing a release from penalties.

(iv) Direct Entry Agreements. OEWD is authorized to negotiate and enter into direct entry agreements with apprenticeship programs that are registered with California Department of Industrial Relations' Division of Apprenticeship Standards, and, if OEWD is successful in such negotiations, to develop standards and procedures through which contractors and subcontractors may avoid assessments of penalties by hiring and retaining apprentices who enrolled through such direct entry agreements. Such standards and procedures shall allow avoidance of penalty assessments only where OEWD has made a project-specific determination that compliance with local hiring requirements would be impractical for that contractor or subcontractor. Direct entry agreements negotiated pursuant to this section shall: (a) be enforceable contracts; (b) require apprenticeship programs to enroll a class of apprentices no less frequently than every 365 days; (c) specify all admissions standards related to applicants' training and skills; (d) specify a minimum number of local residents and disadvantaged workers meeting those standards who shall be admitted in each class of apprentices; and (e) be on file with and deemed permissible by the Division of Apprenticeship Standards. OEWD's annual report to the Board as required by subsection 6.22(G)(8)(f) shall include the number of releases from penalties granted based on this subsection, the number of local residents enrolled as apprentices based on direct entry agreements, and the number of direct entry agreements in effect, and shall identify the trades in question.

(5) Local Hiring Incentives.

(a) Incentive Criteria. Contractors and subcontractors may receive financial and non-financial incentives for exceeding the local hiring requirements on a covered project. Project work hours credited under subsection 6.22(G)(4)(c) shall not be the basis for any financial or non-financial incentive payment or entitlement.

(b) Administration. Awarding departments will work in consultation with OEWD to establish the operation and amounts of the incentives, if any.

(i) Any financial incentives provided on a covered project shall comply with applicable law and shall not exceed one percent of the estimated cost of the project. If financial incentives are made available for a covered project, awarding departments shall pay such incentives, if earned by a contractor or subcontractor, only after a contractor or subcontractor has completed work on the project and OEWD has approved the contractor's or subcontractor's request for incentive payment. Subcontractors requesting incentive payments shall submit requests to the awarding department and OEWD through the prime contractor, not directly to the awarding department or OEWD. Payment of subcontractor incentives shall be paid to the prime contractor for the benefit of the appropriate subcontractor(s). Prime contractor must pay subcontractor(s) within 10 days of receipt of financial incentives from the City.

(ii) OEWD shall, by regulation, develop non-financial incentives such as expedited permitting and reduced administrative burden.

(6) Additional Contractor Rights and Responsibilities.

(a) Local Hiring Plan for Large Projects. For covered projects estimated to cost more than \$1,000,000, the prime contractor shall prepare and submit to the awarding department and OEWD for approval a local hiring plan for the project. The local hiring plan shall be a written plan for implementation of the requirements of this Policy, including an approximate timeframe for hiring decisions of subcontractors, a description of the hiring processes to be utilized by subcontractors, an estimate of numbers of targeted workers needed from various referral sources, qualifications needed for such targeted workers, and a recruitment plan detailing an outreach strategy for candidates representative of local demographics. An awarding department shall not issue a Notice to Proceed (NTP) without receiving the Local Hiring Plan. The awarding department may issue an NTP upon submittal of the Plan, but in no case may any payment be made until such time as it has verified in writing that OEWD has approved the prime contractor's local hiring plan.

(b) Referral Sources. Where a contractor's or subcontractor's preferred hiring or staffing procedures for a covered project do not enable that contractor or subcontractor to satisfy the local hiring requirements of this Policy, the contractor or subcontractor shall use other procedures to identify and retain targeted workers. These procedures shall include requesting workers from CityBuild, San Francisco's centralized referral program, and considering targeted workers who are referred by CityBuild within three business days of the request and who meet the qualifications described in the request. Such consideration shall include in-person interviews. Qualifications described in the request shall be limited to skills directly related to performance of job duties. When a contractor or subcontractor has taken these steps and a local resident or disadvantaged worker is not available, contractor or subcontractor may request a conditional waiver as described in subsection 6.22(G)(4)(c).

(c) Hiring Discretion. This Policy does not limit contractors' or subcontractors' ability to assess qualifications of prospective workers, and to make final hiring and retention decisions. No provision of this Policy shall be interpreted so as to require a contractor or subcontractor to employ a worker not qualified for the position in question, or to employ any particular worker.

(d) Subcontractor Compliance. Each contractor and subcontractor shall ensure that all subcontractors agree to comply with applicable requirements of this Policy. All subcontractors agree as a term of participation on a covered project that the City shall have third party beneficiary rights under all contracts under which subcontractors are performing project work. Such third party beneficiary rights shall be limited to the right to enforce the requirements of this Policy directly against the subcontractors. All subcontractors on a covered project shall be responsible for complying with the recordkeeping and reporting requirements set forth in this Policy. Subcontractors with work in excess of the Threshold Amount shall be responsible for ensuring compliance with the local hiring requirements set forth in subsection 6.22(G)(4) based on project work hours performed under their subcontracts, including project work hours performed by lower tier subcontractors with work less than the Threshold Amount.

(7) Enforcement.

(a) Role of OEWD. OEWD is authorized to enforce all terms of this Policy. Awarding departments shall work cooperatively with OEWD to implement requirements of this Policy, to include the provisions of the Policy in every contract for which inclusion is required, to assist contractors and subcontractors in complying with the Policy, and to assist OEWD in furthering the purposes of the Policy through monitoring and enforcement activities. OEWD shall determine the records required to be verified and/or provided by contractors and subcontractors to establish workers' qualifications and statuses relevant to this Policy.

(b) Role of Community-Based Partners. OEWD shall be authorized to engage its community-based partners in the City's workforce development system to assist with the recruitment and retention of targeted workers. OEWD shall, through the existing Workforce Investment Board, provide a forum for community members, community-based organizations, and representatives of all stakeholders affected by or interested in this Policy to exchange information and ideas and to advise OEWD staff concerning the operation and results of the Policy.

(c) Recordkeeping. Each contractor and subcontractor shall keep, or cause to be kept, for a period of four years from the date of substantial completion of project work on a covered project, certified payroll and basic records, including time cards, tax forms, and superintendent and foreman daily logs, for all workers within each trade performing work on the covered project. Such records shall include the name, address and social security number of each worker who worked on the covered project, his or her classification, a general description of the work each worker performed each day, the apprentice or journey-level status of each worker, daily and weekly number of hours worked, the self-identified race, gender, and ethnicity of each worker, whether or not the worker was a local resident or disadvantaged worker, and the referral source or method through which the contractor or subcontractor hired or retained that worker for work on the covered project (e.g., core workforce, name call, union hiring hall, City-designated referral source, or recruitment or hiring method). Contractors and subcontractors may verify that a worker is a local resident through the worker's possession of a valid SF City ID Card or other government-issued identification. OEWD and awarding departments may require additional records to be kept with regard to contractor or subcontractor compliance with this Policy. All records described in this section shall at all times be open to inspection and examination by the duly authorized officers and agents of the City, including representatives of the awarding department and the OEWD.

(d) Reporting. The OEWD shall establish reporting procedures for contractors and subcontractors to submit to OEWD and the awarding department the records described above, for purposes of monitoring compliance with and effectiveness of this Policy and monitoring operation of the City's public construction sector for other valid purposes. All records submitted by contractor or subcontractor shall be accompanied by a statement of compliance signed by an authorized representative of contractor or subcontractor indicating that the records are correct and complete.

(e) **Monitoring.** From time to time and in its sole discretion, OEWD and/or the awarding department may monitor and investigate compliance of contractor and subcontractors working on covered projects with requirements of this Policy. OEWD and awarding departments shall have the right to engage in random inspections of job sites, subject to construction schedule and safety concerns. Each contractor and subcontractor shall allow representatives of OEWD and the awarding department, in the performance of their duties, to engage in random inspections of job sites and to have access to the employees of the contractor and subcontractor and the records required to be kept by this Policy. The OEWD shall establish an administrative procedure for OEWD monitoring of compliance with this Policy and to address allegations of noncompliance. The OEWD shall have sole authority over the administration of this procedure. Except as prohibited by law, OEWD will make data collected under subsections 7(c) and (d) of this Policy available on-line to the public in real-time and create a process for members of the public to submit complaints regarding alleged violations of this Policy. The OEWD shall investigate all complaints filed by members of the public; the scope, methods, and conclusions of all such complaint-driven investigations shall be within the discretion of OEWD, with no right of the complaining party to determine the scope or methods of the investigation. All contractors, subcontractors and awarding departments shall cooperate fully with the OEWD in monitoring and compliance activities. The OEWD may interview, either at the worksite or elsewhere, any witness who may have information related to a complaint.

(f) **Compliance Procedures.**

(i) **Consequences of Noncompliance.** Awarding departments and OEWD have the authority to seek for violations of this Policy all of the consequences imposed by or described in this Policy, in the contract for a covered project, or by statute, including the authority to assess penalties as described herein, assess damages for other violations of terms of this Policy, and/or seek penalties set forth in Article V of this Chapter, including debarment.

(ii) **Penalties Amount.** Any contractor or subcontractor who fails to satisfy local hiring requirements of this Policy applicable to project work hours performed by local residents shall forfeit ; and, in the case of any subcontractor so failing, the contractor and subcontractor shall jointly and severally forfeit to the City an amount equal to the journeyman or apprentice prevailing wage rate, as applicable, with such wage as established by the Board of Supervisors or the California Department of Industrial Relations under subsection 6.22(E)(3), for the primary trade used by the contractor or subcontractor on the covered project for each hour by which the contractor or subcontractor fell short of the local hiring requirement. The assessment of penalties under this subsection shall not preclude the City from exercising any other rights or remedies to which it is entitled.

(iii) **Assessment of Penalties.** It shall be the duty of the awarding department, when certifying to the Controller any payment which may become due under a contract, to deduct from said payment or payments the total amount of penalties due under this subsection. In doing so, the department head must also notify the OEWD of his or her action. OEWD may also upon written notice to the awarding department, certify to the Controller any forfeiture to deduct from any payment as provided for in this subsection. Certification of forfeitures under this subsection shall be made only upon an investigation by the awarding department or OEWD and upon written notice to the contractor or subcontractor identifying the grounds for the forfeiture or forfeitures, and providing the contractor or subcontractor with the opportunity to respond. The Controller, in issuing any warrant for any such payment, shall deduct from the amount which would otherwise be due on said payment or payments the amount of said forfeiture or forfeitures as so certified. Any retainage to cover contract performance that may become due to contractor under subsection 6.22(J) may be withheld by the City pending a determination by the awarding department or OEWD as to whether a contractor or subcontractor must pay a penalty or penalties.

(iv) Recourse Procedure. If the contractor or subcontractor disagrees with the assessment of penalties as so provided in this subsection, then the following procedure applies:

(a) The contractor or subcontractor may request a hearing in writing within 15 days of the date of the final notification of assessment. The request shall be directed to the City Controller. Failure by the contractor or subcontractor to submit a timely, written request for a hearing shall constitute concession to the assessment and the forfeiture shall be deemed final upon expiration of the 15-day period. The contractor or subcontractor must exhaust this administrative remedy prior to commencing further legal action.

(b) Within 15 days of receiving a proper request, the Controller shall appoint a hearing officer with knowledge and not less than five years' experience in labor law, and shall so advise the enforcing official and the contractor or subcontractor, and/or their respective counsel or authorized representative.

(c) The hearing officer shall promptly set a date for a hearing. The hearing must commence within 45 days of the notification of the appointment of the hearing officer and conclude within 75 days of such notification unless all parties agree to an extended period.

(d) Within 30 days of the conclusion of the hearing, the hearing officer shall issue a written decision affirming, modifying, or dismissing the assessment. The decision of the hearing officer shall consist of findings and a determination. The hearing officer's findings and determination shall be final.

(e) The contractor or subcontractor may appeal a final determination under this section only by filing in the San Francisco Superior Court a petition for a writ of mandate under California Code of Civil Procedure, section 1084, et seq., as applicable and as may be amended from time to time.

(v) Distribution of Penalties. The Controller shall withhold any penalties assessed as provided in the foregoing subparagraphs until such time as either the contractor or subcontractor has conceded to the penalties or, in the event of an objection, there is a determination no longer subject to judicial review. The Controller shall then deposit the amounts withheld into a special account which shall be created for the sole purpose of receiving said funds. The funds deposited into this account shall be used to support the enforcement of this Policy and the further development of workforce development initiatives to train and prepare local residents for careers in construction.

(vi) Other Violations; Repeated Violations. Violations of this Policy for which penalties or other remedies are not specified above constitute violations of contract terms, for which the full range of remedies under the contract may be invoked, including but not limited to withholding of progress payments in amounts deemed proportional to the violation. Awarding departments shall comply with and implement damages claims and other noncompliance consequences assessed or required by OEWD.

(8) Miscellaneous.

(a) Regulations and Administrative Guidance. OEWD shall be the primary department authorized to implement and enforce this Policy. OEWD shall issue regulations and/or administrative guidance regarding implementation of the Policy, including (i) documentation and recordkeeping requirements, (ii) incentive payments, (iii) monitoring and compliance activities, (iv) project and/or contract coverage determinations, (v) designated referral sources, (vi) bid and contract documents implementing the Policy, (vii) procedures for application of the Policy to alternative competitive bidding processes set forth in Article IV of this Chapter, (viii) procedures for monitoring and enforcement of the Policy where the construction contract is issued by an entity or individual other than the City, and (ix) other matters related to

implementation of this Policy. Awarding departments shall cooperate with and assist in implementation of OEWD actions and determinations regarding this Policy. For projects where the construction contract is issued by an entity or individual other than the City, OEWD may grant conditional waivers on a project specific basis if it finds that the contractor has participated to the extent feasible in available pipeline and retention mechanisms, the contractor has undertaken all corrective actions issued by OEWD, and considering all referral sources and estimates of workers residing in the City, there will be insufficient numbers of qualified and available local residents and/or disadvantaged workers to enable the contractor or subcontractor to satisfy the local hiring requirements.

(b) Assistance in Monitoring, Investigations, and Implementation. In accordance with applicable law, the City may enter into one or more contracts for investigative and monitoring services to further the purposes of this Policy, or to assist OEWD or awarding departments in developing and implementing systems needed to advance the purposes of this Policy.

(c) Departmental Assistance with Monitoring and Enforcement Costs. Subject to the fiscal and budgetary provisions of the City Charter and applicable federal and state laws and regulations, OEWD is authorized to receive from awarding departments the amount reasonably calculated to pay for the costs, including litigation costs, of monitoring and enforcing requirements of this Policy. OEWD shall supervise the expenditure of all funds appropriated for these purposes.

(d) Effective Date, Operative Date, and Prospective Application. This Policy shall become effective upon the date of its enactment and shall apply to covered projects first advertised for bids by awarding departments more than sixty (60) days after such date. The amendment to the Policy in subsection 6.22(G)(3)(b) shall become operative sixty (60) days after the effective date of the ordinance enacting the amendment. The amendment in subsection 6.22(G)(3)(b) is intended to have prospective effect only, and shall not be interpreted to impair the obligations of any pre-existing grant agreement, lease, development agreement or other contract entered into by the City. Notwithstanding the prior sentence, the amendment in subsection 6.22(G)(3)(b) shall apply to newly included work in pre-existing grant agreements, leases, development agreements, or other contracts amended on or after the operative date. The amendment in subsection 6.22(G)(3)(b) shall apply to grant agreements, leases, development agreements and other contracts entered into by the City on or after the operative date.

(e) Existing Project Labor Agreements. This Policy shall not apply to project labor agreements entered into by awarding departments prior to the effective date of this Policy ("Existing PLAs") or to public work or improvement contracts advertised for bids after the effective date of this Policy that are covered by Existing PLAs, where the terms of the Existing PLAs and this Policy are in conflict. Notwithstanding the foregoing, this Policy shall apply to (i) any material amendment to an Existing PLA executed by an awarding department after the effective date of this Policy; (ii) any new public work or improvement contract over the threshold amount set forth in subsection 6.22(G)(3)(a) that is added to the scope of an Existing PLA based on a discretionary decision by the awarding department after the effective date of this Policy.

(f) Annual Report To Board. Commencing on March 1, 2012, and annually thereafter, the Director of OEWD shall submit a written report to the Board of Supervisors. That report shall document each awarding department's performance under the terms of this Policy, including, among other things, the compliance of each department's contractors and subcontractors with the requirements of this Policy, any significant challenges experienced by OEWD or awarding departments in implementing or enforcing this Policy, and proposed remedies to address any such challenges. That report shall include documentation, organized by awarding department, of the overall percentage of project work

hours on covered projects performed by local residents, disadvantaged workers, local resident apprentices, and residents of states other than California. The report shall also compare the demographics of workers performing work on covered projects, using data collected under the Policy, to the demographics of the qualified labor pool. Awarding departments shall cooperate with requests by OEWD for information needed by the Director to make such reports to the Board.

(g) **Material Term; Contractors' Agreements.** All contracts and subcontracts for performance of project work shall include compliance with this Policy as a material term, directly enforceable by the City as described herein. As a condition of performance of project work, each contractor and subcontractor agrees: to comply with all provisions of this Policy; that provisions of this Policy are reasonable and are achievable by the contractor or subcontractor, including the reporting requirements and consequences for noncompliance described herein; and that the contractor or subcontractor had a full and fair opportunity to review and understand terms of this Policy, in consultation with counsel if so desired.

(h) **Severability.** If any provision of this Policy or any application thereof to any person or circumstances is held invalid by final judgment of any court of competent jurisdiction, such invalidity shall not affect other provisions or application of this Policy which can be given effect without the invalid provision or application, and to this end the provisions of this Policy are declared to be severable.

(i) **Conflicting Agreements.** In case of conflict between terms of this Policy and a contractual agreement entered into by a contractor, subcontractor or awarding department, terms of this Policy shall govern. Each party to a contract incorporating terms of this Policy agrees through that contract that either it is not a party to such a conflicting agreements, or that it will comply with terms of this Policy as incorporated into the contract, rather than with any conflicting agreements. After the effective date of this Policy, no awarding department may enter into a project labor agreement or other contract relating to or applying to the performance of project work on a covered project that conflicts with or precludes contractor and subcontractor compliance with terms of this Policy.

(j) **Reciprocity.** An awarding department or OEWD may negotiate reciprocity agreements with other local jurisdictions that maintain local hiring programs, provided that such agreements advance the Policy goals of this subsection. Any such reciprocity agreement shall allow targeted workers in each jurisdiction to utilize and benefit from local hiring requirements and referral systems in the other jurisdiction on the same terms as do the workers residing in that jurisdiction. When such a reciprocity agreement is in effect, residents of another jurisdiction may be counted toward satisfaction of the local hiring requirements of this Policy. Any reciprocity agreement negotiated by an awarding department or OEWD shall be subject to the approval of the Board of Supervisors by resolution.

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: JUVENILE PROBATION Dept. Code: JUV

Type of Request: [] Initial [x] Modification of an existing PSC (PSC # 4112-11/12)

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

Type of Service: Development and Implementation of Case Management System Software

Funding Source: General Fund and Grant

PSC Original Approved Amount: \$300,000

PSC Original Approved Duration: 05/15/12 - 05/14/14 (1 year 52 we

PSC Mod#1 Amount: \$150,000

PSC Mod#1 Duration: 05/15/14-05/01/15 (50 weeks 2 days)

PSC Mod#2 Amount: no amount added

PSC Mod#2 Duration: 05/01/15-04/30/17 (2 years)

PSC Cumulative Amount Proposed: \$450,000

PSC Cumulative Duration Proposed: 4 years 50 weeks

1. Description of Work

A. Scope of Work:

The scope of work was created to allow the contractor to work with the department in two phases. The first phase is the planning phase and the second phase is the implementation phase. Phase 1 includes: Kick off, Develop Scope of Work, Project Plan, Requirements Matrix and Fit Gap Report, Conversion Plan and Interface Matrix, Reports, Testing Strategy and Finalize Statement of Work. Phase 2 includes: Implement Case Management System Implementation Scope of Work, Develop and Implement Final Acceptance Testing Schedule. See attached document(s).

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

This service is necessary to be able to house and communicate information about youthful offenders in an organized and efficient way for Juvenile Probation personnel and outside stakeholders (such as Adult Probation or others in the law enforcement community). The consequences of denial are continued difficulty for Probation Officers to accurately assess cases and risks, develop case plans and track progress due to a lack of information across Departments. Further, the Department risks lack of compliance with funding streams and disallowance due to lack of information accuracy and consistency.

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

D. Will the contract(s) be renewed? For hosting services only.

2. Union Notification: On 04/20/15, the Department notified the following employee organizations of this PSC/RFP request: Prof & Tech Eng, Local 21;

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 4112-11/12

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 05/18/2015

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:

Web-based case management system development.

B. Which, if any, civil service class(es) normally perform(s) this work?
1070,

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

Contractor will provide software not currently possessed by the City. The vendor will provide proprietary software and assist in customizing and installing it for the Juvenile Probation Department business needs.

4. Why Classified Civil Service Cannot Perform

A. Explain why civil service classes are not applicable:

The software is intended to be proprietary off-the-shelf, with customization to fit the Department's specifications. The proprietary nature of the software means that the vendor will have the most expertise in this software and ability to customize it for Juvenile Probation Department business needs. Current classifications do not have this expertise or level of knowledge of the software.

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

No. This project is temporary in nature for implementation of the system. Ongoing work to maintain the system will be performed by civil service classifications.

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?
Staff will be interviewed on their engagement with Case Management. 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? Automon YES NO

THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE AND ACCURATE ON BEHALF OF THE DEPARTMENT HEAD
ON 04/20/15 BY:

Name: Sheila Layton Phone: 415-753-7562 Email: Sheila.Layton@sfgov.org

Address: 375 Woodside Ave San Francisco, CA 94127

Receipt of Union Notification(s)

Layton, Sheila (JUV)

From: dhr-psccordinator@sfgov.org on behalf of Sheila.Layton@sfgov.org
Sent: Monday, April 20, 2015 12:14 PM
To: Layton, Sheila (JUV); L21PSCReview@ifpte21.org; Layton, Sheila (JUV); DHR-PSCCoordinator, DHR (HRD); Isen, Richard (TIS)
Subject: Receipt of Modification Request to PSC # 4112-11/12 - MODIFICATIONS

PSC RECEIPT of Modification notification sent to Unions and DHR

The JUVENILE PROBATION – JUV has submitted a modification request for a Personal Services Contract (PSC) for \$0 for services for the period May 1, 2015

– April 30, 2017. For all Modification requests, there is a 7-Day noticed to the union(s) prior to DHR Review.

If SEIU is one of the unions that represents the classes you identified in the initial PSC and the cumulative amount of the request is over \$100,000, there is a 60 day review period for SEIU

After logging into the system please select link below:

<http://apps.sfgov.org/dhrdrupal/node/3807>

Email sent to the following addresses: L21PSCReview@ifpte21.org

Layton, Sheila (JUV)

From: Kim Carter Martinez <kcarter@ifpte21.org>
Sent: Thursday, April 23, 2015 9:39 AM
To: Hao, Mary (JUV)
Cc: McGuire, Catherine (JUV); Layton, Sheila (JUV)
Subject: Re: PSC review for Juvenile Probation Dept's Case Management System

Thank you for the information. The Union does not have an objection to this PSC at this time.

Kim

Kim Carter Martinez
Sent from my iPhone

On Apr 22, 2015, at 5:08 PM, Hao, Mary (JUV) <mary.hao@sfgov.org> wrote:

Hi Kim,

I just left you a voicemail about this, but I am now writing to modify my voicemail message. Yes, it's an ever-developing saga with this PSC!

So, in the PSC modification I sent to you yesterday, if you keep scrolling down to the bottom of the first page of the pdf document, you will see the current modification we seek to make to the PSC. I think the one you had read and asked questions about had a modification date of August 2014 and was for the modification we had made last summer. Yes, in that one, we asked for more money (\$150K).

In the modification dated April 20, 2015, we just seek more time, and not more money. So, that should answer your questions #1 and #3 below. As to #2, our current PSC expires on May 1, 2015 and we will seeking retroactive approval from the Civil Service Commission to extend the PSC 2 more years. As to #4, our IT staff will be working with the vendor to migrate over the data from our existing, outdated system. They will also help our vendor understand the data and business processes in our existing system. Once the new system is implemented, our IT folks will provide hardware support for continuity of services and help customize any reports we need to generate from the system.

I am out of the office for a few days, but my colleagues, Catherine McGuire and Sheila Layton (copied on this email) will assist you with any other questions you have.

Thank you again for your help with this.

Mary Hao
Human Resources
San Francisco Juvenile Probation Department
375 Woodside Avenue, San Francisco, CA 94127
PHONE: (415) 753-7772 | FAX: (415) 753-7672 | mary.hao@sfgov.org

From: Kim Carter Martinez [<mailto:kcarter@ifpte21.org>]
Sent: Wednesday, April 22, 2015 3:48 PM
To: Hao, Mary (JUV)
Subject: RE: PSC review for Juvenile Probation Dept's Case Management System

Yes, our IT folks. Please provide some detail as to the work they are doing with the vendor and any work they will be doing on the system after the work with the vendor is complete.

From: Hao, Mary (JUV) [<mailto:mary.hao@sfgov.org>]
Sent: Wednesday, April 22, 2015 3:46 PM
To: Kim Carter Martinez
Subject: Re: PSC review for Juvenile Probation Dept's Case Management System

Hi Kim,

Would you clarify #4 below? Are you referring to your IT folks? If so, they are working with our vendor and providing the data from our existing system.

Mary Hao
Juvenile Probation Department
(415) 753-7772 phone | (415) 753-7672 fax | Mary.Hao@sfgov.org
Sent from my iPhone (Please pardon the typos)

On Apr 22, 2015, at 3:43 PM, Kim Carter Martinez <kcarter@ifpte21.org> wrote:

Hi Mary,

A couple of questions.

1. Am I correct that the modification is for \$150k?
2. Am I correct the PSC ends on May 15th?
3. What caused the cost overrun?
4. What is the plan to train our members on this work?

From: Hao, Mary (JUV) [<mailto:mary.hao@sfgov.org>]
Sent: Tuesday, April 21, 2015 3:23 PM
To: Kim Carter Martinez
Subject: RE: PSC review for Juvenile Probation Dept's Case Management System

Hi Kim,

I wanted to let you know that close of business tomorrow, Wednesday, April 22, 2015 is fine. Thank you again.

Mary Hao
Human Resources
San Francisco Juvenile Probation Department
375 Woodside Avenue, San Francisco, CA 94127
PHONE: (415) 753-7772 | FAX: (415) 753-7672 | mary.hao@sfgov.org

From: Hao, Mary (JUV)
Sent: Tuesday, April 21, 2015 2:11 PM
To: 'Kim Carter Martinez'
Subject: RE: PSC review for Juvenile Probation Dept's Case Management System

Hi Kim,

Thank you! I will owe you at least 2 glasses of wine!

Mary Hao
Human Resources
San Francisco Juvenile Probation Department
375 Woodside Avenue, San Francisco, CA 94127
PHONE: (415) 753-7772 | FAX: (415) 753-7672 | mary.hao@sfgov.org

From: Kim Carter Martinez [<mailto:kcarter@ifpte21.org>]
Sent: Tuesday, April 21, 2015 2:09 PM
To: Hao, Mary (JUV)
Subject: RE: PSC review for Juvenile Probation Dept's Case Management System

I'll do my best to meet your needs.

Kim

From: Hao, Mary (JUV) [<mailto:mary.hao@sfgov.org>]
Sent: Tuesday, April 21, 2015 1:55 PM
To: Kim Carter Martinez
Subject: RE: PSC review for Juvenile Probation Dept's Case Management System

Hi Kim,

Thanks for responding so quickly. In order for us to make it onto the May 18, 2015 Civil Service Commission agenda, we will need to submit everything (including confirmation from you that you've reviewed the PSC and are okay with it) by end of day tomorrow (Wed., April 22, 2015). I'm sorry that it's so rushed, but is there any way to review by noon/early afternoon? Again, my apologies for rushing you. Thank you!

Mary Hao
Human Resources
San Francisco Juvenile Probation Department
375 Woodside Avenue, San Francisco, CA 94127
PHONE: (415) 753-7772 | FAX: (415) 753-7672 | mary.hao@sfgov.org

From: Kim Carter Martinez [<mailto:kcarter@ifpte21.org>]
Sent: Tuesday, April 21, 2015 1:32 PM

To: Hao, Mary (JUV)
Subject: RE: PSC review for Juvenile Probation Dept's Case Management System

Hi Mary,

I am swamped today but will be able to review this for you by the end of the day, tomorrow.

Thanks,

Kim

From: Hao, Mary (JUV) [<mailto:mary.hao@sfgov.org>]
Sent: Tuesday, April 21, 2015 11:21 AM
To: Kim Carter Martinez
Subject: RE: PSC review for Juvenile Probation Dept's Case Management System

Hi Kim,

Please see attached description. I believe it is now uploaded into the database. I hope you will be able to review this by end of day today. Thank you in advance for your help!

Mary Hao
Human Resources
San Francisco Juvenile Probation Department
375 Woodside Avenue, San Francisco, CA 94127
PHONE: (415) 753-7772 | FAX: (415) 753-7672 | mary.hao@sfgov.org

From: Kim Carter Martinez [<mailto:kcarter@ifpte21.org>]
Sent: Monday, April 20, 2015 12:57 PM
To: Hao, Mary (JUV)
Subject: RE: PSC review for Juvenile Probation Dept's Case Management System

Thanks, Mary. Do you just want to email me the PSC now so I can get started reviewing it? Thanks!

From: Hao, Mary (JUV) [<mailto:mary.hao@sfgov.org>]
Sent: Monday, April 20, 2015 11:51 AM
To: Kim Carter Martinez; Kyra Byrne Steele
Subject: PSC review for Juvenile Probation Dept's Case Management System

Hi Kim and Kyra:

I spoke to Kyra this morning and she told me that you, Kim, handle the IT chapter.

Kyra and I spoke last summer about a contract for Juvenile Probation for proprietary software that will be our new case management system. The PSC authorizes the department to contract out work for the implementation of a configurable off-the-shelf software product which will provide JPD a centralized and more effective method of tracking and sharing information and

outcomes for youth involved in the juvenile justice system. JPD is already under contract with a company to perform this work, which is underway. However, the contract is set to expire on May 1st as well, and JPD is seeking to ensure there is a negligible break as a result of this error.

So, the PSC that will soon be uploaded into the database will be for a retroactive modification on an existing PSC that is set to expire May 1, 2015. Since we are already a little tardy in our process, we hope you can quickly review and give it your approval.

Please let me know if you have any questions. Thank you!

Mary Hao
Human Resources
San Francisco Juvenile Probation Department
375 Woodside Avenue, San Francisco, CA 94127
PHONE: (415) 753-7772 | FAX: (415) 753-7672 | mary.hao@sfgov.org

<PSC 4112.11.12.pdf>

Additional Attachment(s)



**City and County of San Francisco
Juvenile Probation Department**

Allen A. Nance
Chief Probation Officer

375 Woodside Avenue
San Francisco, CA 94127
(415) 753-7800

Memo

To: San Francisco Dept. of Human Resources and Civil Service Commission
From: San Francisco Juvenile Probation Department
cc: Suzanne Choi
Date: April 20, 2015
Re: PSC #4112-11/12

The Juvenile Probation Department (JPD) requests a retroactive PSC Approval for PSC # 4112-11/12. JPD recently became aware that PSC #4112-11/12 will expire May 1st 2015. Due to department vacancies and resulting impacts on staff capacity the department was not able request renewal of PSC #4112-11/12 in a timely fashion. The department will set up a PSC tracking system, in order for staff to keep abreast PSC expirations and renewal periods.

PSC # 4112-11/12 is associated to an existing contract to implement a commercial off-the-shelf case management system. The scope of work in the contract is not changing but the contract is also set to expire on May 1, 2015. JPD seeks to have a negligible interruption by seeking retroactive approval of the PSC and, subsequently, a contract amendment. Under the contract, the vendor has begun the work of implementing a commercial off-the-shelf system that will provide JPD a centralized and more effective method of tracking and sharing information and outcomes for youth involved in the juvenile justice system. As a result, JPD expects better alignment with City and County of San Francisco efforts to make technological improvements. If the department is not able to maintain this contract, the implementation of a Case Management System will likely be delayed by more than six months. Uncertainty surrounding vendor, resource, and pricing availability on such a timeline will put at risk the work conducted thus far.

Original Scope of Work:

This one-time contract, with ongoing hosting services, will seek to develop and implement web-based case management software to assist Probation Officers in assessing and monitoring youthful offenders.

Current Scope of Work:

The scope of work was created to allow the contractor to work with the department in two phases. The first phase is the planning phase and the second phase is the implementation phase. Phase 1 includes: Kick off, Develop Scope of Work, Project Plan, Requirements Matrix and Fit Gap Report, Conversion Plan and Interface Matrix, Reports, Testing Strategy and Finalize Statement of Work. Phase 2 includes: Implement Case Management System Implementation Scope of Work, Develop and Implement Final Acceptance Testing Schedule.

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: MUNICIPAL TRANSPORTATION AGENCY Dept. Code: MTA

Type of Request: [] Initial [x] Modification of an existing PSC (PSC # 4044 - 10/11)

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

Type of Service: Workers' Compensation Investigative Services

Funding Source: SFMTA Operating Funds

PSC Original Approved Amount: \$2,500,000

PSC Original Approved Duration: 11/15/10 - 11/14/15 (5 years)

PSC Mod#1 Amount: \$1,000,000

PSC Mod#1 Duration: 06/01/15-11/30/18 (3 years 2 weeks)

PSC Mod#2 Amount:

PSC Mod#2 Duration:

PSC Cumulative Amount Proposed: \$3,500,000

PSC Cumulative Duration Proposed: 8 years 2 weeks

1. Description of Work

A. Scope of Work:

The SFMTA requires the services of a contractor to provide comprehensive investigative services on workers' compensation claims arising out of employment or in the course of employment. Investigative services include: written and recorded statements; background investigations; forms and releases; medical records retrieval; subrogation investigations; medical facility canvassing; database and online research; surveillance; investigators' court appearances; and the acquisition, storage and accessibility of video documentation. All services must make use of current technologies to the extent possible.

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

State law requires that counties use the services of a Special Investigation Unit (SIU), to increase fraud detection and reporting. These services are essential to either verify valid workers' compensation claims or deny fraudulent ones made against the self insured SFMTA. Denial would result in a violation of state law and the SFMTA's inability to process such claims.

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. Via PSC 4044-10/11.

D. Will the contract(s) be renewed? Yes, the services will be re-bid following the contract term expiration.

2. Union Notification: On 04/08/15, the Department notified the following employee organizations of this PSC/RFP request: SFPOA - Q2-Q50; Professional & Tech Engrs, Local 21;

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 4044 - 10/11

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 05/18/2015

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:

Contractor's staff must include California-licensed, bonded and insured private investigators with a minimum of one year of experience maintaining or reviewing occupational safety and health records and overseeing investigations regarding occupational injuries or illnesses. Staff must possess skills and knowledge of surveillance techniques and equipment, electronic databases, spreadsheets, video streaming and other software as required.

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

Q035,

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:

There is no single civil service classification that performs all required duties. Q35 - Assistant Inspector class is used for criminal investigations, not workers' compensation investigations that include video surveillance. Additionally, these services are required only on an intermittent, as needed basis.

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

No. It would not be practical to adopt a new civil service class that could perform the required services that are restricted to the specialized nature of these services and the intermittent need for them.

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

This service is specialized and intermittent and best done by an independent contractor.

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? Probe Information Services, Inc. YES NO

THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE AND ACCURATE ON BEHALF OF THE DEPARTMENT HEAD ON 04/08/15 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)

Choi, Suzanne (HRD)

From: dhr-psccordinator@sfgov.org on behalf of cynthia.hamada@sfmta.com
Sent: Wednesday, April 08, 2015 5:05 PM
To: Hamada, Cynthia (MTA); L21PSCReview@ifpte21.org; Hamada, Cynthia (MTA); DHR-PSCCoordinator, DHR (HRD); Isen, Richard (TIS)
Subject: Receipt of Modification Request to PSC # 4044 - 10/11 - MODIFICATIONS

PSC RECEIPT of Modification notification sent to Unions and DHR

The MUNICIPAL TRANSPORTATION AGENCY – MTA has submitted a modification request for a Personal Services Contract (PSC) for \$1,000,000 for services for the period June 1, 2015 – November 30, 2018. For all Modification requests, there is a 7-Day noticed to the union(s) prior to DHR Review.

If SEIU is one of the unions that represents the classes you identified in the initial PSC and the cumulative amount of the request is over \$100,000, there is a 60 day review period for SEIU

After logging into the system please select link below:

<http://apps.sfgov.org/dhrdrupal/node/4782>

Email sent to the following addresses: L21PSCReview@ifpte21.org

Choi, Suzanne (HRD)

From: Hamada, Cynthia <Cynthia.Hamada@sfmta.com>
Sent: Tuesday, April 07, 2015 9:51 AM
To: 'marty@sfpoa.org'
Cc: DHR-PSCCoordinator, DHR (HRD); Roach, Dan (MTA); Hart, Mikhael (MTA); Patel, Ashish (MTA); Helms, Mike (MTA)
Subject: FW: PSC #4044-10/11 Modification 1
Attachments: MOD PSC \$2.5M +\$1M +Duration.Workers Comp Investigative Svcs.pdf

Hello Mr. Halloran,

Thank you for your immediate response. Attached, for your reference, is the PSC modification that is being submitted for review by the Civil Service Commission.

Cynthia Hamada

Senior Personnel Analyst
Employee and Labor Relations
San Francisco Municipal Transportation Agency
415.701.5381

From: Hamada, Cynthia
Sent: Monday, April 06, 2015 5:52 PM
To: DHR-PSCCoordinator, DHR; 'L21PSCReview@ifpte21.org'
Cc: Roach, Dan; Hart, Mikhael; Patel, Ashish; Helms, Mike
Subject: PSC #4044-10/11 Modification 1

DHR-PSC Coordinator: For your review and processing. Please note that we did not receive an email response from the online database upon submission of this PSC Modification. Additionally, we have contacted the SF Police Officers Association and requested an email address of Mr. Halloran, but have not received a response yet.

IFPTE L21: For your information.

Cynthia Hamada

Senior Personnel Analyst
Employee and Labor Relations
One South Van Ness Avenue, 6th Floor
San Francisco, CA 94103
Phone: 415.701.5381

Choi, Suzanne (HRD)

From: Hamada, Cynthia <Cynthia.Hamada@sfmta.com>
Sent: Monday, April 06, 2015 5:52 PM
To: DHR-PSCCoordinator, DHR (HRD); 'L21PSCReview@ifpte21.org'
Cc: Roach, Dan (MTA); Hart, Mikhael (MTA); Patel, Ashish (MTA); Helms, Mike (MTA)
Subject: PSC #4044-10/11 Modification 1
Attachments: MOD PSC \$2.5M +\$1M +Duration.Workers Comp Investigative Svcs.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

DHR-PSC Coordinator: For your review and processing. Please note that we did not receive an email response from the online database upon submission of this PSC Modification. Additionally, we have contacted the SF Police Officers Association and requested an email address of Mr. Halloran, but have not received a response yet.

IFPTE L21: For your information.

Cynthia Hamada
Senior Personnel Analyst
Employee and Labor Relations
One South Van Ness Avenue, 6th Floor
San Francisco, CA 94103
Phone: 415.701.5381

Additional Attachment(s)

5 years or more Justification

For all PSCs if the duration requested is 5 years or more, an explanation is required- historical PSC required:

This PSC was approved in November of 2010 and at that time was approved for 5 years.

Training

5B. Will the contractor train employees? If so, please explain what that will entail; if not, explain why not.

No

Describe Training including number of hours. Indicate occupational type of employees. If no training, please explain:

This service is specialized and intermittent and best done by an independent consultant.

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: POLICE Dept. Code: POL

Type of Request: [] Initial [x] Modification of an existing PSC (PSC # 4091-10/11)

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

Type of Service: Outpatient Behavioral Health Services

Funding Source: General Fund

PSC Original Approved Amount: \$750,000

PSC Original Approved Duration: 07/01/11 - 06/30/15 (4 years)

PSC Mod#1 Amount: \$130,000

PSC Mod#1 Duration: 07/01/15-06/30/16 (1 year 1 day)

PSC Mod#2 Amount:

PSC Mod#2 Duration:

PSC Cumulative Amount Proposed: \$880,000

PSC Cumulative Duration Proposed: 5 years 1 day

1. Description of Work

A. Scope of Work:

Initial Entry: Contractor will provide outpatient behavioral health services to the San Francisco Police Department (SFPD) members and their families. These services will provide 8 visits per family per fiscal year and be available throughout the United States.

However, the selected vendor in 2011 provides 10 sessions per member (and their families) and a critical incident stress residential program for 5 members. For FY 15-16, the vendor will continue to provide 10 sessions and a critical incident stress residential program for 6 members. See attached document(s).

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

This service is pursuant to SFPD General Order 11.09 (attached). It would be a violation the Memorandum of Understanding (MOU) between the San Francisco Police Officer Association and the City and County of San Francisco if not implemented. The denial of services would jeopardize the well being of officers and their families.

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

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

2. Union Notification: On 03/02/15, the Department notified the following employee organizations of this PSC/RFP request: SEIU, Local 1021 (Staff Nurse & Per Diem Nurse); SEIU Local 1021; SEIU 1021 Miscellaneous;

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 4091-10/11

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 05/18/2015

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:

Services will need to cover a complete range of behavioral health specialty areas. Clinicians need to be licensed therapists and trained to be culturally competent by the SFPD Behavioral Science Unit. This service needs to be available close to where officers reside as well as anywhere in the United States. This allows dependents living in different locations to have access to services and officers and their dependents to have access to services when they are temporarily away from home.

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

2931,2935,2574,2930,2932,

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 employees are only available geographically in San Francisco. This service needs to be available locally and throughout the United States. Licensed staff also need to have expertise in law enforcement.

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

No. This service is required as per MOU with a limited duration through June 30, 2018. Future MOUs may or may not include this service. This service is as-needed and must be available at different locations so that officers and their dependents can have access to services.

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?

This is an as-needed service.

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? Extending existing contract with Managed Health Network

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

ON 03/02/15 BY:

Name: Genie Wong Phone: (415) 553-1736 Email: Genie.Wong@sfgov.org

Address: 850 Bryant Street #511 San Francisco, CA 94013

Receipt of Union Notification(s)

Receipt of Modification Request to PSC # 4091-10/11 - MODIFICATIONS

dhr-psccordinator@sfgov.org on behalf of Wong, Genie (POL)

Mon 3/2/2015 9:03 AM

Inbox

To:

PSC RECEIPT of Modification notification sent to Unions and DHR

The POLICE -- POL has submitted a modification request for a Personal Services Contract (PSC) for \$130,000 for services for the period July 1, 2015 – June 30, 2016. For all Modification requests, there is a 7-Day noticed to the union(s) prior to DHR Review.

If SEIU is one of the unions that represents the classes you identified in the initial PSC and the cumulative amount of the request is over \$100,000, there is a 60 day review period for SEIU

After logging into the system please select link below:

<http://apps.sfgov.org/dhrdrupal/node/4600>

Email sent to the following addresses: Larry.Bradshaw@seiu1021.org
joe.tanner@seiu1021.net david.canham@seiu1021.org Sin.Yee.Poon@sfgov.org
xiumin.li@seiu1021.org ablood@cirseiu.org ted.zarzecki@seiu1021.net
joe.brenner@seiu1021.org pscreview@seiu1021.org Carey.dall@seiu1021.org
pcamarillo_seiu@sbcglobal.net Kbasconcillo@sfgwater.org
Ricardo.lopez@sfgov.org
tiya.thlang@seiu1021.org davidmkersten@gmail.com leah.berlanga@seiu1021.org
Wendy.Frigillana@seiu1021.org Sandeep.lal@seiu1021.net

Re: Receipt of Modification Request to PSC # 4091-10/11 - MODIFICATIONS

Joe Brenner <Joe.Brenner@seiu1021.org>

Mon 4/13/2015 3:15 PM

To: Gannon, Maureen (POL) <Maureen.Gannon@sfgov.org>;

Cc: Wong, Genie (POL) <Genie.Wong@sfgov.org>; Emma Gerould <Emma.Gerould@seiu1021.org>;

Good afternoon, Ms. Gannon,

SEIU Local 1021 has no further questions at this time regarding PSC 4091-10-11, and will not challenge the current proposed modification of this PSC.

Joe Brenner
joe.brenner@seiu1021.org
415-385-5148

From: Gannon, Maureen (POL) <Maureen.Gannon@sfgov.org>

Sent: Wednesday, April 8, 2015 7:47 AM

To: Joe Brenner; Wong, Genie (POL); Long, Stephanie (POL); Burley, Pat (POL)

Cc: Sandeep.lal@seiu1021.net; Wendy Frigillana; leah.berlanga@seiu1021.org; davidmkersten@gmail.com; Tiya Thlang; Lopez, Ricardo (PDR); Basconcillo, Katherine (PUC); pcamarillo_seiu@sbcglobal.net; PSCreview; ted.zarzecki@seiu1021.net; ablood@cirseiu.org; XiuMin Li; Poon, SinYee (HSA) (DSS); David Canham; joe.tanner@seiu1021.net; Larry Bradshaw; DHR-PSCCoordinator, DHR (HRD); Isen, Richard (TIS)

Subject: RE: Receipt of Modification Request to PSC # 4091-10/11 - MODIFICATIONS

Good morning Mr. Brenner,

Please let us know the status of your members' interest. This is a critical contract which provides support for our members/

If there isn't sufficient interest or this is not a feasible service from DPH, please email us your support of this PSC. DHR will not schedule this PSC on the agenda until they receive documentation that SEIU supports this PSC.

As a reminder, this service needs to be in place by July 1, 2015 because the current contract expires on June 30, 2015.

Thank you .

Maureen Gannon
Chief Financial Officer

San Francisco Police Department
415-553-1425

From: Joe Brenner [mailto:Joe.Brenner@seiu1021.org]
Sent: Friday, March 27, 2015 13:56
To: Wong, Genie (POL); Gannon, Maureen (POL); Long, Stephanie (POL); Burley, Pat (POL)
Cc: Sandeep.lal@seiu1021.net; Wendy Frigillana; leah.berlanga@seiu1021.org; davidmkersten@gmail.com; Tiya Thiang; Lopez, Ricardo (PDR); Basconcillo, Katherine (PUC); pcamarillo_seiu@sbcglobal.net; PSCreview; ted.zarzecki@seiu1021.net; ablood@cirseiu.org; XiuMin Li; Poon, SinYee (HSA) (DSS); David Canham; joe.tanner@seiu1021.net; Larry Bradshaw; DHR-PSCCoordinator, DHR (HRD); Isen, Richard (TIS)
Subject: Re: Receipt of Modification Request to PSC # 4091-10/11 - MODIFICATIONS

Hi Genie,

We will respond to you early next week with any further questions. Thank you for your patience.

Joe

Joe Brenner
joe.brenner@seiu1021.org
415-385-5148

From: Wong, Genie (POL) <Genie.Wong@sfgov.org>
Sent: Friday, March 20, 2015 10:46 AM
To: Joe Brenner; Gannon, Maureen (POL); Long, Stephanie (POL); Burley, Pat (POL)
Cc: Sandeep.lal@seiu1021.net; Wendy Frigillana; leah.berlanga@seiu1021.org; davidmkersten@gmail.com; Tiya Thiang; Lopez, Ricardo (PDR); Basconcillo, Katherine (PUC); pcamarillo_seiu@sbcglobal.net; PSCreview; ted.zarzecki@seiu1021.net; ablood@cirseiu.org; XiuMin Li; Poon, SinYee (HSA) (DSS); David Canham; joe.tanner@seiu1021.net; Larry Bradshaw; DHR-PSCCoordinator, DHR (HRD); Isen, Richard (TIS)
Subject: Re: Receipt of Modification Request to PSC # 4091-10/11 - MODIFICATIONS

Hi Joe,

Attached are documents that I recently uploaded to the PSC database regarding PSC 4091/10/11. The first attachment is a memo explaining our need for a 1-year extension of the current contract, which brings the contract to a total of 5 years. The second attachment is a flyer on a post traumatic stress program (referenced in the first attachment) used by our sworn staff after a critical incident.

Do you still have questions for the SFPD? If not, we would like to move forward with having our vendor review our contract amendment and allow them time to order appropriate insurance so that this service can continue effective July 1, 2015. Thank you.

Regards,

Genie Wong
Contracts Analyst
Fiscal Division

San Francisco Police Department
850 Bryant Street, #511
San Francisco, CA 94103
(415) 553-1736
Genie.Wong@sfgov.org

From: Wong, Genie (POL)
Sent: Thursday, March 5, 2015 12:42 PM
To: Joe Brenner; Gannon, Maureen (POL); Long, Stephanie (POL); Burley, Pat (POL)
Cc: Sandeep.lal@seiu1021.net; Wendy Frigillana; leah.berlanga@seiu1021.org; davidmkersten@gmail.com; Tiya Thlang; Lopez, Ricardo (PDR); Basconcillo, Katherine (PUC); pcamarillo_seiu@sbcglobal.net; PSCreview; ted.zarzecki@seiu1021.net; ablood@cirseiu.org; XiuMin Li; Poon, SinYee (HSA) (DSS); David Canham; joe.tanner@seiu1021.net; Larry Bradshaw; DHR-PSCCoordinator, DHR (HRD); Isen, Richard (TIS)
Subject: Re: Receipt of Modification Request to PSC # 4091-10/11 - MODIFICATIONS

Hi Joe,

Here are your contacts for this PSC:

Sgt Stefanie Long, SFPD Behavioral Services Unit
Officer Pat Burley, Behavioral Services Unit
Maureen Gannon, Chief Financial Officer
Genie Wong, Contracts Analyst

Please forward your questions to me, so that I can coordinate getting answers for SEIU Local 1021.

Regards,

Genie Wong
Contracts Analyst
Fiscal Division
San Francisco Police Department
850 Bryant Street, #511
San Francisco, CA 94103
(415) 553-1736
Genie.Wong@sfgov.org

From: Joe Brenner <Joe.Brenner@seiu1021.org>
Sent: Thursday, March 5, 2015 10:33 AM
To: Wong, Genie (POL)
Cc: Sandeep.lal@seiu1021.net; Wendy Frigillana; leah.berlanga@seiu1021.org; davidmkersten@gmail.com; Tiya Thlang; Lopez, Ricardo (PDR); Basconcillo, Katherine (PUC); pcamarillo_seiu@sbcglobal.net; PSCreview; ted.zarzecki@seiu1021.net; ablood@cirseiu.org; XiuMin Li; Poon, SinYee (HSA) (DSS); David Canham; joe.tanner@seiu1021.net; Larry Bradshaw; DHR-PSCCoordinator, DHR (HRD); Isen, Richard (TIS)
Subject: Re: Receipt of Modification Request to PSC # 4091-10/11 - MODIFICATIONS

Dear Genie,

SEIU Local 1021 has reviewed the draft Personal Services Contract from the Police, modification of PSC 4091- 10/11 for Outpatient Behavioral Health Services, in the amount of \$130,00, for the proposed term of July 1, 2015 - June 30, 2016.

SEIU Local 1021 has questions regarding this PSC. Please confirm the name and contact information (phone and email) of the primary contact person(s) in the Department to whom we may address our questions.

Thank you.

Joe Brenner
joe.brenner@seiu1021.org
415-385-5148

From: dhr-psccoordinator@sfgov.org <dhr-psccoordinator@sfgov.org> on behalf of Genie.Wong@sfgov.org <Genie.Wong@sfgov.org>

Sent: Monday, March 2, 2015 9:37 AM

To: Genie.Wong@sfgov.org; Sandeep.lal@seiu1021.net; Wendy Frigillana; leah.berlanga@seiu1021.org; davidmkersten@gmail.com; Tiya Thlang; Ricardo.lopez@sfgov.org; Kbasconcillo@sfgov.org; pcamarillo_seiu@sbcglobal.net; Carey Dall; PSCreview; Joe Brenner; ted.zarzecki@seiu1021.net; ablood@cirseiu.org; XiuMin Li; Sin.Yee.Poon@sfgov.org; David Canham; joe.tanner@seiu1021.net; Larry Bradshaw; Genie.Wong@sfgov.org; dhr-psccoordinator@sfgov.org; richard.isen@sfgov.org

Subject: Receipt of Modification Request to PSC # 4091-10/11 - MODIFICATIONS

PSC RECEIPT of Modification notification sent to Unions and DHR

The POLICE – POL has submitted a modification request for a Personal Services Contract (PSC) for \$130,000 for services for the period July 1, 2015 – June 30, 2016. For all Modification requests, there is a 7-Day noticed to the union(s) prior to DHR Review.

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After logging into the system please select link below:

<http://apps.sfgov.org/dhrDrupal/node/4600>

Email sent to the following addresses: Larry.Bradshaw@seiu1021.org
joe.tanner@seiu1021.net david.canham@seiu1021.org Sin.Yee.Poon@sfgov.org
xiumin.li@seiu1021.org ablood@cirseiu.org ted.zarzecki@seiu1021.net
joe.brenner@seiu1021.org pscreview@seiu1021.org Carey.dall@seiu1021.org
pcamarillo_seiu@sbcglobal.net Kbasconcillo@sfgov.org
Ricardo.lopez@sfgov.org

tiva.thlang@seiu1021.org davidmkersten@gmail.com leah.beriang@seiu1021.org
Wendy.Frigillana@seiu1021.org Sandeep.lal@seiu1021.net

Additional Attachment(s)



POLICE DEPARTMENT
CITY AND COUNTY OF SAN FRANCISCO

THOMAS J. CAHILL HALL OF JUSTICE
850 BRYANT STREET
SAN FRANCISCO, CALIFORNIA 94103-4603



EDWIN M. LEE
MAYOR

GREGORY P. SUHR
CHIEF OF POLICE

To: Suzanne Choi
Personal Services Contract Coordinator
Department of Human Resources

From: Maureen Gannon *MKG*
Chief Financial Officer
Police Department

Date: March 6, 2015

RE: PSC 4091-10/11 Modification of More Than Five Years

The San Francisco Police Department (SFPD) requests a Personal Services Contract (PSC) modification of one year and one day from July 1, 2015-June 30, 2016 for continued behavioral health services for sworn officers and their dependents in the San Francisco Bay Area and throughout the United States as required by the San Francisco Police Officers' Association (SFPOA) Memorandum of Understanding (MOU) effective through June 30, 2018. The current PSC is approved from July 1, 2011-June 30, 2015. The PSC cumulative duration proposed is five years and one day.

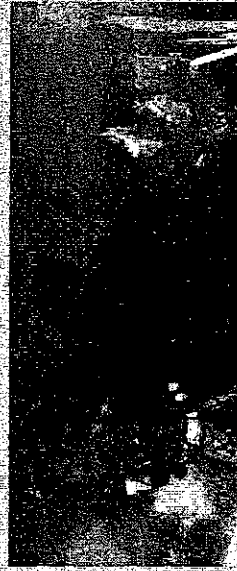
The incumbent vendor, Managed Health Network (MHN), works with the SFPD Behavioral Science Unit to provide specialized services for law enforcement personnel and their family members. Their exemplary services, which include ten sessions per individual anywhere in the United States, and a six-day residential program for emergency responders suffering from severe critical incident stress, are highly utilized. Due to the high demand of the residential treatment program, MHN has proposed increasing the capacity of the six-day program from five members to six members per retreat session for Fiscal Year 2015-2016 at no additional cost. A brochure of the program is attached for your review.

The term of the MHN contract is from July 1, 2011-June 30, 2015, with three options to extend for one year each. The SFPD wishes to exercise its first option to continue our contract with MHN for one year. We respectfully request that PSC 4091-10/11 Modification #1 be approved so that the SFPD can continue to provide the valuable behavioral health services by MHN. Discontinued service would negatively impact the health and well being of the SFPD officers and their families and violate the requirements of the current SFPOA MOU. Please contact Genie Wong on my staff at 553-1736 if you have questions.

Encl.

Who are you? We are a group of fellow emergency service workers who understand the benefits of a peer supported facility. Our volunteer staff members come from numerous public safety disciplines including:

Wildland firefighting, mountain rescue, search and rescue, law enforcement, fire, police, corrections, and more. This provides an elevated level of cultural competence, which is called upon throughout the participant's stay at the program. In other words, they "get it."



FREE INITIAL CONSULTATION

If your emergency responder organization has experienced a critical incident, contact WCPR for a free telephone consultation.

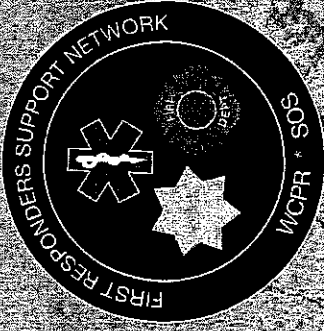
Why are you here? Emergency service providers everywhere are experiencing critical incident stress and posttrauma reactions. Sometimes these incidents affect their jobs, relationships with loved ones and the overall quality of their lives. Most responders are able to recover and continue working with the help of friends, debriefings and professional counseling in their community.

The WCPR participant has often received treatment in their community but has not responded favorably or sufficiently. Most of our participants have difficulties functioning at work and/or at home as a result of their involvement in one or a number of critical incidents. Our participants are often diagnosed with depression, anxiety, adjustment, eating, sleeping, and/or substance-related disorders. About half of our participants are diagnosed with Post Traumatic Stress Disorder.

The WCPR residential program provides an avenue towards recovery via a therapeutic and educational experience designed to help participants recognize the signs and symptoms of work related stress in themselves and in others, and help them return to work better prepared to deal with such incidents.

MISSION

To provide a safe and confidential environment for the promotion of healing and education to those dedicated to the emergency service profession.



WEST COAST POST-TRAUMA RETREAT

AN AFFILIATE OF
RESIDENTIAL PROGRAM
FOR EMERGENCY SERVICE PROVIDERS
WITH POST-TRAUMATIC
STRESS DISORDERS
OF THE CALIFORNIA
POLICE OFFICERS ASSOCIATION AND
THE INTERNATIONAL CONFERENCE
OF POLICE TRAINERS



WWW.WCPR2001.ORG

IF WCPR HADN'T BEEN THERE FOR ME, I HONESTLY DON'T KNOW WHAT WOULD HAVE HAPPENED. I DON'T THINK I WOULD BE HERE TO TALK ABOUT IT.

WEST COAST POST-TRAUMA RETREAT

WEST COAST POST-TRAUMA RETREAT
WCPR's residential treatment facility is staffed by:

- Active & retired emergency responders (Police, Fire, etc.)
- Licensed clinicians & mental health specialists
- Chaplains
- Family members of emergency responders

WCPR provides culturally competent staff members who understand the many demands and struggles in the lives of emergency service professionals and their families.

Our staff members have the knowledge, education and experience to assist you in getting through a difficult situation. Many of our staff have been where you are and have attended the 6 day program as clients and now volunteer their time to help others.

I CAME AWAY WITH A BETTER UNDERSTANDING OF WHAT CAUSES AND HOW BETTER TO DEAL WITH PTSD, PLUS DEALING WITH OTHER ISSUES FROM 23 YEARS OF LAW ENFORCEMENT RELATED 'BAGGAGE'. I HIGHLY RECOMMEND THE RETREAT TO ANYONE THAT HAS DEALT WITH OUR PROFESSION'S DILEMMAS AS WELL AS PERSONAL ISSUES.

ARE YOU EXPERIENCING ANY OF THESE SIGNS AND SYMPTOMS OF EXCESSIVE STRESS?

PHYSICAL:

- Dizziness
- Chest pain
- Headaches
- Elevated Blood Pressure
- Rapid heart rate
- Grinding of teeth
- Difficulty breathing
- Etc...

COGNITIVE:

- Nightmares
- Hypervigilance
- Suspiciousness
- Poor concentration
- Blaming others for your problems
- Heightened or lowered alertness
- Etc...

EMOTIONAL:

- Guilt
- Grief
- Denial
- Anxiety
- Irritability
- Loss of emotional control
- Depression
- Etc...

BEHAVIORAL:

- Withdrawn
- Antisocial
- Loss or increase of appetite
- Increased alcohol consumption
- Change in usual communications with family & friends
- Etc...

SPIRITUAL:

- Diminished or enhanced belief systems

IS MANAGING YOUR LIFE NO LONGER WITHIN YOUR ABILITY?

• IS YOUR FAMILY LIFE AFFECTED BY YOUR JOB AND A STOCKPILE OF CRITICAL INCIDENTS...OR PERHAPS ONE MAJOR INCIDENT?

• DO YOU OR YOUR COWORKERS, FRIENDS OR LOVED ONES NOTICE THAT YOU ARE JUST NOT YOURSELF?

YOU MAY BE EXPERIENCING DIFFICULTY WITH STRESS, DEPRESSION, ANXIETY AND/OR POST TRAUMATIC STRESS DISORDER

IN THE AFTERMATH OF A CRITICAL INCIDENT an emergency responder may find that they are unable to function at their normal level. The mission of WCPR is to help return emergency responders to their previous level of functioning, both personally and professionally, and reduce the symptoms associated with critical incident stress.

DO YOU FIND YOURSELF ASKING QUESTIONS SUCH AS:

- What is wrong with me?
- Am I the only person who feels like this?
- When will I begin feeling better about myself, my life, my job?

Many clients come to WCPR asking these and other questions about themselves.

THE PROCESS: The WCPR program starts on Sunday afternoon and concludes at noon on Friday. Over the six-day period clients participate in a critical incident stress debriefing process facilitated by peers, mental health professionals and chaplains in a residential treatment setting. The process is confidential and non-judgmental. It is not an evaluation of your job abilities. Participants have the opportunity to spend time with:

- Peers who understand what the client is experiencing
- Mental health experts who can explain why one experiences these stress reactions and how to manage them, and
- Chaplains for guidance and additional support.

6-DAY PROGRAMS ARE GENERALLY HELD MONTHLY IN THE SAN FRANCISCO BAY AREA

During your stay you will meet with other peer clients (usually no more than 8 clients per session) and receive individual and group counseling, educational information & the tools necessary to continue in your line of work. The program is reasonably priced and includes treatment, room and board. WCPR accepts various insurance company policies, worker's compensation benefits and credit cards.

Initial Scope of Work:

Contractor will provide outpatient behavioral health services to the San Francisco Police Department (SFPD) members and their families. These services will provide 8 visits per family per fiscal year and be available throughout the United States. The professional team provided by the Contractor will include individuals that have been recruited, selected and trained by the Behavioral Science Unit of the SFPD.

Current Scope of Work:

Initial Entry: Contractor will provide outpatient behavioral health services to the San Francisco Police Department (SFPD) members and their families. These services will provide 8 visits per family per fiscal year and be available throughout the United States.

However, the selected vendor in 2011 provides 10 sessions per member (and their families) and a critical incident stress residential program for 5 members. For FY 15-16, the vendor will continue to provide 10 sessions and a critical incident stress residential program for 6 members.

GENERAL ORDER

EMPLOYEE ASSISTANCE PROGRAM/STRESS UNIT

I. POLICY

- A. **PURPOSE.** It is the policy of the San Francisco Police Department to maintain the Employee Assistance Program (EAP) and Stress Unit for the purpose of providing confidential services to members and their families in dealing with job-related and personal problems.
- B. **COUNSELING.** Staff are trained to assess problems and counsel the individual and, when necessary, refer to appropriate professional resources. The Stress Unit specializes in issues dealing with substance abuse and chemical dependency.
- C. **RESOURCES TO SUPERVISORS.** The Employee Assistance Program and the Stress Unit are resources available to supervisors when dealing with a subordinate who is experiencing a personal or job-related problem.
- D. **CONFIDENTIALITY.** Staff members will maintain strict confidentiality as mandated by law. In matters of substance abuse, staff members shall maintain the confidentiality of the client as required by federal law.
- E. **COORDINATION/COMMUNITY RESOURCES.** It is the responsibility of the EAP to coordinate the Peer Support Program, the Psychological Professional Group and other support resources. The EAP will also identify community resources and maintain liaison with other City Departments' Employee Assistance Programs.

II. PROCEDURES

- A. **CONTACTING THE EAP OR THE STRESS UNIT.** To contact the Employee Assistance Program or the Stress Unit during business hours, telephone the unit directly. Telephone numbers are listed in the Department Telephone Directory. After business hours, call the Operations Center.

References

- DGO 2.02, Alcohol Use by Members
- DGO 2.03, Drug Use by Members
- DGO 8.04, Critical Incident Response Team
- DGO 11.04, Peer Support Program

MEMORANDUM OF UNDERSTANDING

BETWEEN

CITY AND COUNTY OF SAN FRANCISCO

AND

SAN FRANCISCO POLICE OFFICERS' ASSOCIATION

UNITS P-1 AND P-2A

July 1, 2007 - June 30, 2018

Per Amendment # 5

ARTICLE III - PAY, HOURS AND BENEFITS


G. Hepatitis B Vaccine.

293. The City shall provide, at its cost, Hepatitis B vaccine immunization for employees whose health plans do not provide the benefit.

H. Annual Tuberculosis Screening.

294. The City will provide, at its cost, annual tuberculosis screening for employees.

I. Employee Assistance Program.

 295. The City shall continue to provide the existing or equivalent employee assistance benefits presently provided by United Behavioral Health.

Section 9. Retirement.

A. Mandatory Employee Retirement Contribution.

296. For the duration of this Agreement, employees shall pay their own retirement contributions. Tier 1 employees will contribute an amount equal to 7% of covered gross salary; Tier 2 employees and Harbor Police Officers will contribute an amount equal to 7.5% of covered gross salary. The parties acknowledge that said contributions satisfy the requirements of Charter Sections A8.595-11(d) and A8.597-11(d) for the duration of this Agreement.

296a. Notwithstanding paragraph 296. above, the parties agree to further extend employee cost sharing by increasing the retirement contribution for all employees by three percent (3%) for the two-year period beginning July 1, 2011 and ending June 30, 2013. As of July 1, 2013, the parties agree to effectuate any applicable cost sharing provisions of a Charter amendment initiated by the Mayor, approved by the Board of Supervisors, and approved by the voters in the November 2011 election.

297. If the majority of City & County of San Francisco employees agree to an employee contribution to fund retiree health benefits, the parties agree to reopen the MOU on the subject of an employee contribution to fund retiree health benefits. This reopener is subject to the impasse resolution procedures as set forth in Charter Section A8.590-1 et seq.

298. B. Employees with twenty (20) years' service who leave the Department, but who retain their membership in the retirement system, shall be deemed to be retired for purposes of Penal Code Section 12027.

299. C. Rule changes by the City's Retirement Board regarding the crediting of accrued sick leave for retirement purposes shall be incorporated herein by reference. Any such rule changes, however, shall not be subject to the grievance and arbitration provisions of current Memorandum of Understanding or the impasse procedures of Charter Section A8.590-1, et. seq.

MEMORANDUM OF UNDERSTANDING

BETWEEN

CITY AND COUNTY OF SAN FRANCISCO

AND

SAN FRANCISCO POLICE OFFICERS' ASSOCIATION

UNIT P-2B

July 1, 2007 - June 30, 2018

Per Amendment #5

- 137a. Effective July 1, 2011, employees who enroll in the Delta Dental PPO Plan shall pay the following premiums for the respective coverage levels: \$5/month for employee-only, \$10/month for employee + 1 dependent, or \$15/month for employee + 2 or more dependents.
138. E. Employees shall be permitted to choose which available City plan they wish to participate in.
139. F. Benefits that are made available by the City to the domestic partners of other City employees shall simultaneously be made available to the domestic partners of members of the Department.
- G. Hepatitis B Vaccine.
140. The City shall provide, at its cost, Hepatitis B vaccine immunization for employees whose health plans do not provide the benefit.
- H. Annual Tuberculosis Screening.
141. The City will provide, at its cost, annual tuberculosis screening for employees.
- I. Employee Assistance Program.
142. The City shall continue to provide the existing or equivalent employee assistance benefits presently provided by United Behavioral Health.

Section 9. Retirement.

- A. Mandatory Employee Retirement Contribution.
143. For the duration of this Agreement, employees shall pay their own retirement contributions. Tier 1 employees will contribute an amount equal to 7% of covered gross salary; Tier 2 employees and Harbor Police Officers will contribute an amount equal to 7.5% of covered gross salary. The parties acknowledge that said contributions satisfy the requirements of Charter Sections A8.595-11(d) and A8.597-11(d) for the duration of this Agreement.
- 143a. Notwithstanding paragraph 143. above, the parties agree to further extend employee cost sharing by increasing the retirement contribution for all employees by three percent (3%) for the two-year period beginning July 1, 2011 and ending June 30, 2013. As of July 1, 2013, the parties agree to effectuate any applicable cost sharing provisions of a Charter amendment initiated by the Mayor, approved by the Board of Supervisors, and approved by the voters in the November 2011 election.
144. If the majority of City & County of San Francisco employees agree to an employee contribution to fund retiree health benefits, the parties agree to reopen the MOU on the subject of an

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: TREASURER/TAX COLLECTOR Dept. Code: TTX

Type of Request: Initial Modification of an existing PSC (PSC # 4082 12/13)

Type of Approval: Expedited Regular (Omit Posting)

Type of Service: Cashiering System Configuration Professional Services

Funding Source: General Fund

PSC Original Approved Amount: \$1,000,000 PSC Original Approved Duration: 03/01/13 - 06/30/15 (2 years 17 w

PSC Mod#1 Amount: \$490,000 PSC Mod#1 Duration: 07/08/14-12/31/15 (26 weeks 2 days)

PSC Mod#2 Amount: \$350,000 PSC Mod#2 Duration: 05/04/15-06/30/17 (1 year 25 weeks)

PSC Cumulative Amount Proposed: \$1,840,000 PSC Cumulative Duration Proposed: 4 years 17 weeks

1. Description of Work

A. Scope of Work:

The Gross Receipts Tax and Business Registration Fees Ordinance (2012) Proposition E) was approved by San Francisco voters on November 6, 2012. It mandates that the City implement changes to local business taxes and registration fees by January 1, 2014 with a phased implementation through 2018. The Treasurer & Tax Collector has previously procured a proprietary software solution for Cashiering under PSC# 4035 09/10 approved on 9/21/2009. The software must be configured to meet the requirements of the Ordinance.

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

Configuration of the cashiering system must occur in order for the Treasurer & Tax Collector to collect taxes and fees totaling approximately \$500 million annually. Denial would result in the City failing to meet the voter approved mandated timeline and put millions of tax dollars at risk.

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

D. Will the contract(s) be renewed? Potentially, if needed.

2. Union Notification: On 04/13/15, the Department notified the following employee organizations of this PSC/RFP request: Architect & Engineers, Local 21;

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 4082 12/13

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 05/18/2015

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:

Expertise and authorization to configure the Wausau FC software. Experience working with the Wausau FC cashiering solution as an analyst and knowledge of the Wausau FC functionality.

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

1062,1063,1064,

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:

Wausau FC is a proprietary software and the City could not modify without voiding our service agreement. City and County does not have access to the source code.

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

No. Wausau FC is a proprietary software and the City could not modify without voiding our service agreement. The City does have existing programmer and business analyst classes that perform this type of work; however, the City does not have access to the source code and the expertise in the Wausau FC software.

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?
Please see attached document titled Training 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, Wausau Financial YES NO

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

ON 04/13/15 BY:

Name: Amanda Fried Phone: 4155540889 Email: amanda.fried@sfgov.org

Address: 1 Dr Carlton B Goodlett Pl, Room 140, San Francisco, CA 94102

Receipt of Union Notification(s)

From: dhr-psccordinator@sfgov.org on behalf of greg.kato@sfgov.org
Sent: Monday, April 13, 2015 3:33 PM
To: Kato, Greg (TTX); L21PSCReview@ifpte21.org; Finkle, Erica (TTX); DHR-PSCCoordinator, DHR (HRD); Isen, Richard (TIS)
Subject: Receipt of Modification Request to PSC # 4082 12/13 - MODIFICATIONS

PSC RECEIPT of Modification notification sent to Unions and DHR

The TREASURER/TAX COLLECTOR -- TTX has submitted a modification request for a Personal Services Contract (PSC) for \$350,000 for services for the period May 4, 2015 □ June 30, 2017. For all Modification requests, there is a 7-Day noticed to the union(s) prior to DHR Review.

If SEIU is one of the unions that represents the classes you identified in the initial PSC and the cumulative amount of the request is over \$100,000, there is a 60 day review period for SEIU

After logging into the system please select link below:

<http://apps.sfgov.org/dhrdrupal/node/3641>

Email sent to the following addresses: L21PSCReview@ifpte21.org

Additional Attachment(s)

Training

A minimum of 60 hours will be designated for staff development to ensure Treasurer and Tax Collector IT staff (approx. 3 persons) can support and maintain application after it is designed. Training will consist of a mix of hands-on configuration and knowledge transfer after the application is delivered. Additionally, in September 2015 a small delegation will be going to the Hyland User Conference to participate in training and certification courses.

We hope to transition much if not all of the support of the applications to Treasurer and Tax Collector IT staff.

PSC 4082-12/13 Mod 2

PSC 4035-09/10 – Please refer to page 197 of the Civil Service Commission packet. Thank you.

ARTICLE 12-A-1: GROSS RECEIPTS TAX ORDINANCE

- Sec. 950. Findings and Purpose.
- Sec. 951. Short Title.
- Sec. 952. Definitions.
- Sec. 952.1. Advance Payment.
- Sec. 952.2. Cash Discount.
- Sec. 952.3. Gross Receipts.
- Sec. 952.4. NAICS Code.
- Sec. 952.5. Related Entity.
- Sec. 952.6. Sale and Sell.
- Sec. 953. Imposition of Gross Receipts Tax.
- Sec. 953.1. Gross Receipts Tax Applicable to Retail Trade; Wholesale Trade; and Certain Services.
- Sec. 953.2. Gross Receipts Tax Applicable to Manufacturing; Transportation and Warehousing; Information; Biotechnology; Clean Technology; and Food Services.
- Sec. 953.3. Gross Receipts Tax Applicable to Accommodations; Utilities; and Arts, Entertainment and Recreation.
- Sec. 953.4. Gross Receipts Tax Applicable to Private Education and Health Services; Administrative and Support Services; and Miscellaneous Business Activities.
- Sec. 953.5. Gross Receipts Tax Applicable to Construction.
- Sec. 953.6. Gross Receipts Tax Applicable to Financial Services; Insurance; and Professional, Scientific and Technical Services.
- Sec. 953.7. Gross Receipts Tax Applicable to Real Estate and Rental and Leasing Services.
- Sec. 953.8. Tax on Administrative Office Business Activities.
- Sec. 953.9. Persons or Combined Groups Engaged in Multiple Business Activities.
- Sec. 954. Exemptions and Exclusions.
- Sec. 954.1. Small Business Exemption.
- Sec. 955. Persons Deriving No Gross Receipts from Business Activities Outside the City.
- Sec. 956. Allocation and Apportionment for All Persons Deriving Gross Receipts from Business Activities Both Within and Outside the City.
- Sec. 956.1. Allocation of Receipts from Real, Personal, Tangible and Intangible Property.
- Sec. 956.2. Apportionment of Receipts Based on Payroll.
- Sec. 956.3. Combined Returns.
- Sec. 957. Tax Collector Authorized to Determine Gross Receipts.
- Sec. 958. Administration of the Gross Receipts Tax Ordinance.
- Sec. 959. Rate of Gross Receipts Tax: Controller Computation.
- Sec. 960. The "Payroll Expense Tax Exclusion" Credit.
- Sec. 961. Central Market Street Limit.
- Sec. 962. Amendment of Ordinance.
- Sec. 963. Effect of State and Federal Authorization.
- Sec. 964. Severability.

SEC. 950. FINDINGS AND PURPOSE.

The voters hereby find and declare as follows:

1. San Francisco is the only major city in California that levies its entire business tax on payroll expense. This exclusive payroll-based tax discourages job creation and economic growth, lowers wages, and provides an unstable revenue stream.
2. San Francisco currently charges a flat rate on its payroll expense tax base. Instituting a tiered rate structure, in which businesses are taxed based on their gross receipts, will better distribute the tax burden according to a business's ability to pay.
3. Gross receipts is the most common business tax base among California's largest cities.
4. Amending San Francisco's business tax system to include a gross receipts tax will promote revenue stability by diversifying the tax base.
5. The rate schedules and the small business exemption for businesses with receipts under \$1,000,000 provide particular tax relief to small businesses.
6. The legislation will gradually phase in the new gross receipts tax over a five-year period, beginning in tax year 2014, to allow businesses time to adjust to the change and to minimize the risk to the City and to taxpayers of instability in City revenues during the transition from the payroll expense tax to a gross receipts tax.
7. Also beginning in tax year 2014, the payroll expense tax will be adjusted, over the same period, in increments that are consistent with the phase in of the gross receipts tax.
8. Each year during the phase-in period, the formula dictates an increase in the gross receipts tax rate and an adjustment in the payroll expense tax rate that is expected to reduce the payroll expense tax rate to zero by or before 2018. The Controller will calculate the annual increase in the gross receipts tax rate and the adjustment in the payroll expense tax rate by applying formulas specified in this legislation.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

SEC. 951. SHORT TITLE.

This Article shall be known as the "Gross Receipts Tax Ordinance" and the tax this Article imposes shall be known as the "Gross Receipts Tax."

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

SEC. 952. DEFINITIONS.

Except where the context otherwise requires, the terms used in this Article shall have the meanings given to them in Sections 6.2-1et seq. of Article 6 and in Article 12-A.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

SEC. 952.1. ADVANCE PAYMENT.

"Advance payment" means a nonrefundable payment for the purchase of property or services to be delivered or performed in the future.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

SEC. 952.2. CASH DISCOUNT.

"Cash discount" means a deduction from the invoice price of goods or charge for services which is allowed if the bill is paid on or before a specified date, or paid in cash rather than by credit card.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

SEC. 952.3. GROSS RECEIPTS.

(a) "Gross receipts" means the total amounts received or accrued by a person from whatever source derived, including, but not limited to, amounts derived from sales, services, dealings in property, interest, rent, royalties, dividends, licensing fees, other fees, commissions and distributed amounts from other business entities. Except as otherwise specifically provided in this Article, gross receipts includes but is not limited to all amounts that constitute gross income for federal income tax purposes. Except as otherwise specifically provided in this Article, gross receipts includes all receipts, cash, credits and property of any kind

or nature and including any amount for which credit is allowed by the seller to the purchaser, without any deduction therefrom on account of the cost of the property sold, the cost of materials used, labor or service costs, interest paid or payable, losses or any other expense whatsoever, except that cash discounts allowed or taken on sales shall not be included as gross receipts. Gross receipts, including advance payments, shall be included in a taxpayer's gross receipts at the time such receipts are recognized as gross income for federal income tax reporting purposes.

(b) "Gross receipts" with respect to any lease or rental shall include payment for any services that are part of the lease or rental, whether received in money or otherwise, that are paid to, on behalf of, or for the benefit of, the lessor, and all receipts, cash, credits, property of any kind or character and the fair market value of services so paid or rendered by the lessee.

(c) **Treatment of Taxes.** "Gross receipts" shall not include the amount of any federal, state, or local tax imposed on or with respect to retail sales whether imposed upon the retailer or upon the purchaser and regardless of whether the amount of tax is stated as a separate charge, or such part of the sales price of any property previously sold and returned by the purchaser to the seller which is refunded by the seller by way of cash or credit allowances given or taken as part payment on any property so accepted for resale. Gross receipts shall also not include any federal, state or local tax imposed upon a person for which that person is reimbursed by means of a separately stated charge to a purchaser, lessee, licensee or customer. Gross receipts shall not include any amount of third-party taxes that a taxpayer collects from or on behalf of the taxpayer's customers and remits to the appropriate governmental entity imposing such tax. Gross receipts shall not include any tax refunds received by a person from a governmental entity. Gross receipts shall include any federal, state or local tax not specifically excluded in this subsection.

(d) "Gross receipts" shall not include any amount received from or charged to any person that is a related entity to the taxpayer. Nor shall gross receipts include any grants received from governmental entities or any gifts. Gross receipts shall not include any investment receipts. "Investment receipts" includes interest, dividends, capital gains, other amounts received on account of financial instruments, and distributions from business entities, provided such items are directly derived exclusively from the investment of capital and not from the sale of property other than financial instruments, or from the provision of services, to any person. Gross receipts also shall not include any allocations of income or gain, or distributions (such as dividends, interest and other returns on capital) from an entity treated as a pass-through entity for federal income tax purposes, provided such allocations or distributions are derived exclusively from an investment in such entity, and not from any other property sold to, or services provided to, such entity. Any gross receipts of a pass-through entity which is subject to the gross receipts tax shall not also constitute gross receipts of any owner of that entity.

(e) Notwithstanding the provisions of subsection (a), "gross receipts" from the sale or exchange of stocks or other similar written instruments evidencing a right to participate in the assets of any business, or of bonds or other evidence of indebtedness, or of any other marketable securities (collectively referred to in this Article as "financial instruments"), or of any real property, shall not include the cost to acquire the financial instrument(s), or real property, sold or otherwise exchanged or converted. Nor shall "gross receipts" include the amount received by the original issuer of a financial instrument in exchange for such issuance. To the extent that any loss on the sale or exchange of financial instruments reduces the gross income of a person for federal income tax purposes in the year the loss is incurred, that loss shall reduce gross receipts from the sale or exchange of financial instruments, but in no event shall those receipts be less than zero, and in no event may any such loss be carried back or carried forward to reduce gross receipts in a tax year other than that in which the loss was incurred.

(f) No person shall be deemed to be engaging in business in the City if that person is an individual whose only gross receipts within the City are derived from investments of that individual's own funds in financial instruments. Gross receipts of an individual shall not include interest, dividends, capital gains and similar items or investment income earned from the investment of that individual's own capital.

(g) For purposes of this Article and Article 12, and notwithstanding Section 6.2-12 of Article 6, no person shall be deemed to be engaging in business within the City if its activities in the City consist solely of one or more of the following:

- (1) contracting with, acting through, or otherwise using the services of, any investment advisor or affiliate thereof which is not a related entity;
- (2) maintaining documents of formation, incorporation, or registration within the City;

- (3) being an owner, member, or other participant in an entity engaging in business within the City which is a pass-through entity for federal income tax purposes; or
- (4) having trustees or directors who meet or reside within the City.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

SEC. 952.4. NAICS CODE.

"NAICS code" means the numerical classification for business activities established in the North American Industry Classification System used by federal governmental agencies to classify business establishments; references in this Article to particular numerical NAICS codes are intended to apply the definitions and descriptions adopted in that system as of the effective date of this Article.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

SEC. 952.5. RELATED ENTITY.

A person is a "related entity" to a taxpayer if that person and the taxpayer are permitted or required by the California Franchise Tax Board under Section 25102 *et seq.* of the California Revenue and Taxation Code, or any successor, to have their income reflected on the same combined report. For purposes of this Article, if two or more persons derive gross receipts solely from sources within California, and their business activities are such that, if conducted both within and outside California, a combined report would be required under the California Revenue and Taxation Code, or any successor, then those persons are related entities regardless of whether they file a combined report under the California Revenue and Taxation Code, or successor.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

SEC. 952.6. SALE AND SELL.

"Sale" and "sell" mean the making of any transfer of title, in any manner or by any means whatsoever, to property for a price, and to the serving, supplying or furnishing, for a price, of any property fabricated or made at the special order of consumers who do or who do not furnish directly or indirectly the specifications or materials therefor. A transaction whereby the possession of property is transferred but the seller retains the title as a security for the payment of the price shall likewise be deemed a sale.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

SEC. 953. IMPOSITION OF GROSS RECEIPTS TAX.

(a) Except as otherwise provided under this Article, the City imposes and every person engaging in business within the City shall pay an annual gross receipts tax measured by the person's gross receipts from all taxable business activities attributable to the City. A person's liability for the gross receipts tax shall be calculated according to Sections 953.1 through 953.7.

(b) The gross receipts tax is a privilege tax imposed upon persons engaging in business within the City for the privilege of engaging in a business or occupation in the City. The gross receipts tax is imposed for general governmental purposes. Proceeds from the tax shall be deposited in the City's general fund and may be expended for any purposes of the City.

(c) The voters intend by adopting this measure to authorize application of the gross receipts tax in the broadest manner consistent with the provisions of this Article and the requirements of the California Constitution, the United States Constitution, and any other applicable provision of federal and state law.

(d) The gross receipts tax imposed under this Article is in addition to the payroll expense tax imposed under Article 12-A. Persons not otherwise exempt from the gross receipts tax or payroll expense tax shall pay both taxes. Persons exempt from either the gross receipts tax or payroll expense tax, but not both, shall pay the tax from which they are not exempt.

(e) Except for subsection (d) of this Section, the tax on Administrative Office Business Activities imposed by Section 953.8 is intended as a complementary tax to the gross receipts tax, and shall be considered a gross receipts tax for purposes of this Article.

(f) For a five year period beginning in 2015, the Treasurer, Controller, and Chief Economist shall jointly prepare an annual report to the Mayor and Board of Supervisors on the implementation of the measure. The report shall include projections of collections of the gross receipts tax, compare these projections to those anticipated in preparation of the measure, and outline impacts of the measure on San Francisco's economy and business community. The report may recommend policy, administrative, or technical changes for the consideration of the Mayor and Board of Supervisors that further the goals established in the measure.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

SEC. 953.1. GROSS RECEIPTS TAX APPLICABLE TO RETAIL TRADE; WHOLESALE TRADE; AND CERTAIN SERVICES.

(a) The base gross receipts tax rate provided by this Section is applicable to the business activities of retail trade, wholesale trade, and certain services. Commencing on the operative date of the Gross Receipts Tax Ordinance, the Controller shall compute the tax rate in accordance with Section 959, but the base tax rate provided by this Section is:

- 0.075% (e.g., \$0.75 per \$1,000) for gross receipts between \$0 and \$1,000,000
- 0.100% (e.g., \$1 per \$1,000) for gross receipts between \$1,000,001 and \$2,500,000
- 0.135% (e.g., \$1.35 per \$1,000) for gross receipts between \$2,500,001 and \$25,000,000
- 0.160% (e.g., \$1.60 per \$1,000) for gross receipts over \$25,000,000

(b) Retail trade includes the activity of retailing any type of personal property, generally without significantly transforming its characteristics, and rendering services incidental to the retail sale of property; it includes business activity described in NAICS codes 44 and 45.

(c) Wholesale trade includes the activity of wholesaling property, generally without transformation, and rendering services incidental to the sale of property on a wholesale basis; it includes business activity described in NAICS code 42.

(d) Certain services includes the repair and maintenance services, personal and laundry services, and religious, grantmaking, civic, professional and similar organizations that are not otherwise exempt; it includes business activity described in NAICS codes 811, 812 and 813.

(e) The amount of gross receipts from retail trade activities and from wholesale trade activities subject to the gross receipts tax shall be one-half of the amount determined under Section 956.1 plus one-half of the amount determined under Section 956.2.

(f) The amount of gross receipts from certain services activities subject to the gross receipts tax shall be the total amount determined under Section 956.2.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

SEC. 953.2. GROSS RECEIPTS TAX APPLICABLE TO MANUFACTURING; TRANSPORTATION AND WAREHOUSING; INFORMATION; BIOTECHNOLOGY; CLEAN TECHNOLOGY; AND FOOD SERVICES.

(a) The base gross receipts tax rate provided by this Section is applicable to the business activities of manufacturing, transportation and warehousing, information, biotechnology, clean technology, and food services. Commencing on the operative date of the Gross Receipts Tax Ordinance, the Controller shall compute the tax rate in accordance with Section 959, but the base tax rate provided by this Section is:

- 0.125% (e.g., \$1.25 per \$1,000) for gross receipts between \$0 and \$1,000,000
- 0.205% (e.g., \$2.05 per \$1,000) for gross receipts between \$1,000,001 and \$2,500,000
- 0.370% (e.g., \$3.70 per \$1,000) for gross receipts between \$2,500,001 and \$25,000,000
- 0.475% (e.g., \$4.75 per \$1,000) for gross receipts over \$25,000,000

(b) Manufacturing includes the activity of transforming materials, substances or components into new products by mechanical, physical or chemical means; it includes the activity of assembling component parts of manufactured products; it includes business activity described in NAICS codes 31, 32 and 33.

(c) Transportation and warehousing includes the activities of providing transportation of passengers and/or goods, warehousing and storage for goods, scenic and sightseeing transportation, and support activities related to modes of transportation; it includes business activity described in NAICS codes 48 and 49.

(d) Information includes producing and distributing information or cultural products; providing the means to transmit or distribute those products; and processing data; it includes business activity described in NAICS code 51.

(e) For purposes of this Article, biotechnology includes the activity of biotechnology business as defined in Section 906.1 of Article 12-A, and clean technology includes the activity of clean technology business as defined in Section 906.2 of Article 12-A.

(f) Food services includes the activity of preparing meals, snacks and/or beverages to customer order for

immediate on-premises or off-premises consumption; it includes drinking places; it includes business activity described in NAICS code 722.

(g) The amount of gross receipts from all business activities described in this Section subject to the gross receipts tax shall be one-half of the amount determined under Section 956.1 plus one-half of the amount determined under Section 956.2.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

SEC. 953.3. GROSS RECEIPTS TAX APPLICABLE TO ACCOMMODATIONS; UTILITIES; AND ARTS, ENTERTAINMENT AND RECREATION.

(a) The base gross receipts tax rate provided by this Section is applicable to each of the following business activities: accommodations; utilities; and arts, entertainment and recreation. Commencing on the operative date of the Gross Receipts Tax Ordinance, the Controller shall compute the tax rate in accordance with Section 959, but the base tax rate provided by this Section is:

0.300% (e.g., \$3 per \$1,000) for gross receipts between \$0 and \$1,000,000

0.325% (e.g., \$3.25 per \$1,000) for gross receipts between \$1,000,001 and \$2,500,000

0.325% (e.g., \$3.25 per \$1,000) for gross receipts between \$2,500,001 and \$25,000,000

0.400% (e.g., \$4 per \$1,000) for gross receipts over \$25,000,000

(b) Accommodations includes the activity of providing lodging or short-term accommodations for travelers, vacationers, or others; it includes business activity described in NAICS code 721.

(c) Utilities includes the activities of the generation, transmission and distribution of electric power, the distribution of natural gas, the provision and distribution of steam supply, the treatment and distribution of water supply, and the removal of sewage; it includes business activity described in NAICS code 22; it excludes establishments primarily engaged in waste management services.

(d) Arts, entertainment and recreation include the activity of operating facilities or providing services to meet cultural, entertainment or recreational interests of customers or patrons; it includes business activity described in NAICS code 71.

(e) The amount of gross receipts and from accommodations subject to the gross receipts tax shall be the total amount of gross receipts derived from or related to properties located or used within the City.

(f) The amount of gross receipts from utilities subject to the gross receipts tax shall be one-half of the amount determined under Section 956.1 plus one-half of the amount determined under Section 956.2.

(g) The amount of gross receipts from arts, entertainment and recreation subject to the gross receipts tax shall be the total amount determined under Section 956.2.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

SEC. 953.4. GROSS RECEIPTS TAX APPLICABLE TO PRIVATE EDUCATION AND HEALTH SERVICES; ADMINISTRATIVE AND SUPPORT SERVICES; AND MISCELLANEOUS BUSINESS ACTIVITIES.

(a) The base gross receipts tax rate provided by this Section is applicable to the business activities of private education and health services, and administrative and support services. This rate also applies to all business activities not otherwise exempt and not elsewhere subjected to a gross receipts tax rate or an administrative office tax by this Article. Commencing on the operative date of the Gross Receipts Tax Ordinance, the Controller shall compute the tax rate in accordance with Section 959, but the base tax rate provided by this Section is:

0.525% (e.g., \$5.25 per \$1,000) for gross receipts between \$0 and \$1,000,000

0.550% (e.g., \$5.50 per \$1,000) for gross receipts between \$1,000,001 and \$2,500,000

0.600% (e.g., \$6 per \$1,000) for gross receipts between \$2,500,001 and \$25,000,000

0.650% (e.g., \$6.50 per \$1,000) for gross receipts over \$25,000,000

(b) Private education and health services include the activity by persons other than governmental agencies of providing instruction and training in any subject, or of providing health care or social assistance for individuals; it includes business activity described in NAICS codes 61 and 62.

(c) Administrative and support services includes the activity of performing routine support activities for

the day-to-day business activities of others; it includes business activity described in NAICS code 56.

(d) The amount of gross receipts from all business activities described in this Section subject to the gross receipts tax shall be determined under Section 956.2.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

SEC. 953.5. GROSS RECEIPTS TAX APPLICABLE TO CONSTRUCTION.

(a) The base gross receipts tax rate provided by this Section is applicable to the business activity of construction. Commencing on the operative date of the Gross Receipts Tax Ordinance, the Controller shall compute the tax rate in accordance with Section 959, but the base tax rate provided by this Section is:

0.300% (e.g., \$3 per \$1,000) for gross receipts between \$0 and \$1,000,000

0.350% (e.g., \$3.50 per \$1,000) for gross receipts between \$1,000,001 and \$2,500,000

0.400% (e.g., \$4 per \$1,000) for gross receipts between \$2,500,001 and \$25,000,000

0.450% (e.g., \$4.50 per \$1,000) for gross receipts over \$25,000,000

(b) Construction includes the activity of preparing sites for, subdividing land for, or working on, buildings or engineering projects (including highways and utility systems); it includes business activity described in NAICS code 23.

(c) The amount of gross receipts from construction subject to the gross receipts tax shall be one-half of the amount determined under Section 956.1 plus one-half of the amount determined under Section 956.2. The amount of gross receipts so determined shall then be reduced by any amounts which were included in a person's gross receipts within the City pursuant to Section 956.1, and which that person paid to a subcontractor possessing a valid business registration certificate with the City during the tax year. There shall be no reduction for any other costs, including without limitation costs for materials, fees, equipment, or other services. In order to claim such a reduction, a person must maintain an itemized schedule of payments to subcontractors and information sufficient to enable the Tax Collector to verify that the subcontractor possessed a valid business registration certificate with the City.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

SEC. 953.6. GROSS RECEIPTS TAX APPLICABLE TO FINANCIAL SERVICES; INSURANCE; AND PROFESSIONAL, SCIENTIFIC AND TECHNICAL SERVICES.

(a) The base gross receipts tax rate provided by this Section is applicable to the business activities of financial services; insurance; and professional, scientific and technical services. Commencing on the operative date of the Gross Receipts Tax Ordinance, the Controller shall compute the tax rate in accordance with Section 959, but the base tax rate provided by this Section is:

0.400% (e.g., \$4 per \$1,000) for gross receipts between \$0 and \$1,000,000

0.460% (e.g., \$4.60 per \$1,000) for gross receipts between \$1,000,001 and \$2,500,000

0.510% (e.g., \$5.10 per \$1,000) for gross receipts between \$2,500,001 and \$25,000,000

0.560% (e.g., \$5.60 per \$1,000) for gross receipts over \$25,000,000

(b) Financial services includes the activities of engaging in or facilitating financial transactions; it includes business activities described in NAICS codes 521, 522 and 523.

(c) Insurance includes the activities of facilitating or supporting the pooling of risk by underwriting insurance and annuities; the activities covered by this Section include those of persons not exempt from the gross receipts tax based on business activities described in NAICS code 524.

(d) Professional, scientific and technical services includes the activity of providing for others, specialized professional, scientific, or technical services that require a high degree of expertise and training; it includes business activity described in NAICS code 54.

(e) The amount of gross receipts from the activities described in this Section subject to the gross receipts tax shall be the amount determined under Section 956.2.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

SEC. 953.7. GROSS RECEIPTS TAX APPLICABLE TO REAL ESTATE AND RENTAL AND LEASING SERVICES.

(a) The base gross receipts tax rate provided by this Section is applicable to the business activities of real estate and rental and leasing services. Commencing on the operative date of the Gross Receipts Tax Ordinance, the Controller shall compute the tax rate in accordance with Section 959, but the base tax rate provided by this Section is:

- 0.285% (e.g., \$2.85 per \$1,000) for gross receipts between \$0 and \$1,000,000
- 0.285% (e.g., \$2.85 per \$1,000) for gross receipts between \$1,000,001 and \$5,000,000
- 0.300% (e.g., \$3.00 per \$1,000) for gross receipts between \$5,000,001 and \$25,000,000
- 0.300% (e.g., \$3.00 per \$1,000) for gross receipts over \$25,000,000

(b) Real estate and rental and leasing services includes the activities of renting, leasing, or otherwise allowing the use of tangible or intangible assets, and the activity of providing related services; it includes business activity described in NAICS code 53.

(c) The amount of gross receipts from real estate and rental and leasing services subject to the gross receipts tax shall be the total amount of gross receipts derived from or related to properties located or used within the City. Gross receipts shall not include amounts derived from or related to properties located or used outside the City.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

SEC. 953.8. TAX ON ADMINISTRATIVE OFFICE BUSINESS ACTIVITIES.

(a) Except as provided in this Section, notwithstanding any other provision of this Article and in lieu of the other taxes provided by this Article and Article 12-A for any person or combined group, commencing on the Operative Date of the Gross Receipts' Tax Ordinance, every person engaging in business within the City as an administrative office, as defined below, shall pay an annual administrative office tax measured by its total payroll expense that is attributable to the City. If a person is a member of a combined group, then its tax shall be measured by the total payroll expense of the combined group attributable to the City. Such combined group shall pay only the administrative office tax. The administrative office tax rate for each tax year is 1.400 percent.

(b) "Engaging in business within the City as an administrative office" means that:

(1) a person is engaging in business within the City during the tax year and over 50 percent of the total combined payroll expense within the City of that person and its related entities for the preceding tax year was associated with providing administrative or management services exclusively to that person or related entities;

(2) the total combined number of employees of that person and its related entities within the United States as of the last day of the preceding tax year exceeded 1,000; and

(3) the total combined gross receipts of that person and its related entities reported on United States federal income tax return(s) for the preceding tax year exceeded \$1,000,000,000.

(c) For purposes of subsection (b) only, a related entity shall include any person who could be included in the same combined report under California Revenue and Taxation Code Section 25102 but for the existence of a water's edge election under Section 25110 of that Code.

(d) "Administrative or management services" comprises internal support services provided on an enterprise-wide basis, such as executive office oversight, company business strategy, recordkeeping, risk management, personnel administration, legal, accounting, market research and analysis, and training services; it does not include sales personnel or personnel actively engaged in marketing, research and development, direct customer service, and product support services. The Tax Collector is authorized to classify in its reasonable discretion which personnel employed by any person provide administrative or management services.

(e) A person provides administrative office services exclusively for itself or a related entity only if the final recipient of those services is at a location where that person or a related entity conducts business activities.

(f) "Payroll expense" for purposes of this Section shall have the meaning given to that term by Sections 902.1 *et seq.* of Article 12-A, except that Section 902.1(b) of Article 12-A shall not apply for purposes of determining whether a person is engaging in business within the City as an administrative office. Section 902.1(b) shall apply for all other purposes under this Section. The portion of the payroll expense of a person or combined group that is attributable to the City shall be determined as set forth in Section 904 of Article

12-A.

(g) In addition to the administrative office tax provided in subsection (a), any person engaging in business within the City as an administrative office exclusively for itself or a related entity shall apply for a registration certificate and pay a registration fee, as provided in Article 12.

(h) Except as provided in this Section, the provisions of Article 6 and Article 12 apply to the administrative office tax. In particular, and without limiting the applicability of the balance of Article 6, the provisions of Sections 6.9-1 through 6.9-3, inclusive, of Article 6, regarding due dates, returns and prepayments, apply to the administrative office tax.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

SEC. 953.9. PERSONS OR COMBINED GROUPS ENGAGED IN MULTIPLE BUSINESS ACTIVITIES.

If a person, or a combined group as described in Section 956.3, engages in business activities described in more than one of Sections 953.1 through 953.7, inclusive, of this Article, the rate or rates of gross receipts tax to be applied to that person or group, and the method for determining gross receipts in the City, shall be determined as follows:

(a) If more than 80 percent of its gross receipts, determined in accordance with Section 956, are derived from business activities described in only one of Sections 953.1 through 953.7, inclusive, then the rules of that applicable Section apply to all of its gross receipts derived from all business activities.

(b) If its business activities in the City are described in more than one of Sections 953.1 through 953.7, inclusive, and subsection (a) of this Section does not apply, then such person or combined group shall separately compute the gross receipts tax for each set of business activities as provided in the Section applicable to that particular set of business activities, modified as follows:

(1) if the set of business activities described in any of Sections 953.1 through 953.7, inclusive, generates less than 20 percent of the total gross receipts of the person or group, then the receipts and payroll of any such set of activities may be combined for all purposes related to computing the gross receipts tax with whichever set of that person's or group's activities are taxed at the highest rate;

(2) the small business exemption provided in Section 954.1 shall apply only if the sum of receipts within the City from all sets of business activities does not exceed \$1,000,000 in total;

(3) the progressive rates described in Sections 953.1 through 953.7 apply on an aggregate basis for businesses with multiple sets of activities;

(4) the applicable rate for each set of business activities shall be determined in numbered order of the Sections describing each set of business activities; i.e., the gross receipts and tax for business activities described in Section 953.1 should be determined first, Section 953.2 second, and so on;

(5) the rate(s) applicable to any set of activities after the first shall be determined by adding together the gross receipts determined for all previous sets of activities and applying the rate scale commencing with the total gross receipts so determined; and

(6) the gross receipts tax liability for the person or combined group shall be the sum of the liabilities for each set of business activities.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

SEC. 954. EXEMPTIONS AND EXCLUSIONS.

(a) Except as provided in subsection (b) of this Section, an organization that is exempt from income taxation by Chapter 4 (commencing with Section 23701) of Part 11 of Division 2 of the Revenue and Taxation Code or Subchapter F (commencing with Section 501) of Chapter 1 of Subtitle A of the Internal Revenue Code of 1986, as amended, as qualified by Sections 502, 503, 504 and 508 of the Internal Revenue Code of 1986, as amended, shall be exempt from taxation under this Article, only so long as those exemptions continue to exist under state or federal law.

(b) An organization otherwise exempt from income taxation under subsection (a) that is directly engaged within the City in an unrelated trade or business within the meaning of Section 513(a) of the Internal Revenue Code of 1986, as amended, and has, from its own operations, unrelated business taxable income within the meaning of Section 512(a)(1) of the Internal Revenue Code of 1986, as amended, shall pay the gross receipts tax on its gross receipts from its unrelated trade or business activities that are attributable to the City. If it is impracticable, unreasonable or improper to allocate such organization's gross receipts as

aforesaid either because of the particular nature of the organization's unrelated trade or business or for any other reason, then the amount of gross receipts reasonably attributable to the organization's unrelated trade or business in the City shall be determined on the basis of all of the relevant facts and circumstances of the particular case, in accordance with any rulings or regulations issued or promulgated by the Tax Collector for this purpose.

(c) Gross receipts as defined in Section 952.3 shall not include receipts from business activities if, and only so long as and to the extent that, the City is prohibited from taxing such receipts under the Constitution or laws of the United States or under the Constitution or laws of the State of California.

(d) **Rent Controlled Buildings Exclusion.** A person subject to the tax may exclude from gross receipts in any tax year 50 percent of the total amount received from the rental of real property to tenants in occupancy at any location in the City, which is subject to limits on rent increases pursuant to the Residential Rent Stabilization and Arbitration Ordinance, San Francisco Administrative Code, Chapter 37, Section 37.1 *et seq.*

(e) **Exclusion of Certain Sales of Real Property.** Gross receipts as defined in Section 952.3 shall not include receipts from any sales of real property with respect to which the Real Property Transfer Tax imposed by Article 12-C has been paid to the City.

(f) For only so long as and to the extent that the City is prohibited from imposing the tax under this Article, the following persons shall be exempt from the gross receipts tax:

(1) Banks and financial corporations exempt from local taxation under Article XIII, Section 27 of the California Constitution and Revenue and Taxation Code Section 23182;

(2) Insurance companies exempt from local taxation under Article XIII, Section 28 of the California Constitution;

(3) Persons engaging in business as a for-hire motor carrier of property under Revenue and Taxation Code Section 7233;

(4) Persons engaging in intercity transportation as a household goods carrier under Public Utilities Code Section 5327;

(5) Charter-party carriers operating limousines that are neither domiciled nor maintain a business office within the City under Public Utilities Code Section 5371.4; and

(6) Any person upon whom the City is prohibited under the Constitution or laws of the State of California from imposing the gross receipts tax.

(g) To the extent that any taxpayer has paid a substantially similar tax to any other taxing jurisdiction on any gross receipts attributed to the City and taxed under this Article, the tax paid to such taxing jurisdiction shall be credited against the tax due under this Article; in no event shall this credit reduce the taxpayer's liability to less than zero.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

SEC. 954.1. SMALL BUSINESS EXEMPTION.

(a) Notwithstanding any other provision of this Article, a "small business enterprise," as hereinafter defined for purposes of this Article 12-A-1, shall be exempt from payment of the gross receipts tax, nevertheless, a small business enterprise shall pay the annual registration fee pursuant to Section 855 of Article 12.

(b) For purposes of this Article 12-A-1, the term "small business enterprise" shall mean and include any person or combined group, except for a lessor of residential real estate:

(1) Whose gross receipts within the City for the preceding tax year did not exceed \$1,000,000, adjusted annually in accordance with the increase in the Consumer Price Index: All Urban Consumers for the San Francisco/Oakland/San Jose Area for All Items as reported by the United States Bureau of Labor Statistics, or any successor to that index, as of December 31st of the preceding year, beginning with December 31, 2014; and

(2) Who timely filed a tax return for the tax year, if that person or group had gross receipts in the City of at least \$500,000. If a person is required to file a tax return under this Section, and fails to file a return by the due date, the taxpayer shall be subject to a penalty as specified in subsection (c).

(c) In lieu of the penalty and interest specified in Section 6.17-1 of Article 6 for failure to pay, any person who otherwise qualifies for the small business exemption set forth in this Section, and who had gross receipts in the City of at least \$500,000, who fails to timely file a return shall pay a penalty as follows:

(1) The penalty for the first month, or fraction thereof, that the return is delinquent, shall be 5 percent of

the amount of the tax liability, calculated without regard to the small business exemption in this Section. The penalty shall increase by an additional 5 percent each month, or fraction thereof, that the return is delinquent, up to a maximum of 20 percent of the tax liability. Any penalties remaining unpaid for a period of 90 days or more shall be subject to an additional penalty of 20 percent of the amount of the tax liability excluding penalties and interest.

(2) Penalties are due and payable when assessed. Unpaid penalties shall accrue interest at the rate of 1 percent per month, or fraction thereof, from the date that they are assessed through the date of payment. The total amount of the penalties, interest and fees shall not exceed the amount of the person's gross receipts tax liability for the period but for the small business exemption.

(d) The Tax Collector may, at his or her discretion, reduce the penalty set forth in subsection (c) to not less than \$100 upon a showing that the late filing of the return was due to reasonable cause and not due to willful neglect.

(e) For purposes of this Article 12-A-1, and notwithstanding any other provision of this Section, a lessor of residential real estate is a "small business enterprise" if and only if the lessor leases fewer than 4 units in any individual building. "Residential real estate" means real property where the primary use of or right to use the property is for the purpose of dwelling, sleeping or lodging other than as part of the business activity of accommodations. For purposes of this Article 12-A-1, Article 12-A, and Article 12, a lessor of residential real estate is treated as a separate person with respect to each individual building in which it leases residential real estate units, notwithstanding Section 6.2-15 of Article 6, or Section 956.3 of this Article. The provisions of this subsection apply only to leasing residential real estate units within a building, and not to any business activity related to other space, either within the same building or other buildings, which is not residential real estate. The Tax Collector is authorized to determine what constitutes a separate building and the number of units in a building.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014; amended by Ord. 222-14, File No. 140798, App. 11/7/2014, Eff. 12/7/2014)

SEC. 955. PERSONS DERIVING NO GROSS RECEIPTS FROM BUSINESS ACTIVITIES OUTSIDE THE CITY.

Notwithstanding any other provision of this Article, any person subject to the gross receipts tax who derives non-exempt gross receipts from business activities within the City and derives no gross receipts from business activities outside the City is subject to tax on all non-exempt gross receipts.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

SEC. 956. ALLOCATION AND APPORTIONMENT FOR ALL PERSONS DERIVING GROSS RECEIPTS FROM BUSINESS ACTIVITIES BOTH WITHIN AND OUTSIDE THE CITY.

All persons deriving gross receipts from business activities both within and outside the City shall allocate and/or apportion their gross receipts to the City, using the rules set forth in Section 956.1 and 956.2, in the manner directed in Sections 953.1 through 953.7, inclusive, and in Section 953.9 of this Article.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

SEC. 956.1. ALLOCATION OF RECEIPTS FROM REAL, PERSONAL, TANGIBLE AND INTANGIBLE PROPERTY.

(a) For all persons required to determine an amount of gross receipts pursuant to this Section, that amount shall be all non-exempt gross receipts within the City as determined hereunder.

(b) Gross receipts from the sale, lease, rental or licensing of real property are in the City if the real property is located in the City.

(c) Gross receipts from sales of tangible personal property are in the City if the property is delivered or shipped to a purchaser within the City regardless of the f.o.b. point or other conditions of the sale.

(d) Gross receipts from the rental, lease or licensing of tangible personal property are in the City if the property is located in the City.

(e) Gross receipts from services are in the City to the extent the purchaser of the services received the benefit of the services in the City.

(f) Gross receipts from intangible property are in the City to the extent the property is used in the City. In

the case of financial instruments, sales are in the City if the customer is located in the City.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

SEC. 956.2. APPORTIONMENT OF RECEIPTS BASED ON PAYROLL.

(a) For all persons required to determine an amount of gross receipts pursuant to this Section, that amount shall be all non-exempt combined gross receipts of the person multiplied by a fraction, the numerator of which is payroll in the City and the denominator of which is combined payroll.

(b) Combined gross receipts are the total worldwide gross receipts of the person and all related entities to the person, unless the election provided for in California Revenue and Taxation Code Section 25110 is in effect for the person, in which case combined gross receipts shall be computed consistently with the water's edge election, as set forth therein.

(c) Combined payroll is the total worldwide compensation paid by the person and all related entities to the person, unless the election provided for in California Revenue and Taxation Code Section 25110 is in effect for the person, in which case combined payroll shall be computed consistently with the water's edge election, as set forth therein. A person who has no combined payroll in a tax year shall have no gross receipts under this Section for that tax year.

(d) Payroll in the City is the total amount paid for compensation in the City by the person and by all related entities to the person.

(e) Compensation paid in the City shall be determined as set forth in Section 904 of Article 12-A.

(f) "Compensation" means wages, salaries, commissions and any other form of remuneration paid to employees for services. In the case of any person who has no employees, compensation shall also include all taxable income for federal income tax purposes of the owners or proprietors of such person who are individuals. Those owners or proprietors shall be treated as individuals to whom compensation is paid for purposes of subsection (e).

(g) The apportionment provided by this Section shall not include in either the numerator or the denominator any payroll of persons exempt from tax under subsections (a), (b), or (f) of Section 954.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

SEC. 956.3. COMBINED RETURNS.

A person engaging in business within the City must file gross receipts tax returns as provided in Article 6. Those returns must be filed on a combined basis with all of that person's related entities. That person, and all of that person's related entities, constitute a combined group. Every combined group must file a single return; the combined group must choose a single person to file the return on its behalf. Each person within the combined group engaging in business in the City must provide a power of attorney to the person filing the return, authorizing the person filing the return to file said return and to act on behalf of each person with respect to payments, refunds, audits, resolutions, and any other items related to the tax liability reflected in the return. The power of attorney shall be substantially in a form prescribed or approved by the Tax Collector. Each return filed by a combined group constitutes a combined return under this Article and Article 6. The person filing any combined return shall pay the tax liability reflected on the return and any liability determined on audit at the time and in the manner set forth for returns and liabilities in Article 6.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014; amended by Ord. 271-13, File No. 131031, App. 11/27/2013, Eff. 12/27/2013, Oper. 1/1/2014)

SEC. 957. TAX COLLECTOR AUTHORIZED TO DETERMINE GROSS RECEIPTS.

The Tax Collector may, in his or her reasonable discretion, independently establish a person's gross receipts within the City and establish or reallocate gross receipts among related entities so as to fairly reflect the gross receipts within the City of all persons. This authority extends to determining whether any amount excluded from gross receipts by virtue of Section 952.3(f) is in whole or in part compensation or payment for services and thus included in gross receipts.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

SEC. 958. ADMINISTRATION OF THE GROSS RECEIPTS TAX ORDINANCE.

Except as otherwise provided under this Article, the Gross Receipts Tax Ordinance shall be administered pursuant to Article 6 of the San Francisco Business and Tax Regulations Code.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

SEC. 959. RATE OF GROSS RECEIPTS TAX: CONTROLLER COMPUTATION.

(a) Commencing on the operative date of the Gross Receipts Tax Ordinance, the Controller shall compute the rate of gross receipts tax for Sections 953.1 through 953.7 in accordance with subsection (b) of this Section. The Controller shall certify and publish such rates on or before September 1 of each year.

(b) **Gross Receipts Tax Computation.** The Controller shall compute the gross receipts tax rates for each tax year by multiplying each base rate in Sections 953.1 through 953.7 by the "Gross Receipts Tax Rate Adjustment Factor," which shall be determined according to the following table and formulas, but no gross receipts tax rate shall exceed the base rates provided by Sections 953.1 through 953.7.

Gross Receipts Tax Rate Adjustment Factor Computation Table

<i>Tax Year</i>	<i>Gross Receipts Tax Rate Adjustment Factor (GADJ_{year})</i>
2014	$GADJ_{14} = 10\%$
2015	$GADJ_{15} = 25\% + EXP_{15}$
2016	$GADJ_{16} = 50\% + EXP_{16}$
2017	$GADJ_{17} = 75\% + EXP_{17}$
2018	$GADJ_{18} = 100\% + EXP_{18}$

Where: "EXP_{year}" is the "Excess Payroll Expense Tax Revenue Factor," a percentage that reduces the gross receipts tax rate adjustment factor for a year in which the payroll expense tax rate determined under Section 903.1 of Article 12-A becomes zero, and which adjusts for excess payroll expense tax revenue collected for that tax year. The Controller shall compute EXP_{year} according to the following table and formulas:

(1) In any year in which PAYRATE_{year} is greater than zero, where PAYRATE_{year} is determined under Section 903.1 of Article 12-A, EXP_{year} is zero.

(2) In the first year in which PAYRATE_{year} is zero, where PAYRATE_{year} is determined under Section 903.1 of Article 12-A, EXP_{year} shall be computed according to the following table and formulas. In subsequent years, GADJ_{year} shall be the same value it was in the prior year:

Excess Payroll Expense Tax Revenue Factor Computation Table

<i>Tax Year</i>	<i>Excess Payroll Expense Tax Revenue Factor (EXP_{year})</i>
2015	$EXP_{15} = [(1.125\% + PADJ_{15}) \times (PAYTAX_{14}/PAYRATE_{14})]/(GRTAX_{14}/10\%)$
2016	$EXP_{16} = [(0.750\% + PADJ_{16}) \times (PAYTAX_{15}/PAYRATE_{15})]/(GRTAX_{15}/25\%)$
2017	$EXP_{17} = [(0.375\% + PADJ_{17}) \times (PAYTAX_{16}/PAYRATE_{16})]/(GRTAX_{16}/50\%)$
2018	$EXP_{18} = [PADJ_{18} \times (PAYTAX_{17}/PAYRATE_{17})]/(GRTAX_{17}/75\%)$

Where: PADJ_{year}, PAYTAX_{year}, and GRTAX_{year} are determined under Section 903.1 of Article 12-A.

(c) Notwithstanding any other provision of this Article, in any year in which the payroll expense tax rate determined under Section 903.1 of Article 12-A is zero, the gross receipts tax rates for that year and all future years shall be as the Controller computed for that year, except that for tax year 2021 and all future years, the rate under Section 953.7(a), for gross receipts over \$25,000,000 only, shall be the sum of the rate established under this Section 959(c) and 0.025%. In no event shall the rate established under Section 953.7(a) by the preceding sentence, for gross receipts over \$25,000,000, exceed 0.325%. The Controller shall certify and publish such rates by September 1 of that year.

(d) Notwithstanding any other provision of this Article, the gross receipts tax rates for 2019 and all future years shall be the rates in effect in tax year 2018, except that for tax year 2021 and all future years, the rate under Section 953.7(a), for gross receipts over \$25,000,000 only, shall be the sum of the rate established under this Section 959(c) and 0.025%. In no event shall the rate established under Section 953.7(a) by the preceding sentence, for gross receipts over \$25,000,000, exceed 0.325%. The Controller shall certify and publish such rates on or before September 1, 2019, at which time the Controller's duty to compute, certify and publish the payroll expense tax rate shall cease.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

SEC. 960. THE "PAYROLL EXPENSE TAX EXCLUSION" CREDIT.

(a) "Payroll Expense Tax Exclusion Credit" means the dollar amount by which a person would have been able to reduce its payroll expense tax liability pursuant to the Enterprise Zone Tax Credit under Section 906A of Article 12-A, the Biotechnology Exclusion under Section 906.1 of Article 12-A, and/or the Clean Technology Business Exclusion under Section 906.2 of Article 12-A, as if the payroll expense tax were in full force and effect and calculated at a rate of 1½ percent.

(b) "Combined Business Tax Liability" means the sum of the gross receipts tax and the payroll expense tax a person owes for a tax year.

(c) For so long as a particular payroll expense tax exclusion listed under subsection (a) is in effect, without regard to whether the payroll expense tax is otherwise in effect, a person may credit against its combined business tax liability for a tax year the amount of a particular payroll expense tax exclusion credit to which it would be entitled under the payroll expense tax; however, in no event shall such credit reduce a person's combined business tax liability to less than zero. Any person who claims the credit under this Section must meet all of the eligibility requirements of the payroll expense tax exclusion(s) it claims. The credit may be claimed against the tax liability only of the person who qualified for the payroll expense tax exclusion and not against any liability of related entities or other members of that person's combined group.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

SEC. 961. CENTRAL MARKET STREET LIMIT.

(a) The "Central Market Street Limit" means a person's payroll expense tax liability for a tax year as determined under the Central Market Street and Tenderloin Area Payroll Expense Tax Exclusion under Section 906.3 of Article 12-A, calculated at a rate of 1½ percent.

(b) "Combined Business Tax Liability" means the sum of the gross receipts tax and the payroll expense tax a person owes that is attributable to location(s) in the Central Market Street and Tenderloin Area as defined in Section 906.3(b) of Article 12-A for a tax year under the rates established for that year.

(c) For so long as the Central Market Street and Tenderloin Area Payroll Expense Tax Exclusion is in effect, without regard to whether the payroll expense tax is otherwise in effect, a person shall owe the lesser of its combined business tax liability or the amount of its Central Market Street limit. Any person who claims the Central Market Street and Tenderloin Area Payroll Expense Tax Exclusion must meet all of the eligibility requirements of that exclusion.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

Editor's Note:

See Sec. 906.3, "Central Market Street and Tenderloin Area Payroll Expense Tax Exclusion."

SEC. 962. AMENDMENT OF ORDINANCE.

The Board of Supervisors may amend or repeal Article 12-A-1 of the Business and Tax Regulations Code without a vote of the people except as limited by Article XIII C of the California Constitution.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

SEC. 963. EFFECT OF STATE AND FEDERAL AUTHORIZATION.

To the extent that the City's authorization to impose or collect any tax imposed under this Article 12-A-1 is expanded or limited as a result of changes in state or federal law, no amendment or modification of this Article 12-A-1 shall be required to conform the taxes to those changes, and the taxes are hereby imposed and the Tax Collector shall collect them to the full extent of the City's authorization up to the full amount and rate of the taxes imposed under this Article 12-A-1.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

SEC. 964. SEVERABILITY.

Except as provided in Section 965(b) below, if any section, sentence, clause, phrase, or portion of Article 12-A-1 is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, the remaining sections, sentences, clauses, phrases, or portions of this Article shall nonetheless remain in full force and effect. The people of the City and County of San Francisco hereby declare that, except as provided in Section 965(b), they would have adopted each section, sentence, clause, phrase, or portion of this Article, irrespective of the fact that any one or more sections, sentences, clauses, phrases, or portions of this Article be declared invalid or unenforceable and, to that end, the provisions of this Article are severable.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

SEC. 965. SAVINGS CLAUSE.

(a) No section, clause, part or provision of this Article shall be construed as requiring the payment of any tax that would be in violation of the Constitution or laws of the United States or of the Constitution or laws of the State of California. Except as provided in subsection (b) of this Section, if any section, clause, part or provision of this Article, or the application thereof to any person or circumstance, is held invalid or unconstitutional, the remainder of this Article, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, the provisions of this Article are severable.

(b) If the imposition of the gross receipts tax in Section 953, or any portion of the rate computation under Section 959, of this Article is held invalid or unconstitutional in a final court determination, the remainder of this Article shall be null and void and of no force and effect. For any tax year for which this Article is invalidated pursuant to this Section, the payroll expense tax provided by Article 12-A may be assessed against any person engaging in business in the City during that tax year as if this Ordinance had not been passed, except that such assessment may be made and collected notwithstanding any statute of limitations provided by Article 6.

(Added by Proposition E, App. 11/6/2012, Oper. 1/1/2014)

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: TREASURER/TAX COLLECTOR Dept. Code: TTX

Type of Request: Initial Modification of an existing PSC (PSC # 4035 - 09/10)

Type of Approval: Expedited Regular Omit Posting

Type of Service: Replacement of existing payment processing system (software license, hardware and maintenance)

Funding Source: General Fund

PSC Original Approved Amount: \$400,000

PSC Original Approved Duration: 01/01/10 - 12/31/14 (5 years)

PSC Mod#1 Amount: \$500,000

PSC Mod#1 Duration: 05/11/15-06/30/17 (2 years 25 weeks)

PSC Mod#2 Amount: _____

PSC Mod#2 Duration: _____

PSC Cumulative Amount Proposed: \$900,000

PSC Cumulative Duration Proposed: 7 years 25 weeks

1. Description of Work

A. Scope of Work:

Provide new payment processing system; licensing fees and annual software maintenance costs; professional service cost in custom programming, installation and training. See attached sheet titled Description of Work.

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

The new payment processing system will replace the department's existing cashiering and remittance system that is no longer supported by the existing vendor for program modifications required by the Treasurer and Tax Collector's Office (TTX) in order to (i) accommodate the processing of new payment types due to the City and County, (ii) implement new business process to streamline existing workflow and (iii) implement electronic deposit capability. Existing software maintenance support contract for the current system will expire on December 31, 2010.

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. See attached previous approval.

D. Will the contract(s) be renewed? If needed.

2. Union Notification: On 04/13/15, the Department notified the following employee organizations of this PSC/RFP request: Professional & Tech Engrs, Local 21;

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 4035 - 09/10

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 05/18/2015

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:

The staff who should work in this project should have the experience, knowledge and skills in the software development and system integration of the different types of payment application in cashiering, remittance, process workflow and content management system. Experience as an analyst/programmer with the primary focus on payment processing system is required.

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

1062,1063,1064,1052,1053,1054,

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 civil service classes are not applicable due to the complexity and expertise required in the development and integration of the different payment applications. The selected vendor will be required to provide system administration training to existing departmental IT staff in maintaining the application.

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

It is not practical to adopt a new civil service class that will have the required special condition of experience in payment processing because of the costs involved in developing a software application that will be specific only to the Treasurer and Tax Collector's Office.

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? See attached document titled Training	<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? Wausau Financial System	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

ON 04/13/15 BY:

Name: Erica Finkle Phone: (415) 554-4513 Email: erica.finkle@sfgov.org

Address: 1 Dr. Carlton B Goodlett Pl, Room 140 San Francisco, CA 94102

Receipt of Union Notification(s)

From: dhr-psccordinator@sfgov.org on behalf of erica.finkle@sfgov.org
Sent: Monday, April 13, 2015 3:26 PM
To: Finkle, Erica (TTX); L21PSCReview@ifpte21.org; Finkle, Erica (TTX); DHR-
PSCCoordinator, DHR (HRD); Isen, Richard (TIS)
Subject: Receipt of Modification Request to PSC # 4035 - 09/10 - MODIFICATIONS

PSC RECEIPT of Modification notification sent to Unions and DHR

The TREASURER/TAX COLLECTOR -- TTX has submitted a modification request for a Personal Services Contract (PSC) for \$500,000 for services for the period May 11, 2015 □ June 30, 2017. For all Modification requests, there is a 7-Day noticed to the union(s) prior to DHR Review.

If SEIU is one of the unions that represents the classes you identified in the initial PSC and the cumulative amount of the request is over \$100,000, there is a 60 day review period for SEIU

After logging into the system please select link below:

<http://apps.sfgov.org/dhrdrupal/node/4813>

Email sent to the following addresses: L21PSCReview@ifpte21.org

Additional Attachment(s)

PSC 4035-09/10

Modification and Extension of Time

PSC 4035-09/10 expired on December 31, 2014. The Office of the Treasurer and Tax Collector (TTX) continues to have a contract in place with the same contractor, Wausau Financial Systems, under PSC 4082-12/13 (also attached herein). The scope of work for PSC 4035-09/10 differs from the scope of work for PSC 4082-12/13, but both PSCs relate to TTX's contract with Wausau Financial Systems.

TTX is seeking to modify PSC 4035-09/10 to extend its term because TTX now needs to amend its existing contract with Wausau Financial Systems to provide for a system upgrade of the payment processing system that Wausau Financial Systems developed for TTX under PSC 4035-09/10. Therefore, the term of the PSC would be over 5 years to allow for a necessary upgrade of the payment processing system currently in place.

The necessity of the upgrade and the consequences of denial are as follows: The contract with Wausau Financial Systems specifies the number of versions of the system supported by the vendor. If TTX's payment processing system is not upgraded, TTX will be outside its contract terms. Moreover, the payment processing system is responsible for depositing the primary sources of revenue for the General Fund. Non-support of the system will jeopardize General Fund collections and revenue.

PSC 4035-09/10 Mod 1

PSC 4082-12/13 – Please see page 175 of the Civil Service Commission packet. Thank you.

Description of Work

Concise description of work for the payment processing system.

The City has implemented the use of a high-speed mail extraction and scanning device – the OPEX 3690i to work in conjunction with other automated equipment already in place. While this device is installed and is working, full utilization of digital image processing has been limited. Much of the payment processing continues to be a paper-based operation. The City would like to exploit the capabilities of this technology by expanding the efficient use of digital imaging and Optical Character Recognition (OCR) scanning, front counter cashiering functions, returned undeliverable mail processing, handling of unidentified payments, and by implementing automated work flow and document management technology.

The new payment processing system will provide the following functionality:

- Improve existing cashiering functions by providing electronic check deposit, real-time transit inventory and improve backend system interface for real-time inquiry.
- Complete payment identification and processing at the point of receipt.
- Automated recognition of payment type and account holder information.
- Centralized cash balancing and bank deposit processing.
- Expanded use of digital imaging, barcodes, OCR data capture, and elimination of paper-based processing.
- Full security, audit trail, reconciliation, archival and retrieval capabilities.
- Improved automated work flow from reception of mail, to processing of payments (check deposit and NSF [non-sufficient funds]), to posting of payments to downstream batch processing systems, to archival and retrieval of historical documents.
- Supports automated reconciliation of multiple payment transaction types and distribute into various batch processing systems.
- Support for electronic deposit utilizing Check 21, ACH (Automated Clearing House) and ARC (Accounts Receivable Check) conversion.

PSC 4035-09/10 Modification

Training

A minimum of 160 training hours and testing support will be provided to Treasurer and Tax Collector (TTX) staff by the contractor. TTX staff will be trained to understand the system configuration. Training will be delivered in various ways, including: instructor led training, one-on-one training, Cisco WebEx meeting/conferencing, and close support during testing cycles. Additionally, in May 2015 a group of TTX staff will be attending the Wausau Financial Systems user conference, which will allow staff to learn more about the system.