



Edwin M. Lee  
Mayor

Micki Callahan  
Human Resources Director

Date: June 19, 2015

To: The Honorable Civil Service Commission

Through: Micki Callahan  
Human Resources Director *Micki Callahan*

From: Michael Nettles, ASR  
Sung Kim, DPW  
Cynthia Hamada, MTA  
Jacquie Hale, DPH  
Cynthia Avakian, AIR  
Brent, Lewis, DHR  
Shamica Jackson/Stacey Lo, PUC

Subject: **Personal Services Contracts Approval Request**

This report contains twelve (12) 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 FY2015-2016	Total for FY2015-2016
\$35,463,380	\$10,917,530	\$46,380,910

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Jacque Hale  
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San Francisco, CA 94102  
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Cynthia Avakian  
Airport Commission  
Contracts Administration Unit  
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San Francisco, CA 94128  
650- 821-2014

Brent Lewis  
Human Resources  
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San Francisco, CA 94103  
415-557-4944

Shamica Jackson  
Stacey Lo  
Public Utilities Commission  
525 Golden Gate Ave., 8th Floor  
San Francisco, CA 94102  
SJ: (415) 554-0727  
SL: (415) 554-1860

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**POSTING FOR**

July 06, 2015

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

2015-07-06

**APPLY**

<b>PSC No</b>	<b>Dept Designation</b>	<b>PSC Amount</b>	<b>Description of Work</b>	<b>PSC Estimated Start Date</b>	<b>PSC Estimated End Date</b>
47437 - 14/15	ASSESSOR / RECORDER	\$500,000.00	The proposed work is for a short-term project for high-volume imaging or conversion of real property assessment files and records—for approximately 205,000 parcels—from paper to digital format and upload into a new electronic document management system. The work will be to prepare the files, scan each page to a high quality level (including enhancing documents with pencil and hand-written markings), index each document accurately to the appropriate document indexes, provide quality control, and separate and assemble appropriate documents for off-site storage, archiving or destruction. For the 205,000 parcels, there will be approximately 650,000 documents, made up of an estimated 3 million pages. These files include documents received by the Office of the Assessor from 1937 to the current year.	September 1, 2015	August 1, 2020
43808 - 14/15	GENERAL SERVICES AGENCY - PUBLIC WORKS	\$7,500,000.00	Public Works is seeking a qualified team of specialized engineering consultants to provide engineering design and construction support services for the new Fire Station no. 35 facility. The consultant will collaborate with Public Works' team of architects and structural engineers.	May 11, 2015	December 31, 2020
41575 - 14/15	MUNICIPAL TRANSPORTATION AGENCY	\$2,000,000.00	The contractor will provide a comprehensive environmental review with a focus on transportation impacts for the San Francisco Municipal Transportation Agency (SFMTA) 6th Street Pedestrian Safety Project (6th St. Project), and prepare and publish its findings as required by the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) as required.	August 1, 2015	July 31, 2019
40942 - 14/15	PUBLIC HEALTH	\$1,042,000.00	Provision of intermittent, as-needed, temporary, on-call, professional, licensed Physical, Occupational and Speech Therapists and Physical and Occupational Therapy Assistants, 7 days a week, 8:00am to 4:30pm. Therapists will be available on 24-hour notice to provide back-up coverage to Civil Service staff positions during scheduled and unscheduled staff absences.	July 1, 2015	December 31, 2016
49137 - 14/15	PUBLIC HEALTH	\$18,000,000.00	Contractors will provide San Francisco General Hospital (SFGH) and Laguna Honda Hospital (LHH) a continuous, reliable source of intermittent, supplemental, and travel nursing personnel during high patient census, high acuity, unexpected staff illnesses and/or vacations, and to meet State nurse-to-patient staffing ratio requirements. In addition, SFGH is scheduled to transition to a new acute care facility in December of 2015. In order for that transition to be successful, the current staff will require training on the new equipment, technology, patient flow and workflow processes. Supplemental contract nurses and ancillary personnel will be necessary to provide surge capacity in order to backfill SFGH staff while they attend training sessions and scheduled "day-in-the-life" training simulations.	July 1, 2015	December 31, 2017

**TOTAL AMOUNT \$29,042,000**

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

Home &gt;

**Posting For July 06, 2015****Proposed Modifications to Personal Services Contracts****Commission Hearing Date**

2015-07-06

**APPLY**

<b>PSC Number</b>	<b>Commission Hearing Date</b>	<b>Department</b>	<b>Additional Amount</b>	<b>Cumulative Total</b>	<b>Description</b>	<b>Start Date</b>	<b>End Date</b>	<b>Approval Type</b>
4057-11/12 - MODIFICATIONS	July 6, 2015	AIRPORT COMMISSION -- AIR	\$1,500,000	\$7,500,000	As part of the Airport's 5-year Capital Plan, Airport staff will need support services with: project controls, scheduling and cost estimating, pre-construction services, peer reviews, specialty design engineers, specialty construction inspectors, and specialty material testing and commissioning services. Consultants with experience and knowledge in Airport design and construction of terminals, air-side and land-side development, special systems and commissioning experience will be required. The as-needed project support services have provided services to many of the Airport's capital improvement plan (CIP) projects.	07/20/2015	06/30/2019	REGULAR
39332 - 13/14 - MODIFICATIONS	July 6, 2015	HUMAN RESOURCES -- HRD	\$70,000	\$169,000	The Contractor will provide advisory services, so the Department of Human Resources (DHR) can publish and evaluate solicitations in compliance with City requirements.	07/01/2015	06/30/2017	REGULAR
4030-13/14 - MODIFICATIONS	July 6, 2015	MUNICIPAL TRANSPORTATION -- AGENCY -- MTA	\$0	\$499,000	The consultant will conduct complex financial and statistical analysis in the areas of contracting and affirmative action to perform a Disadvantaged Business Enterprise (DBE) Availability and Utilization Study (the Project). The Project involves: (1) investigating the existence of discrimination and its effects in the public transportation contracting industry within the San Francisco Bay Area, and (2) satisfying the requirements for Disparity/Utilization studies established by the Ninth Circuit Court of Appeals in <i>Western States Paving Co., Inc. v. Washington State Department of Transportation</i> .	07/01/2015	10/31/2015	REGULAR
4007-11/12 - MODIFICATIONS	July 6, 2015	PUBLIC UTILITIES COMMISSION -- PUC	\$1,964,580	\$4,264,580	Design of several fish passage facilities within the Alameda Creek Watershed., which include a long fish ladder, fish screens, bypass tunnel, and safety improvements (i.e., handrail and/or other improvements) at the Alameda Creek Diversion Dam, and modification of the natural barriers (boulders) at the Little Yosemite. Scope of work includes preparing Conceptual Engineering Report and design documents for the above	07/01/2016	10/30/2018	REGULAR

PSC Number	Commission Hearing Date	Department	Additional Amount	Cumulative Total	Description	Start Date	End Date	Approval Type
					components. Supplemental geotechnical, hydraulic and hydrologic analysis and studies, and fisheries-related studies may be required to complete the design.			
4141-11/12 - MODIFICATIONS	July 6, 2015	PUBLIC UTILITIES COMMISSION -- PUC	\$0	\$9,000,000	Provide the back office services necessary to operate the City's Community Choice Aggregation (CCA) program. In the context of CCA, back office services include comprehensive customer care, account management and data services for the program. This allows for the tracking of participating customers, recording electric usage and billings via electronic data exchange with PG&E, and managing a customer care call center.	06/01/2018	12/31/2021	REGULAR
4001-12/13 - MODIFICATIONS	July 6, 2015	PUBLIC HEALTH -- DPH	\$105,000	\$170,000	This contract will provide access to a proprietary, web-based software application to enable DPH to maximize State reimbursement for DPH's administration of the Medi-Cal Administrative Activities (MAA) and Targeted Case Management (TCM) programs. In 2012-13 new State requirements will take effect which will expand the annual staff time survey required by the State from one sample month to all year. This software will save staff time and ensure more accurate submissions to the State, to ensure as much administrative time as possible is claimed for reimbursement.	07/01/2015	06/30/2018	REGULAR
4137-12/13 - MODIFICATIONS	July 6, 2015	PUBLIC HEALTH -- DPH	\$2,781,800	\$2,956,800	Contractor will be responsible for all functions necessary to submit electronic medical claims to third party payers for services provided by the Adult Immunization and Travel Clinic (AITC). Contractor will conduct eligibility determinations; submit electronic claims to third party payers; review Explanation of Benefits (EOB) electronic payment data; analyze denied and partial paid claims; financial responsibility information; provide utilization and claims reports; and reconcile claims and payments. NOTE: The amount of the requested PSC is the Departments best estimate of the cost of the services, and reflects only the maximum fee anticipated to be paid to the contractor as percentage of total collected revenue, not the actual billings submitted or processed by the contractor. As this is a new contract, the actual revenue to be realized is as yet unknown.	07/01/2015	12/31/2021	REGULAR

**TOTAL AMOUNT \$6,421,380**

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

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: Backfile Conversion Services

Funding Source: General Fund PSC Duration: 4 years 48 weeks  
PSC Amount: \$500,000 PSC Est. Start Date: 09/01/2015 PSC Est. End Date: 08/01/2020

**1. Description of Work**

**A. Scope of Work:**

The proposed work is for a short-term project for high-volume imaging or conversion of real property assessment files and records--for approximately 205,000 parcels--from paper to digital format and upload into a new electronic document management system. The work will be to prepare the files, scan each page to a high quality level (including enhancing documents with pencil and hand-written markings), index each document accurately to the appropriate document indexes, provide quality control, and separate and assemble appropriate documents for off-site storage, archiving or destruction. For the 205,000 parcels, there will be approximately 650,000 documents, made up of an estimated 3 million pages. These files include documents received by the Office of the Assessor from 1937 to the current year.

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

The service is necessary to:

- \* Quickly and efficiently free up limited City Hall space for much needed work stations and for other business uses;
- \* Provide efficient and concurrent access to property assessment records using modern search tools to improve productivity;

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.**

N/A

**D. Will the contract(s) be renewed? This effort is a short-term project...See attached for full response.**

**2. Union Notification:** On 04/03/2015, the Department notified the following employee organizations of this PSC/RFP request: SEIU 1021 Miscellaneous,

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 47437 - 14/15

DHR Analysis/Recommendation:

Commission Approval Required

DHR Approved for 07/06/2015



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

A. Specify required skills and/or expertise:

The vendor provides a timely turn-around of digital documents using a high-volume scanner and its image enhancement settings, provides quality control and review of images, indexes documents per requirements, provide automated and manual quality control of indexing, and manages the re-assembly of documents for archiving or destruction. Please see attached for full response.

B. Which, if any, civil service class(es) normally perform(s) this work?  
1752,1750,4214,

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

The project will be completed at the vendor's facilities and will be done using several production-level scanners to image standard and non-standard-size documents, as well as with software to improve and enhance image quality and to index each imaged document to departmental specifications.

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

A. Explain why civil service classes are not applicable:

This is a short-term project and the City does not have the available supervisors to manage and organize this intensive effort in the allotted timeframe for the project. Additionally, the City lacks the office space, equipment and technical skills to use civil service classes. The office would have to recruit, hire and train temporary workers and supervisors who would then be released from employment after the project is completed as well as procure special equipment and facilities.

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

No, it would not be practical and would not be feasible given the short-term nature of the project. Adoption of a new civil service class to perform the work would not solve the lack of an available facility, office space and equipment.

**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? N/A	<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 06/03/2015 BY:

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

Address: 1 Dr. Carlton B. Goodlett Place, City Hall Rox San Francisco, CA, 94102

# **Receipt of Union Notification(s)**

**Lee, Christina (ASR)**

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**From:** dhr-psccordinator@sfgov.org on behalf of christina.m.lee@sfgov.org  
**Sent:** Friday, April 03, 2015 4:15 PM  
**To:** Lee, Christina (ASR); 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) (DSS); david.canham@seiu1021.org;  
joe.tanner@seiu1021.net; Larry.Bradshaw@seiu1021.org; Lee, Christina (ASR); Isen,  
Richard (TIS); DHR-PSCCoordinator, DHR (HRD)  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 47437 - 14/15

RECEIPT for Union Notification for PSC 47437 - 14/15 more than \$100k

The ASSESSOR / RECORDER – ASR has submitted a request for a Personal Services Contract (PSC) 47437 - 14/15 for \$500,000 for Initial Request services for the period 09/01/2015 – 08/01/2020. 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/4771> 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)**

Attachment for Full Responses to Questions 1B, 1D, and 3A

**Question 1B:** Explain why this service is necessary and the consequences of denial. For an Initial Request, the department can further explain why this service is necessary. For a Modification, the department should explain why there is a change from the original submission for the scope of work, duration, or amount of the PSC:

**Response 1B:**

The service is necessary to:

- Quickly and efficiently free up limited City Hall space for much needed work stations and for other business uses;
- Provide efficient and concurrent access to property assessment records using modern search tools to improve productivity;
- Provide electronic back-ups of records to safeguard against disaster, fire, theft and other unforeseen circumstances aligned with the department's continuity of operations plan; and
- Better safeguard confidential taxpayer information in a secure, electronic format.

If the request is denied, then the department will continue to be at risk in case of flooding, theft, fire and other safeguarding of original taxpayer and property information for assessment and taxation purposes. Under the California Revenue & Tax code, information and documents contained in these files must be preserved for up to 6 years and in some cases, permanently.

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

**Response to 1D:** This effort is a short-term project for property-related paper files. If at a later date, additional departmental paper files require conversion to digital for a large volume of documents, then the department will review the possibility of renewing the contract. At this time, that determination has not been made.

**Question 3A:** Specify required skills and/or expertise:

**Response to 3A:** The vendor provides a timely turn-around of digital documents using a high-volume scanner and its image enhancement settings, provides quality control and review of images, indexes documents per requirements, provide automated and manual quality control of indexing, and manages the re-assembly of documents for archiving or destruction.

In addition, management/supervisory experience in organizing and overseeing high-volume imaging operations is key to ensuring that the work is done on a timely basis and at high quality levels since these images will be the sole historic record for the City once the paper files are destroyed.

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: GENERAL SERVICES AGENCY - PUBLIC WORKS – DPW Dept. Code: DPW

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

Type of Approval:  Expedited  Regular ( Omit Posting)

Type of Service: Mechanical, Electrical, Plumbing, & Structural Engineering Services for Fire Station 35

Funding Source: General Obligation Bond PSC Duration: 5 years 33 weeks  
PSC Amount: \$7,500,000 PSC Est. Start Date: 05/11/2015 PSC Est. End Date: 12/31/2020

**1. Description of Work**

A. Scope of Work:

Public Works is seeking a qualified team of specialized engineering consultants to provide engineering design and construction support services for the new Fire Station no. 35 facility. The consultant will collaborate with Public Works' team of architects and structural engineers.

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

The service is necessary in order to provide engineering expertise to support architectural City staff. Denial of this request will inhibit Public Works' ability to augment its in-house Architectural and Engineering (A/E) team with the necessary capability and capacity to provide engineering services for a facility to be constructed over water, and with potential historical significance. A significant part of this project will be to upgrade and rebuild damaged piers.

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.

A/E services for the Public Safety Building were approved via PSC#4095-08/09 and for the Cruise Terminal via PSC#4018-09/10. (Please see uploaded documents for previously approved PSCs for similar services)

D. Will the contract(s) be renewed? No, not at this time

**2. Union Notification:** On 05/08/2015, the Department notified the following employee organizations of this PSC/RFP request: Architect & Engineers, Local 21,

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 43808 - 14/15

DHR Analysis/Recommendation:

Commission Approval Required

DHR Approved for 07/06/2015

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

A. Specify required skills and/or expertise:

The consultant team must consist of professional engineers licensed in the state of California for the respective disciplines. We are looking for specialized engineering services for design and construction support of an essential service building built over the water. Maritime construction requires a team of consultants who understands the risks and the prevailing regulations that are applicable to the project.

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

5268,5241,5211,5218,

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

No, facilities and equipment will not be provided.

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

A. Explain why civil service classes are not applicable:

Permanent civil service employees do not possess the experience and specialized expertise in maritime design and construction for delivering an essential service facility.

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

No. Fire Station 35 is currently the only boathouse station within the City's portfolio of fire stations. This service requires specialized expertise that will not be required on an ongoing basis.

**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?

(please see attached)

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 06/09/2015 BY:

Name: Sung Kim Phone: 415-554-6417 Email: sung.kim@sfdpw.org

Address: 1155 Market Street, 4th Floor San Francisco, CA 94103

# **Receipt of Union Notification(s)**



**Tsang, Tiffany (DPW)**

---

**From:** dhr-psccordinator@sfgov.org on behalf of sung.kim@sfdpw.org  
**Sent:** Friday, May 08, 2015 3:25 PM  
**To:** Kim, Sung (DPW); richardisen@gmail.com; L21PSCReview@ifpte21.org; Tsang, Tiffany (DPW); Isen, Richard (TIS); DHR-PSCCoordinator, DHR (HRD)  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 43808 - 14/15

RECEIPT for Union Notification for PSC 43808 - 14/15 more than \$100k

The GENERAL SERVICES AGENCY - PUBLIC WORKS -- DPW has submitted a request for a Personal Services Contract (PSC) 43808 - 14/15 for \$7,500,000 for Initial Request services for the period 05/11/2015 - 12/31/2020. 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/4950> 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)**

**Attachment to Form 1 for PSC#43808-14/15**  
**Service: Professional Services for Mechanical, Electrical, Plumbing, & Structural Engineering**

Explanation for Duration

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

The specialized engineering consultation will be needed in the early planning phase to assist the City on navigating multiple regulations and project requirements for this essential maritime service building project. The engineering services will be required through the warranty period, which is anticipated at 24 months from substantial completion.

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

There is no training plan or course, specifically. However, through collaboration on providing design services, the City's A/E team of architectural and engineering staff will enhance its knowledge and understanding of the risks and challenges that occur with this type of facility while working side by side with the consultant team.



# CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

GAVIN NEWSOM  
MAYOR

February 5, 2009

## NOTICE OF CIVIL SERVICE COMMISSION ACTION

**SUBJECT: REVIEW OF REQUEST FOR APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACT NUMBERS 2000-08/09 THROUGH 2009-08/09; 4086-08/09 THROUGH 4095-08/09; 3090-07/08; 4148-07/08 AND 4192-07/08.**

At its meeting of February 2, 2009 the Civil Service Commission had for its consideration the above matter.

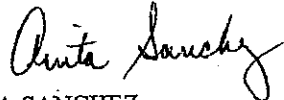
**PLEASE NOTE:** *It is important that a copy of this action be kept in the department files as you will need it in the future as proof of Civil Service Commission approval.*

It was the decision of the Commission to:

- (1) Postpone PSC #2000-08/09 through 2009-08/09 to the meeting of March 2, 2009 at the request of SEIU Local 1021.
- (2) Adopt the Human Resources Director's report on PSC #4087-08/09 on the condition that over the next six (6) months IFPTE Local 21 and the Department of the Environment actively collaborate with each other to identify civil service classifications and personnel which could perform all or part of the work and that a report of its joint collaborative findings be submitted to the Commission at the end of the six month period. Notify the offices of the Controller and the Purchaser.
- (3) Withdraw PSC #3090-07/08 at the request of the Public Utilities Commission.
- (4) 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: Rachel Buerkle, Department of the Environment  
Jesusa Bushong, San Francisco Fire Department  
Micki Callahan, Human Resources Director  
Gordon Choy, Department of Public Works  
David Curto, Human Services Agency  
Rion Dugan, Department of Technology  
Nancy Gonchar, Arts Commission  
Shamica Jackson, Public Utilities Commission  
Jennifer Johnston, Department of Human Resources  
Florence Kyaun, Public Utilities Commission  
William Lee, Emergency Communications Department  
Julian Low, Mayor's Office of Business & Economic Development  
Mary Ng, Department of Human Resources  
Brigitte Rockett, Department of Human Resources  
Commission File  
Chron

POSTING FOR  
February 02, 2009

RECOMMENDED APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACTS

PSC No.	DeptNo	DeptName	Approval Type	Contract Amount	Description of work	Duration
4088-08/09	25	Mayor's Office	Regular	\$ 187,200.00	Will conduct and coordinate federal lobbying services for the City, including identifying and advocating for or against legislation and regulatory matters that impact the City.	31-Mar-09
4089-08/09	28	Arts Commission	Regular	\$ 100,000.00	Will create a temporary public art project, including rotating poster series, with auxiliary public programming for the Arts Commission's Art on Market Street Program which brings contemporary art by Bay Area artist to SF's main thoroughfare year round.	30-Dec-10
4090-08/09	28	Arts Commission	Regular	\$ 5,500,000.00	Will design, fabricate, transport and install artwork in a variety of media for SFGH new Acute Care Unit as part of the capital projects for the hospital.	31-Dec-15
4091-08/09	31	Fire Department	Regular	\$ 200,000.00	Will provide analysis of saliva samples and urine samples for six federally controlled substances in employees and potential hires. Contractor will also provide Medical Review Officer interpretation of test results.	30-Jun-11
4092-08/09	33	Human Resources	Regular	\$ 4,000,000.00	Will provide a range of managed care and medical cost containment services for the Workers' Comp. Division, including medical bill review and re-pricing, Preferred Provider Organization (PPO) admin., State-mandated utilization review, and case management.	30-Jun-12
4093-08/09	40	San Francisco Public Utilities Commission	Regular	\$ 1,600,000.00	Will plan, conduct and evaluate Emergency Response training and tabletop exercises for key Division Coordination Center Staff at City Distribution Division (CDD), Hetch Hetchy Water and Power (HHWP), Water Supply and Treatment (WST) and WasteWater (WWWE).	15-Mar-13
4094-08/09	77	Department of Emergency Management	Regular	\$ 4,000,000.00	Will provide the creation of the Northern California Regional Intelligence Center (NCRIC), a regional multi-jurisdiction fusion center with representatives from numerous other public and private entities through a contract with the County of San Mateo.	30-Jun-11
4095-08/09	90	Public Works	Regular	\$ 12,000,000.00	Will provide architectural and engineering planning, design, and construction support services for the complete, new, \$125M Public Safety Building. The AVE Team shall be primarily responsible for the core and shell.	30-Jun-15





# CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

GAVIN NEWSOM  
MAYOR

09 JUL 24 AM 10: 08

DPW  
CONTRACT ADMINISTRATIONS

MORGAN R. GORRONO  
PRESIDENT

E. DENNIS NORMANDY  
VICE PRESIDENT

JOY Y. BOATWRIGHT  
COMMISSIONER

DONALD A. CASPER  
COMMISSIONER

MARY Y. JUNG  
COMMISSIONER

ANITA SANCHEZ  
EXECUTIVE OFFICER

July 22, 2009

## NOTICE OF CIVIL SERVICE COMMISSION ACTION

**SUBJECT: REVIEW OF REQUEST FOR APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACT NUMBERS 4012-09/10 THROUGH 4019-09/10; 4110-06/07; 4002-07/08; 4046-04/05; 4062-04/05; 4020-06/07 AND 4031-08/09.**

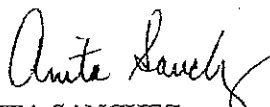
At its meeting of July 20, 2009 the Civil Service Commission had for its consideration the above matter.

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

It was the decision of the Commission to adopt the Human Resources Director's report. Notify the offices of the Controller and the Department of Contract Administration.

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

CIVIL SERVICE COMMISSION

  
ANITA SANCHEZ  
Executive Officer

### Attachment

- c: Cynthia Avakian, Airport Commission
- Parveen Boparai, Municipal Transportation Agency
- Rachel Buerkle, Department of Environment
- Micki Callahan, Human Resources Director
- Gordon Choy, Department of Public Works
- Jacque Hale, Department of Public Health
- Jessica Huey, Department of Human Resources
- Shamica Jackson, Public Utilities Commission
- Florence Kyaun, Public Utilities Commission
- William Lee, Department of Emergency Management
- Artina Lim, Department of Children, Youth and Their Families
- Joan Lubamersky, GSA/Office of Labor Standards Enforcement
- Brigitte Rockett, Department of Human Resources
- Commission File
- Chron

Amended POSTING FOR  
July 20, 2009

RECOMMENDED APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACTS

PSC No.	Dept/ID	Dept/Name	Approval Type	Contract Amount	Description of Work	Duration
4012-09/10	22	Environment	Regular	\$25,000,000.00	Will provide implementation support for major elements of a three-year energy efficiency partnership program with PG&E and for projects funded through AARA Energy Block Grants (Federal stimulus funds to San Francisco.	01-Jul-14
4013-09/10	81	Public Health	Regular	\$200,000.00	Will provide 15-20 hours of art instruction for a maximum of 100 residents at Laguna Honda Hospital. As part of the Art with Elders program, services also include developing and coordinating art exhibits.	30-Jun-14
4014-09/10	81	Public Health	Regular	\$80,000.00	Will provide approximately 80 hours per month of neurology services for residents of Laguna Honda Hospital.	30-Jun-10
4015-09/10	81	Public Health	Regular	\$80,000.00	Will provide a medical doctor (MD) with a specialization in the field of radiology for approximately (70) hours per month of professional and clinical radiologist services for LHH.	30-Jun-10
4016-09/10	36	San Francisco Municipal Transportation Agency	Regular	\$100,000.00	Will provide federally mandated urine analysis for safety-sensitive employees with the San Francisco Municipal Transportation Agency (SFMTA).	31-Oct-12
4017-09/10	40	San Francisco Public Utilities Commission	Regular	\$9,000,000.00	Will provide specialized and technical as-needed services in the area of wastewater and storm water services; asset management services; security, asset control and emergency response services; environmental, hazardous material and waste.	31-Oct-14
4018-09/10	90	Department of Public Works	Regular	\$4,600,000.00	Will provide highly specialized Architectural and Structural, Mechanical, Electrical and Plumbing Engineering services related to Cruise Terminal design, programming, planning and operations, maritime engineering, and geotechnical engineering.	31-Mar-14
4019-09/10	77	Department of Emergency Management	Regular	\$145,000.00	Will develop a list of the Bay Area UASI region's most important and critical infrastructure assets, identify potential vulnerabilities, perform a customized Risk Analysis on the identified data, and draft a risk assessment report.	30-Jun-12

CONTRACT ADMINISTRATIONS  
DPW

09 JUL 24 AM 10:08

RECEIVED

110

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

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

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

Type of Approval:  Expedited  Regular  Omit Posting

Type of Service: Environmental and Transportation Impact Study on the SFMTA 6th Street Project

Funding Source: Proposition K (Local) PSC Duration: 4 years  
PSC Amount: \$2,000,000 PSC Est. Start Date: 08/01/2015 PSC Est. End Date: 07/31/2019

**1. Description of Work**

**A. Scope of Work:**

The contractor will provide a comprehensive environmental review with a focus on transportation impacts for the San Francisco Municipal Transportation Agency (SFMTA) 6th Street Pedestrian Safety Project (6th St. Project), and prepare and publish its findings as required by the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) as required.

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

An Environmental Impact Review (EIR) is required before the SFMTA can begin the 6th St. Project that is intended to improve pedestrian safety. Denial of this request would indefinitely delay implementation of the 6th St. Project, which may result in continued high speeds, and reduced safety and placemaking in one of San Francisco's High Injury Corridors.

**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.**  
Typically, environmental review of complex projects requires outside consultants with expertise in CEQA, NEPA, and transportation impact analysis. A similar service was provided via PSC #4004-11/12.

**D. Will the contract(s) be renewed? No. This is a one-time project.**

**2. Union Notification:** On 05/08/2015, the Department notified the following employee organizations of this PSC/RFP request: Professional & Tech Engrs, Local 21,

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 41575 - 14/15

DHR Analysis/Recommendation:

Commission Approval Required

DHR Approved for 07/06/2015



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

A. Specify required skills and/or expertise:

The contractor must possess expertise in environmental analysis in accordance with CEQA and NEPA, including recent amendments regarding greenhouse gas emissions; expertise in transportation impact analysis including impacts to multiple travel modes; expertise in environmental analysis of complex transit system components; and experience in publication of environmental studies and reports. Previous experience with environmental and transportation impact studies peculiar to San Francisco is desirable.

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

5203, 5289, 5290, 5298, 5299,

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 City staff cannot perform this work in a timely fashion with existing workloads, and may not have the required expertise (knowledge and specialization) in certain topic areas, particularly with respect to NEPA. Additionally, the Planning Department lacks infrastructure to produce voluminous documents such as EIRs and Environmental Impact Studies (EIS).

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

No. This work is not expected to be ongoing, and is best delivered when provided by a percentage of various specialized staff on an as-needed basis working in close coordination. If individuals were hired full-time for this work, they would not be productive the majority of the time due to...(See attached.)

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

**YES NO**

- |  |                          |                                     |
|--|--------------------------|-------------------------------------|
| A. Will the contractor directly supervise City and County employee?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| B. Will the contractor train City and County employee?<br>No training is provided due to specialty areas and a one-time project. | <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 05/08/2015 BY:

Name: Cynthia Hamada

Phone: 415.701.5381

Email: cynthia.hamada@sfmta.com

Address: 1 S. Van Ness Avenue, 6th Floor

San Francisco, CA 94103

# **Receipt of Union Notification(s)**

## Hamada, Cynthia

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**From:** dhr-psccordinator@sfgov.org on behalf of cynthia.hamada@sfmta.com  
**Sent:** Friday, May 08, 2015 4:18 PM  
**To:** Hamada, Cynthia; L21PSCReview@ifpte21.org; Hamada, Cynthia; Isen, Richard; DHR-PSCCoordinator, DHR  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 41575 - 14/15

RECEIPT for Union Notification for PSC 41575 - 14/15 more than \$100k

The MUNICIPAL TRANSPORTATION AGENCY -- MTA has submitted a request for a Personal Services Contract (PSC) 41575 - 14/15 for \$2,000,000 for Initial Request services for the period 08/01/2015 – 07/31/2019. 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/4955> 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)**



CIVIL SERVICE COMMISSION  
CITY AND COUNTY OF SAN FRANCISCO

EDWIN M. LEE  
MAYOR

4001-11/12 \$148,500  
4002-11/12 \$305,000  
4003-11/12 \$500,000  
4004-11/12 \$219  
4005-11/12 \$6M  
3005-10/11 \$98,000

July 26, 2011

NOTICE OF CIVIL SERVICE COMMISSION ACTION

**SUBJECT: REVIEW OF REQUEST FOR APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACT NUMBERS 2000-11/12 THROUGH 2003-11/12; 4000-11/12 THROUGH 4007-11/12; 3041-10/11; 3005-10/11; 4045-09/10 AND 4113-05/06.**

At its meeting of July 18, 2011 the Civil Service Commission had for its consideration the above matter.

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

It was the decision of the Commission to:

- (1) Postpone PSC #2000-11/12 through 2003-11/12 to the meeting of August 1, 2011 at the request of the Health Services System.
- (2) Postpone PSC #4003-11/12 to the meeting of August 1, 2011 at the request of the Municipal Transportation Agency.
- (3) Adopt the report; Approve request for PSC #4005-11/12 on the condition that: 1) the Municipal Transportation Agency consult with IBEW Local 6 regarding the concerns placed on record by IBEW Local 6 at the meeting of July 18, 2011 and 2) the Municipal Transportation Agency report to the Commission in three (3) months. Notify the Office of the Controller and the Office of Contract Administration.
- (4) Adopt the report; Approve request for all remaining contracts. Notify the Office of the Controller and the Office of Contract Administration.

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

CIVIL SERVICE COMMISSION

*Anita Sanchez*  
ANITA SANCHEZ  
Executive Officer

**Attachment**

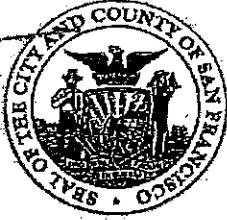
- c: Parveen Bopara, Municipal Transportation Agency
- Micki Callahan, Human Resources Director
- Robin Courtney, Health Service System
- Marie de Vera, Department of Human Resources
- Kendall Gary Department of Technology
- Shamica Jackson, Public Utilities Commission
- Florence Kyaan, Public Utilities Commission
- Merrick Pascual, Mayor's Office of Economic Workforce Development
- Maria Ryan, Department of Human Resources
- Officer Shawn Wallace, San Francisco Police Department
- Commission File
- Chron

POSTING FOR  
7/18/2011

PROPOSED PERSONAL SERVICES CONTRACTS - Regular

PSC No	Dept No.	Dept Name	Approval Type	Contract Amount	Description of Work	Duration
4001-11/12	35	Municipal Transportation Agency	Regular	\$148,500	Professional support services to be provided by a contractor to coordinate and promote the City's Bike to Work Day program for the next three years. The contractor will organize, promote and conduct the annual bicycle commute-promotion event in coordination with the regional event (on the 3rd Thursday in May of each year) and in collaboration with local advocacy Bike to Work Day organizers. Event promotion and outreach will target the broadest public audience feasible. Event day activities will include at least 25 geographically distributed "Energy Station" located on high volume bicycle routes, to support, encourage and assist bicycle commuters around San Francisco. Incentives will be distributed at these "Energy Stations" to at least 5,000 bicycles. These incentives should include, but not be limited to: canvas shopping bags, SF bike maps, SF Bicycle Guides, retro-reflective pant leg straps, "Coexist" campaign stickers, and bicycle injury crash reporting and bicycle theft prevention information. All promotional materials, including comprehensive Bike to Work Day SFMTA website informational content, will be imprianted with event and sponsor names. Report will be prepared on the bike event including leadership counts/estimates, incentive distribution, media outreach, and small/large events or promotions.	10/1/2011 - 12/31/2014
4002-11/12	35	Municipal Transportation Agency	Regular	\$505,000	The Contractor will plan, coordinate, promote and conduct Bicycle Safety Education classes, in keeping with the goals in "Chapter 4: Education" of the San Francisco Bicycle Plan in offering bicycle education for children, youth, and adults. In addition, the Contractor will produce a MUNI Operator Training Video with instructions for MUNI operators and bicyclists on how to safely share the road.	11/1/2011 - 12/31/2014
4003-11/12	35	Municipal Transportation Agency	Regular	\$580,000	The City is seeking assistance in consolidating and administering the processes for issuing, posting, monitoring, removing, and tracking temporary parking restriction signage required for construction projects and various special projects and events in the public right of way under the purview of the SMTA, the San Francisco Police Department (SFPD), the Department of Public Works (DPW) and other agencies to be determined in the future. The temporary parking signage for these projects typically provides that vehicles cannot park within the designated location indicated, and that vehicles that are parked in the restricted area will be towed.	7/1/2011 - 6/30/2015
4004-11/12	35	Municipal Transportation Agency	Regular	\$2,000,000	The SFMTA in collaboration with the Controller's Office needs to procure the services of a qualified and experienced contractor to complete comprehensive environmental review with a focus on transportation impacts for the SFMTA's Transit Effectiveness Project (TEP), and prepare and publish its findings as required by the California Environmental Quality Act (CEQA), and the National Environmental Policy Act (NEPA) if required. The TEP consists of a set of proposals designated to transition and maximize Muni service delivery. Through these proposals, the TEP aims to achieve the following goals: 1) improve service reliability; 2) reduce travel times; 3) improve customer experiences; and 4) improve service effectiveness and efficiency.	8/1/2011 - 7/31/2015





CIVIL SERVICE COMMISSION  
CITY AND COUNTY OF SAN FRANCISCO

GAVIN NEWSOM  
MAYOR

4148-09/10

\$ 600k

APV 6/7/10

June 10, 2010

E. DENNIS NORMANDY  
PRESIDENT

DONALD A. CASPER  
VICE PRESIDENT

MORGAN R. GORRANO  
COMMISSIONER

MARY Y. JUNG  
COMMISSIONER

ANITA SANCHEZ  
EXECUTIVE OFFICER

NOTICE OF CIVIL SERVICE COMMISSION ACTION

SUBJECT: REVIEW OF REQUEST FOR APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACT NUMBERS 4142-09/10 THROUGH 4162-09/10; 1010-07/08; 4165-07/08; 4058-09/10; AND 4096-05/06.

At its meeting of June 7, 2010 the Civil Service Commission had for its consideration the above matter.

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

It was the decision of the Commission to:

- (1) Postpone PSC #s 4148-09/10 through 4162-09/10 to the meeting of June 21, 2010.
- (2) Adopt the report; Approve requests for all remaining proposed personal services contracts. Notify the offices of the Controller and the Office of Contract Administration.

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

CIVIL SERVICE COMMISSION

*Anita Sanchez*  
ANITA SANCHEZ  
Executive Officer

Attachment

- c: Parveen Boparai, Municipal Transportation Agency
- Micki Callahan, Human Resources Director
- Gordon Choy, Department of Public Works
- Robin Courtney, Health Service System
- Oliver Hack, Mayor's Office
- Jacque Hale, Department of Public Health
- Nacra Kelly, Office of Contract Administration
- William Lee, Emergency Management
- Joan Lubamersky, General Services Agency
- Mary Ng, Department of Human Resources
- Ben Rosenfield, Controller
- Commission File
- Chron

POSTING FOR  
6/7/2010

PROPOSED PERSONAL SERVICES CONTRACTS - Regular

PSC No	Dept No	Dept Name	Approval Type	Contract Amount	Description of Work	Duration
4142-09/10	66	Health Service System	Regular	\$156,000	Administer the Medical and Dependent Care Flexible Spending Account programs for eligible City and County of San Francisco employees. Services include maintaining required IRS tax reporting records, sending quarterly account statements and adjudicating claims for reimbursement within IRS guidelines.	6/30/2011
4143-09/10	66	Health Service System	Regular	\$112,000	Administration of the Management Cafeteria Plan for eligible members including communications, enrollment processing, third-party vendor management, premium reconciliation and payment to applicable vendors.	6/30/2011
4144-09/10	66	Health Service System	Regular	\$107,735	Administer COBRA (Consolidated Omnibus Budget Reconciliation Act) benefits for eligible resigned, laid-off and separated members of the Health Service System. Services include providing required initial COBRA notice, enrolling eligible individuals, and conducting open enrollment for COBRA enrollees.	6/30/2011
4145-09/10	35	Municipal Transportation Agency	Regular	\$600,000	The SFMTA needs to procure the services of a qualified and experienced contractor to complete comprehensive environmental review with a focus on transportation impacts for the SFMTA's Transit Effectiveness Project (TEP), and prepare and publish its findings as required by the California Environmental Quality Act (CEQA), and National Environmental Policy Act (NEPA) if required.	1/31/2013
4146-09/10	90	Public Works	Regular	\$2,500,000	The Consultant will provide as-needed environmental monitoring and oversight services for the San Francisco General Hospital (SFGH) Rebuild Project (SFHRP). In support of the construction activities involving the abatement of asbestos, lead, and other hazardous materials, naturally-occurring asbestos in soils, soil characterization and profiling, and other hazardous materials. Conduct daily air quality monitoring during all earthmoving activities (trenching and mass excavation) during construction activities to comply with the Bay Area Air Quality Management District's (BAAQMD) Asbestos Dust Monitoring Plan (ADMP) for the project. The Consultant shall also provide as-needed industrial hygiene and other environmental services.	12/31/2016

Posting Date: May 21, 2010

Page 1 of 5

CCSF: DHR, PCSCF Posting





4145-09110 APV 6/7/11

City and County of San Francisco

Department of Human Resources

PERSONAL SERVICES CONTRACT SUMMARY

DATE: May 3, 2010 Revised May 11, 2010

DEPARTMENT NAME: San Francisco Municipal Transportation Agency (SFMTA) DEPARTMENT NUMBER: 35 & 36

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

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

TYPE OF SERVICE: Environmental and Transportation Impact Study on the SFMTA Transit Effectiveness Project

FUNDING SOURCE: Proposition C (Local) and Federal Transit Administration (Federal) Funds

PSC AMOUNT: \$600,000.00 PSC DURATION: 08/01/2010 -- 01/31/2013

1. DESCRIPTION OF WORK

A. Concise description of proposed work: The SFMTA needs to procure the services of a qualified and experienced contractor to complete comprehensive environmental review with a focus on transportation impacts for the SFMTA's Transit Effectiveness Project (TEP), and prepare and publish its findings as required by the California Environmental Quality Act (CEQA), and National Environmental Policy Act (NEPA) if required.

B. Explain why this service is necessary and the consequences of denial: Comprehensive environmental review must be completed before the SFMTA can implement improvements to existing transit service and associated infrastructure as recommended by the TEP. Denial of this request would indefinitely delay implementation of the TEP's recommendations, which are intended to improve transit service, attract more riders, and increase the efficiency of transit service by improving transit reliability, reducing transit travel delays, and updating transit routes to better match existing and projected travel patterns. Delayed implementation of the TEP's recommendations may result in less efficient transit service delivery, less attractive transit service, and increased traffic congestion.

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 level of environmental review has not been performed by City staff in the past. Most recently, the SFMTA's Bicycle Plan environmental review was completed by a contractor - PSC #4128-06/07. Typically, environmental review of complex projects requires outside consultants with expertise in CEQA, NEPA, and transportation impact analysis.

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

<u>IFPTE Local 21</u>	<u>Panveen Boparai</u>	<u>5-11-10</u>
Union Name	Signature of person mailing / faxing form	Date
Union Name	Signature of person mailing / faxing form	Date

RFP sent to \_\_\_\_\_, on \_\_\_\_\_, Signature \_\_\_\_\_  
Union Name Date

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# \_\_\_\_\_

SFMTA Approved  
5-11-10

STAFF ANALYSIS/RECOMMENDATION:  
CIVIL SERVICE COMMISSION ACTION:

**3. DESCRIPTION OF REQUIRED SKILLS/EXPERTISE**

**A. Specify required skills and/or expertise:** These services require expertise in environmental analysis in accordance with CEQA and NEPA, including recent amendments regarding greenhouse gas emissions effective March 18, 2010; expertise in transportation impact analysis including impacts to multiple travel modes; expertise in environmental analysis of complex transit system components; and experience in the preparation and publication of environmental studies and reports. Previous experience in, and familiarity with, environmental and transportation impact studies peculiar to San Francisco are desirable.

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

Complex environmental reviews in San Francisco are normally performed by contractors and overseen and reviewed by the Planning Department's Major Environmental Analysis (MEA) Section i.e. 5298 Planner III - Environmental Review and 5299 Planner IV - Environmental Review. The SFMTA anticipates close coordination between the contractor team and City staffs through the environment review process, including staff at SFMTA, 5288 Transit Planner II, 5289 Transit Planner III, and 5289 Transit Planner are responsible for detailed designs and overall project management.

**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:**

Major environmental reviews are typically performed in all California counties by contractors, which have the flexibility to assign a percentage of FTEs of a variety of staff with skills and expertise such as those enumerated in 3.A above as needed to complete a relevant portion of the one-time study or report. Existing City staff cannot perform this work in a timely fashion with existing workloads, and may not have the required expertise in certain topic areas, particularly with respect to NEPA. Additionally, the Planning Department lacks infrastructure to produce voluminous documents such as EIRs and EISs.

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

No. This work is not expected to be ongoing, and is best delivered when provided by a percentage of various specialized staff on an as-needed basis working in close coordination. If individuals were hired full-time for this work, they would not be productive the majority of the time due to the specific skill sets required for this work and the sporadic nature of this work.

**5. ADDITIONAL INFORMATION (If "yes," attach explanation)**

	<u>Yes</u>	<u>No</u>
A. Will the contractor directly supervise City and County employees?	( )	( X )
B. Will the contractor train City and County employees?	( )	( X )
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?	( )	( X )

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

*Parveen Boparai*

Signature of Departmental Personal Services Contract Coordinator

Parveen Boparai

415-701-5377

Print or Type Name

Telephone Number

San Francisco Municipal Transportation Agency

One S. Van Ness Ave., 7<sup>th</sup> Floor, San Francisco, CA 94103  
Address

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, Physical, Occupational and Speech Therapy Registry Services

Funding Source: General Fund PSC Duration: 1 year 26 weeks
PSC Amount: \$1,042,000 PSC Est. Start Date: 07/01/2015 PSC Est. End Date: 12/31/2016

1. Description of Work

A. Scope of Work:

Provision of intermittent, as-needed; temporary, on-call, professional, licensed Physical, Occupational and Speech Therapists and Physical and Occupational Therapy Assistants, 7 days a week, 8:00am to 4:30pm. Therapists will be available on 24-hour notice to provide back-up coverage to Civil Service staff positions during scheduled and unscheduled staff absences.

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

Services are necessary to provide an adequate level of rehabilitation staff at San Francisco General and Laguna Honda Hospitals, during periods of unanticipated staff absences requiring the use of licensed or certified personnel. Denial of the utilization of these registry services will result in decreased access to both in and outpatient rehabilitation services at San Francisco General and Laguna Honda Hospitals, reducing the likelihood of positive rehabilitative outcomes and possibly increasing lengths of stay for in-patient hospitalizations.

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.
4151-09/10

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

2. Union Notification: On 03/09/2015, 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,

\*\*\*\*\*

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 40942 - 14/15

DHR Analysis/Recommendation:
Commission Approval Required
DHR Approved for 07/06/2015

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:

Contractors must have licensed Physical, Occupational and Speech Therapists and Occupational Therapist Assistants.

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

2548,2555,2542,

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 on an as needed basis. Civil service classifications already exist. The Department utilizes registries to provide coverage for scheduled and unscheduled staff absences.

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

No, The City has Civil Service classifications that are used to provide a portion of these 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?       

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 06/11/2015 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)**

**From:** [dhr-pescoordinator@sfgov.org](mailto:dhr-pescoordinator@sfgov.org) on behalf of [jacque.hale@sfdph.org](mailto:jacque.hale@sfdph.org)  
**To:** [Hale, Jacquie \(DPH\); L21PSCReview@sfote21.org](mailto:Hale_Jacque(DPH);L21PSCReview@sfote21.org); [brenda\\_mendieta@sfdph.org](mailto:brenda_mendieta@sfdph.org); [Isen, Richard \(TIS\); DHR-PSCCoordinator, DHR \(HRD\)](mailto:Isen, Richard (TIS); DHR-PSCCoordinator, DHR (HRD))  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 40942 - 14/15  
**Date:** Monday, March 09, 2015 5:15:46 PM

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RECEIPT for Union Notification for PSC 40942 - 14/15 more than \$100k

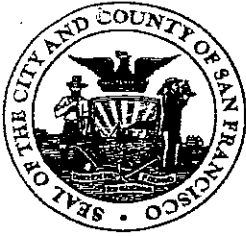
The PUBLIC HEALTH -- DPH has submitted a request for a Personal Services Contract (PSC) 40942 - 14/15 for \$1,042,000 for Initial Request services for the period 07/01/2015 – 12/31/2016. Notification of 30 days (60 days for SEIU) is required.

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

<http://apps.sfgov.org/dhrdrupal/node/4088> 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)**



# CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

GAVIN NEWSOM  
MAYOR

E. DENNIS NORMANDY  
PRESIDENT

DONALD A. CASPER  
VICE PRESIDENT

MORGAN R. GORRONO  
COMMISSIONER

MARY Y. JUNG  
COMMISSIONER

ANITA SANCHEZ  
EXECUTIVE OFFICER

June 24, 2010

## NOTICE OF CIVIL SERVICE COMMISSION ACTION

**SUBJECT: REVIEW OF REQUEST FOR APPROVAL OF PROPOSED  
PERSONAL SERVICES CONTRACT NUMBER 4148-09/10  
THROUGH 4162-09/10.**

At its meeting of **June 21, 2010** the Civil Service Commission had for its consideration the above matter.

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

It was the decision of the Commission to:

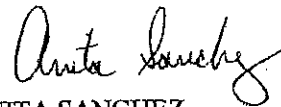
- (1) Adopt the report; Approve request for approval of PSC #s 4150-09/10 through 4153-09/10; 4156-09/10; 4160-09/10; and 4161-09/10 on the condition that the Department of Public Health make every reasonable effort to create requisitions for those 2819 Assistant Health Educators laid off in 2009 and other Local 21 represented positions that are subject to reduction or layoff; and that the Department of Public Health report every six (6) months to the Civil Service Commission on its progress in meeting this condition. Notify the Office of the Controller and the Office of Contract Administration.
- (2) Adopt the report; Approve request for approval of PSC #4155-09/10 on the condition that 1) the Department of Public Health will meet with IFPTE Local 21 to discuss and evaluate whether and to what extent work to be performed in this PSC is work which could be performed by Real Property Managers; 2) If at the conclusion of these discussions, it turns out that work in this PSC is not work which could be performed by Real Property Managers, then the matter is closed; 3) If at the conclusion of these discussions, it turns out that work in this PSC is work which could be performed by Real Property Managers, then the Department of Public Health and Local 21 will endeavor to utilize CCSF Real Property Managers to perform this work, and make appropriate modifications to the contract(s) in the PSC accordingly. Notify the Office of the Controller and the Office of Contract Administration.
- (3) Adopt the report; Approve request for approval of PSC #4158-09/10 for a duration of two years, to June 30, 2012. Notify the Office of the Controller and the Office of Contract Administration.
- (4) Adopt the report; Approve request for approval of all remaining contracts. Notify the Office of the Controller and the Office of Contract Administration.



CSC Notice of Action  
June 24, 2010  
Page 2

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: Micki Callahan, Human Resources Director  
Jacquie Hale, Department of Public Health  
Naomi Kelly, Office of Contract Administration  
Ben Rosenfield, Controller  
Commission File  
Chron

POSTING FOR  
6/7/2010

PROPOSED PERSONAL SERVICES CONTRACTS - Regular

PSC No	Dept No	Dept Name	Approval Type	Contract Amount	Description of Work	Duration
4147-09/10	25	Mayor	Regular	\$400,000	Contractor will customize their proprietary software known as the Total Grants Solution (TGS) to add housing development process and data tracking functionality. The TGS system is a technology solution that meets the City's strategy of collecting and managing data for the Federal Department of Housing and Urban Development (HUD) grant programs including the Community Development Block (CDBG), and Emergency Shelter Grants (ESG). The solution is the primary tool MOH uses to ensure programmatic and fiscal compliance and accountability while providing a direct and immediate link between the City and its grantees that allows for the tracking of programmatic outcomes and clients served as well as the ability of the grantee to invoice the City for contractual services rendered. Finally, the system incorporates the audit requirements of local, state and federal funding sources.	6/30/2012
4148-09/10	81	Public Health	Regular	\$2,000,000	The contractor (State of California) will coordinate and provide genetic testing services on blood samples taken from newborn babies from San Francisco General Hospital, in accordance with State law.	6/30/2020
4149-09/10	81	Public Health	Regular	\$1,250,000	Assistance to and training of Department Information Technology staff in the installation and building of an ambulatory Electronic Medical Record (EMR) system for San Francisco General Hospital and DPH community-based primary care and specialty clinics. Technical support to the Department's IT staff upon live activation of the new system. Please note that the amount shown above is a current best estimate of the value of only the professional services required, not software.	6/30/2015
4150-09/10	81	Public Health	Regular	\$136,000,000	Culturally appropriate mental health and substance abuse services for children, youth, and their families will be provided by multiple contractors, which together form a System of Care to address the broad continuum of needs and illnesses presented by these clients. Services will include mental health assessment, therapy, collateral and wraparound services, community-based violence and trauma recovery services, community-based day treatment services, residentially-based day treatment services, intensive/day rehabilitative services, primary and secondary substance abuse prevention services, therapeutic behavioral services, therapeutic visitation services, and targeted case management.	6/30/2015

POSTING FOR  
6/7/2010

PROPOSED PERSONAL SERVICES CONTRACTS - Regular

PSC No	Dept No	Dept Name	Approval Type	Contract Amount	Description of Work	Duration
4151-09/10	81	Public Health	Regular	\$150,074,786	Contract will provide: mental health outpatient; substance abuse outpatient services; and intensive case management/full-service partnership level-of-care to transitional age youth, adults and older adults. The contract will provide flexible, integrated and seamless services based on the level and type of needs of the client, and responding as clients change over time.	6/30/2015
4152-09/10	81	Public Health	Regular	\$18,595,931	Contractors will provide integrated full-service behavioral health outpatient services (Mental Health and Substance Abuse Services) for older-adult clients living in the catchment areas 2, 4 and 5 (Western Addition/area bounded by Geary-Gough-Market-Stanyan/Marina/Presidio, North of Market/Tenderloin/South of Market and Richmond and Sunset Districts.)	6/30/2015
4153-09/10	81	Public Health	Regular	\$112,083,205	Contractor will provide services to adult clients living in a residential setting who otherwise would be at risk of hospitalization or other institutional placement if they were not in a residential treatment program. The contractor will provide crisis residential programs, transitional residential treatment programs, Institute for Mental Disease (IMD) alternative programs, and an Urgent Care Center consisting of a crisis stabilization/urgent care clinic with an attached short-term crisis residential program. Institute for Mental Disease alternative programs target adults returning from long-term care settings back to the community or who are at risk for institutional placement due to the severity of their psychiatric disorder.	6/30/2015
4154-09/10	81	Public Health	Regular	\$111,292,513	Contractor will provide substance abuse residential programs. The program will include a 24/7 comprehensive assessment, case management, counseling, skill building and support services to individuals with substance abuse disorders. The program includes Pomeroy House Perinatal Treatment, Residential Family, Women's Harm Reduction Overnight/Partial Day, Women's HIV, MH, Harm Reduction Transitional Residential, Ryan White Pt A, HIV Residential, Adult Bed Social Detox, Homeless Specialty, HIV Women's Residential Social Detoxification, Residential Medical Detoxification, MHSA Dual Diagnosis Residential Treatment, Redwood Center Residential Treatment for High-Utilizers of Multiple Systems, HIV Residential Medical Detoxification and Proposition 36 Residential Treatment.	6/30/2015

PERSONAL SERVICES CONTRACT SUMMARY

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

DEPARTMENT NAME: 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: Behavioral Health Integrated and Full Service Outpatient Services

FUNDING SOURCE: State Realignment, Medi-Cal, General Funds, Grants, Work Orders

PSC AMOUNT: \$150,074,786/total 5 years PSC DURATION: 7/1/2010 - 6/30/2015

1. DESCRIPTION OF WORK

A. Concise description of proposed work:

Contract will provide: mental health outpatient; substance abuse outpatient services; and intensive case management/full-service partnership level-of-care to transitional age youth, adults and older adults. The contract will provide flexible, integrated and seamless services based on the level and type of needs of the client, and responding as clients change over time.

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

Without these services, transitional age youth, adults and older adults will be exposed to increased levels of addiction, anxiety, depression, post-traumatic stress disorder, violence, trauma, post-trauma, and other symptoms. There will also be a generalized sense of increased collective helplessness throughout the community, when related to the untreated mental illness, leading to communities to feel besieged and victimized. Not providing the services may result in increased lawsuits and related costs, as well as disallowance of State and Federal funding for failing to expend funds within regulatory guidelines.

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, Jacquie Hale Signature of person mailing/faxing form, April 30, 2010 Date, RFP sent to SEIU Local 1021; IFPTE Local 21, on July 30, 2009 Date, Mahlet Girma Signature

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FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 2013-04/05- 4151-09/10

STAFF ANALYSIS/RECOMMENDATION:

CIVIL SERVICE COMMISSION ACTION: June 21, 2010

3. DESCRIPTION OF REQUIRED SKILLS/EXPERTISE

A. Specify required skills and/or expertise:

*The contractors must have appropriately trained, licensed and certified staff and facilities which comply with applicable State laws and regulations, chiefly, California Welfare and Institutions Code Sect. 5000.*

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

*If these services were to be performed by Civil Service classes, they might be provided by a combination of any or all the following: UAPD (Unit 8-CC): 2230 Physician Specialist, 2232 Senior Physician Specialist, (Psychiatrist); IFPTE Local 21: 2589/2591/2593 Health Program Coordinators I, II, and III, 2822 Senior Medical Social Worker; SEJU Local 1021: 2110 Medical Records Clerk, 2305 Psychiatric Technician, 2320 Registered Nurse, 2328 Nurse Practitioner, 2552 Director of Activities, Therapy and Volunteer Services (Recreational Therapist), 2574 Psychologist, 2585/86/87/88 Health worker I, II, III, IV, 2910 Social Worker, 2930 Psychiatric Social Worker, 2706 Housekeeper/Food Service Cleaner, 2908 Hospital Eligibility Worker, 2913 Program Specialist, 2915 Program Supervisor, 2920 Medical Social Worker, 2930 Psychiatric Social Worker, 2935 Senior Marriage, Family and Child Counselor.*

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

*Yes, contractors will maintain appropriate community facilities that are licensed and otherwise compliant with external funding and regulatory requirements for provision of contracted services.*

4. WHY CLASSIFIED CIVIL SERVICE CANNOT PERFORM

A. Explain why civil service classes are not applicable:

*Community-based behavioral health contractors provide cultural expertise and linkages otherwise unavailable through Civil Service classifications. Civil Service staff work in partnership with contractors, which are non-profit organizations, and through these collaborations the City is able to offer higher quality, more accessible mental health and substance abuse treatment services to its residents. The mental health and substance abuse treatment services System Of Care is best performed by community-based service providers which have the required expertise, often specific to the target population they serve, and who have the trust of and credibility in the community, as well as linkages and resources unavailable to the City at a comparable level, and they are able to operate the small, flexible, community-based programs required by State law and found to be most effective in treating our residents who are mentally ill.*

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

*No. Current existing classifications perform this work. However, demand exceeds the capacity at City facilities to provide these services, so that City uses contractors to meet as many of the clients' needs as possible.*

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 checked="" type="checkbox"/>	<input type="checkbox"/>
E. Has a board or commission determined that contracting is the most effective way to provide this service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
F. Will the proposed work be completed by a contractor that has a current personal services contract with your department?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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

Jacquie Hale  
 Print or Type Name

554-2609  
 Telephone Number

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

# 4151-09/10

Attachment to Department of Public Health  
Request for Approval of Personal Services Contracts :

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"5000. This part shall be known and may be cited as the Lanterman-Petris-Short Act.

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"5120. It is the policy of this state as declared and established in this act and in the Lanterman-Petris-Short Act that the care and treatment of mental patients be provided in the local community. In order to achieve uniform statewide implementation of the policies of this act, it is necessary to establish the statewide policy that, notwithstanding any other provision of law, no city or county shall discriminate in the enactment, enforcement, or administration of any zoning laws, ordinances, or rules and regulations between the use of property for the treatment of general hospital or nursing home patients and the use of property for the psychiatric care and treatment of patients, both inpatient and outpatient. Health facilities for inpatient and outpatient psychiatric care and treatment shall be permitted in any area zoned for hospitals or nursing homes, or in which hospitals and nursing homes are permitted by conditional use permit."

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"5652.5. (a) Each county shall utilize available private and private nonprofit mental health resources and facilities in the county prior to developing new county-operated resources or facilities when these private and private nonprofit mental health resources or facilities are of at least equal quality and cost as county-operated resources and facilities and shall utilize available county resources and facilities of at least equal quality and cost prior to new private and private nonprofit resources and facilities. All the available local public or private and private nonprofit facilities shall be utilized before state hospitals are used. (b) Nothing in this section shall prevent a county from restructuring its systems of care in the manner it believes will provide the best overall care."

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"5653. In developing the county Short-Doyle plan, optimum use shall be made of appropriate local public and private organizations, community professional personnel, and state agencies. Optimum use shall also be made of federal, state, county, and private funds which may be available for mental health planning. In order that maximum utilization be made of federal and other funds made available to the Department of Rehabilitation, the Department of Rehabilitation may serve as a contractual provider under the provisions of a county Short-Doyle plan of vocational rehabilitation services for the mentally disordered."

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<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=wic&group=05001-06000&file=5650-5667>

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: Intermittent, supplemental temporary nursing personnel for San Francisco Health Network

Funding Source: General Fund PSC Duration: 2 years 26 weeks  
PSC Amount: \$18,000,000 PSC Est. Start Date: 07/01/2015 PSC Est. End Date: 12/31/2017

**1. Description of Work**

**A. Scope of Work:**

Contractors will provide San Francisco General Hospital (SFGH) and Laguna Honda Hospital (LHH) a continuous, reliable source of intermittent, supplemental, and travel nursing personnel during high patient census, high acuity, unexpected staff illnesses and/or vacations, and to meet State nurse-to-patient staffing ratio requirements. In addition, SFGH is scheduled to transition to a new acute care facility in December of 2015. In order for that transition to be successful, the current staff will require training on the new equipment, technology, patient flow and workflow processes. Supplemental contract nurses and ancillary personnel will be necessary to provide surge capacity in order to backfill SFGH staff while they attend training sessions and scheduled "day-in-the-life" training simulations.

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

The ability to access supplemental, temporary nursing personnel enables SFGH and LHH to reduce the frequency and duration of ambulance diversions, creating flexibility in responding to crisis, such as multiple victim situations and maintaining inpatient revenue-generating capacity in the face of an ongoing shortage of nursing staff. In 1999, the State passed AB 394 mandating specific nurse-to-patient ratios for acute care hospitals and specialty hospitals in California. This requires SFGH and LHH to maintain adequate nurse staffing. Without these contract services, the SFGH and LHH will not be able to maintain required nurse-to-patient ratios during unexpected staff shortages. (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.**  
PSC 4157-09/10

**D. Will the contract(s) be renewed? If needed.**

**2. Union Notification:** On 03/06/2015, 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, Professional & Tech Engi

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 49137 - 14/15

DHR Analysis/Recommendation:  
Commission Approval Required  
DHR Approved for 07/06/2015

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

A. Specify required skills and/or expertise:

Contractors must be able to provide traveling personnel who are California-licensed nurses with a minimum of one year of nursing experience as well as specialty experience where applicable, current CardioPulmonary Resuscitation (CPR) certifications, and current health and safety classes congruent with City and County policy (DPH Health and Safety Policy) and Joint Commission requirements for hospital accreditation and California Title 22 Standards. (Continued on attachment)

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

2302,2312,2320,2340,2303,2430,2310,

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 classifications already exist. These registry services are necessary for intermittent, temporary, as-needed services to provide back-up coverage during times of high patient census, high acuity, unexpected staff illnesses and/or vacations and/or unanticipated staff shortages. It is standard practice to use surge staffing during transitions requiring training of large numbers of staff. The expected length of the surge registry services would be from August 2015 to December 2015.

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

No, because the City currently has Civil Service classifications used to provide a portion of these services on a regular basis. These registry services are needed to meet intermittent staffing needs during periods of unusually high patient activity or low staffing of civil service employees (Continued on attachment)

**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? Please see attachment.	<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 06/10/2015 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)**

**From:** [dhr-psccordinator@sfgov.org](mailto:dhr-psccordinator@sfgov.org) on behalf of [jacque.hale@sfdph.org](mailto:jacque.hale@sfdph.org)  
**To:** [Hale, Jacquie \(DPH\)](mailto:Hale, Jacquie (DPH)); [Sandeep.lal@seiu1021.net](mailto:Sandeep.lal@seiu1021.net); [Wendy.Frigillana@seiu1021.org](mailto:Wendy.Frigillana@seiu1021.org); [leah.berlanga@seiu1021.org](mailto:leah.berlanga@seiu1021.org); [davidmkersten@gmail.com](mailto:davidmkersten@gmail.com); [tva.thlang@seiu1021.org](mailto:tva.thlang@seiu1021.org); [Lopez, Ricardo \(PDR\)](mailto:Lopez, Ricardo (PDR)); [Basconcillo, Katherine \(PUC\)](mailto:Basconcillo, Katherine (PUC)); [pcamarillo\\_seiu@sbcglobal.net](mailto:pcamarillo_seiu@sbcglobal.net); [Carey.dall@seiu1021.org](mailto:Carey.dall@seiu1021.org); [pscreview@seiu1021.org](mailto:pscreview@seiu1021.org); [joe.brenner@seiu1021.org](mailto:joe.brenner@seiu1021.org); [ted.zarzecki@seiu1021.net](mailto:ted.zarzecki@seiu1021.net); [ablood@cirseiu.org](mailto:ablood@cirseiu.org); [xiumin.li@seiu1021.org](mailto:xiumin.li@seiu1021.org); [Poon, SinYee \(HSA\) \(DSS\)](mailto:Poon, SinYee (HSA) (DSS)); [david.canham@seiu1021.org](mailto:david.canham@seiu1021.org); [joe.tanner@seiu1021.net](mailto:joe.tanner@seiu1021.net); [Larry.Bradshaw@seiu1021.org](mailto:Larry.Bradshaw@seiu1021.org); [richardisen@gmail.com](mailto:richardisen@gmail.com); [L21PSCReview@fpte21.org](mailto:L21PSCReview@fpte21.org); [brenda\\_mendieta@sfdph.org](mailto:brenda_mendieta@sfdph.org); [Isen, Richard \(TIS\)](mailto:Isen, Richard (TIS)); [DHR-PSCCoordinator, DHR \(HRD\)](mailto:DHR-PSCCoordinator, DHR (HRD))  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 49137 - 14/15  
**Date:** Friday, March 06, 2015 5:32:22 PM

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RECEIPT for Union Notification for PSC 49137 - 14/15 more than \$100k

The PUBLIC HEALTH -- DPH has submitted a request for a Personal Services Contract (PSC) 49137 - 14/15 for \$18,000,000 for Initial Request services for the period 07/01/2015 – 12/31/2017. 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/4606> 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)**




City and County of San Francisco

## San Francisco Department of Public Health

Barbara A. Garcia, MPA  
Director of Health

DATE: June 10, 2015

TO: Suzanne Choi, Citywide PSC Coordinator, Department of Human Resources

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

RE: PSC 49137-14/15 Intermittent Supplemental Temporary Nursing Personnel for  
San Francisco Health Network

This is to request that the above-referenced PSC be considered for approval at the July 6, 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 as soon as possible.

These services are critical and essential to maintain clinical services for San Francisco General Hospital, the only Trauma One Center in the Bay Area, and to enable the Department and the City to remain in compliance with State-mandated legal nurse-to-patient ratios.

We have been providing information to and meeting with the Service Employees International Union Local 1021 (SEIU) since April 2, 2015. This information has included:

- The major efforts DPH has undertaken in order to recruit more nurses:
  - In conjunction with SEIU hosted a RN recruitment event that yielded 529 participants; a third which had the experience pre-requisite to work in an acute setting.
  - From January 2014 through May 2015, DPH has hired 201 permanent civil service Nurses.
- In a review of the length of time needed to fill positions, we determined that we have reduced this cycle from 192 days in July 2014 to 28 days in April 2015.

We continue our recruitment efforts and we continue to meet and to provide further information to SEIU, but we urgently need to continue the provision of services.

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.

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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

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**Continuation of responses to questions**

**1. DESCRIPTION OF WORK**

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

...Transitioning to the new facility, all staff will be necessary to meet the hospital and regulatory requirements to ensure that patients are safely cared for in the new facility. The hospital will be surveyed by both Centers for Medicare and Medicaid Services, Occupational Health and Safety, California Department of Public Health and The Joint Commission on Accreditation of Healthcare Organizations to ensure that the staff are familiar and competent with the facility's policies and procedures, equipment and emergency procedures.

**3. DESCRIPTION OF REQUIRED SKILLS/EXPERTISE**

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

...In addition, Registered Nurses working in the Emergency Department will need to be Advanced Cardiovascular Life Support (ACLS) certified and Registered Nurses working in the Neonatal Intensive Care Unit (NICU) will need Neonatal Resuscitation Program (NRP) certification.

**4. WHY CLASSIFIED CIVIL SERVICE CANNOT PERFORM**

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

...due to unanticipated staff shortages. The supplemental contract services are for temporary surge capacity during the transition into the new hospital in order to provide necessary trainings for civil service employees.

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 contract will not provide direct training, but will allow civil service staff to receive extensive treatment in procedures, operations and equipment at the new SFGH building.

PSC 49137-14/15

CA Dept of Health Svcs Memo -- Supreme Court Decision re nursing ratios

State of California—Health and Human Services Agency  
Department of Health Services



ARNOLD SCHWARZENEGGER  
Governor

California  
Department of  
Health Services

SANDRA SHEWRY  
Director

March 17, 2005

DOM 05-02

TO: ALL DISTRICT MANAGERS/ADMINISTRATORS

Subject: Information regarding R-01-04E: Licensed Nurse-to-Patient Ratio Regulations following the March 14, 2005 California Superior Court Order

On March 14, 2005, the California Superior Court enjoined enforcement of the emergency regulation pertaining to nurse-to-patient ratios, initially adopted by the California Department of Health Services (CDHS) on November 12, 2004 (Rulemaking File R-01-04E). The order voids these emergency regulations, leaving the original ratio regulations in place. (Rulemaking File R-37-01).

The CDHS is appealing the decision and requesting that the Court of Appeal stay the court order. While CHDS believes that the emergency regulations will ultimately be upheld, in the meantime, the original nurse-to-patient ratio regulations (R-37-01) are in effect.

This means that, immediately:

- The minimum licensed nurse-to-patient ratio in medical, surgical, medical/surgical, and mixed units is changed from 1:6 to 1:5.
- Hospital emergency departments (EDs) must comply with the same requirements for nurses' assignments as all other units. They must document the assignment of the specific nurses to specific patients.

As a reminder, the only flexibility for any hospital unit, including the ED, will be in the event of a "healthcare emergency" as defined at 22 CCR 70217(q). Further, the ratios must be maintained "at all times."

We have also sent out All Facilities Letter #05- 04 via blast FAX to all general acute care hospitals explaining these changes.

DOM 05-02  
Page 2  
March 17, 2005

The regulations are available at <http://www.dhs.ca.gov/lnc/ntp/default.htm>. They are referred to as "Regulations Effective January 1, 2004" and are listed at the second bullet. The Emergency Regulations, enjoined by the court, are available at the same website at the first bullet, "Approved Emergency Regulations Effective November 12, 2004".

CDHS understands that these changes, and the speed with which they must be implemented, may be difficult for your offices and your staff. However, the court's order must be obeyed by facilities and enforced by CDHS.

Please reactivate the reporting system that we began to use in January 2004, to track the impact of these changes by centrally collecting data. This includes sending the complaints, along with their resolution documented on a 2567, all requests for program flexibility and rural hospital waivers, along with your recommended response, to headquarters.

Thank you for your professionalism and your flexibility. We will keep you informed of all developments as these regulations are judicially reviewed. If you have any questions or concerns that you would like to discuss about this matter, please contact Gina Henning at (916) 552-9370.

Sincerely,

**Original Signed by  
Brenda G. Klutz**

Brenda G. Klutz  
Deputy Director



PSC 49137-14/15

AB394 re nurse to patient ratios

BILL NUMBER: AB 394            CHAPTERED  
BILL TEXT

CHAPTER    945  
FILED WITH SECRETARY OF STATE    OCTOBER 10, 1999  
APPROVED BY GOVERNOR            OCTOBER 10, 1999  
PASSED THE ASSEMBLY            SEPTEMBER 9, 1999  
PASSED THE SENATE                SEPTEMBER 8, 1999  
AMENDED IN SENATE                SEPTEMBER 3, 1999  
AMENDED IN SENATE                AUGUST 16, 1999  
AMENDED IN SENATE                JULY 6, 1999  
AMENDED IN SENATE                JUNE 23, 1999  
AMENDED IN ASSEMBLY             JUNE 1, 1999

INTRODUCED BY    Assembly Member Kuehl  
(Coauthors:    Assembly Members Calderon, Dutra, Gallegos, and  
Villaraigosa)  
(Coauthors:    Senators Burton, Escutia, and Perata)

FEBRUARY 11, 1999

An act to add Section 2725.3 to the Business and Professions Code, and to add Section 1276.4 to the Health and Safety Code, relating to health care.

LEGISLATIVE COUNSEL'S DIGEST

AB 394, Kuehl. Health facilities: nursing staff.

Existing law provides for the licensing, registration, and regulation of nurses, and sets forth the scope of practice.

This bill would prohibit a general acute care hospital, an acute psychiatric hospital, and a special hospital, as defined, from assigning an unlicensed person to perform nursing functions in lieu of a registered nurse, or from allowing unlicensed personnel under the direct clinical supervision of a registered nurse to perform certain functions.

Existing law prohibits operation of a health facility, as defined, without a license issued by the State Department of Health Services and provides for the issuance of licenses and for the regulation of health facilities and sets forth the services to be provided therein.

Willful or repeated violation of these provisions is a crime.

This bill would require the department, with regard to general acute care hospitals, acute psychiatric hospitals, and special hospitals, to adopt regulations that establish certain minimum nurse-to-patient ratios, and would require these health facilities to adopt written policies and procedures for training and orientation of nursing staff. This bill would authorize the department to take into consideration the unique nature of the University of California teaching hospitals as educational institutions when establishing the ratios, in accordance with certain requirements. This bill would also require a county hospital in Los Angeles County to be subject to a phase-in process developed in conjunction with the department.

By changing the definition of an existing crime this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) Health care services are becoming complex and it is increasingly difficult for patients to access integrated services.

(b) Quality of patient care is jeopardized because of staffing changes implemented in response to managed care.

(c) To ensure the adequate protection of patients in acute care settings, it is essential that qualified registered nurses and other licensed nurses be accessible and available to meet the needs of patients.

(d) The basic principles of staffing in the acute care setting should be based on the patient's care needs, the severity of

condition, services needed, and the complexity surrounding those services.

SEC. 2. Section 2725.3 is added to the Business and Professions Code, to read:

2725.3. (a) A health facility licensed pursuant to subdivision (a), (b), or (f), of Section 1250 of the Health and Safety Code shall not assign unlicensed personnel to perform nursing functions in lieu of a registered nurse and may not allow unlicensed personnel to perform functions under the direct clinical supervision of a registered nurse that require a substantial amount of scientific knowledge and technical skills, including, but not limited to, any of the following:

- (1) Administration of medication.
- (2) Venipuncture or intravenous therapy.
- (3) Parenteral or tube feedings.
- (4) Invasive procedures including inserting nasogastric tubes, inserting catheters, or tracheal suctioning.
- (5) Assessment of patient condition.
- (6) Educating patients and their families concerning the patient's health care problems, including postdischarge care.
- (7) Moderate complexity laboratory tests.

(b) This section shall not preclude any person from performing any act or function that he or she is authorized to perform pursuant to Division 2 (commencing with Section 500) or pursuant to existing statute or regulation as of July 1, 1999.

SEC. 3. Section 1276.4 is added to the Health and Safety Code, to read:

1276.4. (a) By January 1, 2001, the State Department of Health Services shall adopt regulations that establish minimum, specific, and numerical licensed nurse-to-patient ratios by licensed nurse classification and by hospital unit for all health facilities licensed pursuant to subdivision (a), (b), or (f) of Section 1250. The department shall adopt these regulations in accordance with the department's licensing and certification regulations as stated in Sections 70053.2, 70215, and 70217 of Title 22 of the California Code of Regulations, and the professional and vocational regulations in Section 1443.5 of Title 16 of the California Code of Regulations. The department shall review these regulations five years after adoption and shall report to the Legislature regarding any proposed changes. Flexibility shall be considered by the department for rural general acute care hospitals in response to their special needs. As used in this subdivision, "hospital unit" means a critical care unit, burn unit, labor and delivery room, postanesthesia service area, emergency department, operating room, pediatric unit, step-down/intermediate care unit, specialty care unit, telemetry unit, general medical care unit, subacute care unit, and transitional inpatient care unit. The regulation addressing the emergency department shall distinguish between regularly scheduled core staff licensed nurses and additional licensed nurses required to care for critical care patients in the emergency department.

(b) These ratios shall constitute the minimum number of registered and licensed nurses that shall be allocated. Additional staff shall be assigned in accordance with a documented patient classification system for determining nursing care requirements, including the severity of the illness, the need for specialized equipment and technology, the complexity of clinical judgment needed to design, implement, and evaluate the patient care plan and the ability for self-care, and the licensure of the personnel required for care.

(c) "Critical care unit" as used in this section means a unit that is established to safeguard and protect patients whose severity of medical conditions requires continuous monitoring, and complex intervention by licensed nurses.

(d) All health facilities licensed under subdivision (a), (b), or (f) of Section 1250 shall adopt written policies and procedures for training and orientation of nursing staff.

(e) No registered nurse shall be assigned to a nursing unit or clinical area unless that nurse has first received orientation in that clinical area sufficient to provide competent care to patients in that area, and has demonstrated current competence in providing care in that area.

(f) The written policies and procedures for orientation of nursing staff shall require that all temporary personnel shall receive orientation and be subject to competency validation consistent with Sections 70016.1 and 70214 of Title 22 of the California Code of Regulations.

(g) Requests for waivers to this section that do not jeopardize the health, safety, and well-being of patients affected and that are needed for increased operational efficiency may be granted by the state department to rural general acute care hospitals meeting the criteria set forth in Section 70059.1 of Title 22 of the California Code of Regulations.

(h) In case of conflict between this section and any provision or regulation defining the scope of nursing practice, the scope of practice provisions shall control.

(i) The regulations adopted by the department shall augment and not replace existing nurse-to-patient ratios that exist in regulation or law for the intensive care units, the neonatal intensive care units, or the operating room.

(j) The regulations adopted by the department shall not replace existing licensed staff-to-patient ratios for hospitals operated by the State Department of Mental Health.

(k) The regulations adopted by the department for health facilities licensed under subdivision (b) of Section 1250 that are not operated by the State Department of Mental Health shall take into account the special needs of the patients served in the psychiatric units.

(l) The department may take into consideration the unique nature of the University of California teaching hospitals as educational institutions when establishing licensed nurse-to-patient ratios. The department shall coordinate with the Board of Registered Nursing to ensure that staffing ratios are consistent with the Board of Registered Nursing approved nursing education requirements. This includes nursing clinical experience incidental to a work-study program rendered in a University of California clinical facility approved by the Board of Registered Nursing provided there will be sufficient direct care registered nurse preceptors available to ensure safe patient care.

(m) A county hospital in a county of the first class, as defined in Section 28022 of the Government Code, shall be subject to a phase-in process developed in conjunction with the department. This phase-in process shall be completed within one year of the adoption of the regulations that implement this section.

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

PSC 49137-14/15

CA Title 22 CCR Div 5 Sect 70211 - Nurse-to-Patient Ratios

## Title 22 California Code of Regulations Division 5

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- (b) The responsibility and accountability of the medical service to the medical staff and administration shall be defined.
- (c) The following shall be available to all patients in the hospital:
  - (1) Electrocardiographic testing.
  - (2) Pulmonary function testing.
  - (3) Intermittent positive pressure breathing apparatus.
  - (4) Cardiac monitoring capability.
  - (5) Suction.
- (d) Periodically, an appropriate committee of the medical staff shall evaluate the services provided and make appropriate recommendations to the executive committee of the medical staff and administration.

### §70205. Medical Service Staff

A physician shall have overall responsibility for the medical service. This physician shall be certified or eligible for certification in internal medicine by the American Board of Internal Medicine. If such an internist is not available, a physician, with training and experience in internal medicine, shall be responsible for the service.

### §70207. Medical Service Equipment and Supplies

There shall be adequate equipment and supplies maintained related to the nature of the needs and the services offered.

### §70209. Medical Service Space

There shall be adequate space maintained to meet the needs of the service.

### §70211. Nursing Service General Requirements

- (a) The nursing service shall be organized, staffed, equipped, and supplied, including furnishings and resource materials, to meet the needs of patients and the service.
- (b) The nursing service shall be under the direction of an administrator of nursing services who shall be a registered nurse with the following qualifications:
  - (1) Master's degree in nursing or a related field with at least one year of experience in administration; or
  - (2) Baccalaureate degree in nursing or a related field with at least two years of experience in nursing administration; or
  - (3) At least four years of experience in nursing administration or supervision, with evidence of continuing education directly related to the job specifications.
- (c) It shall be designated in writing by the hospital administrator that the administrator of nursing services has authority, responsibility and accountability for the nursing service within the facility.
  - (1) The internal structure and accountability of the nursing service, including identification of nursing service units and committees, shall be defined in writing.
  - (2) The relationship between the nursing service and administration, organized medical staff and other departments shall be defined in writing. Such definition of relationship shall be developed in cooperation with respective departments. Administrative, medical staff, and other hospital committees that address issues

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affecting nursing care shall include registered nurses, including those who provide direct patient care. Licensed vocational nurses may serve on those committees.

### §70213. Nursing Service Policies and Procedures

- (a) Written policies and procedures for patient care shall be developed, maintained and implemented by the nursing service.
  - (1) Policies and procedures which involve the medical staff shall be reviewed and approved by the medical staff prior to implementation.
  - (2) Policies and procedures of other departments which contain requirements for the nursing service shall be reviewed and approved by the nursing service prior to implementation.
  - (3) The nursing service shall review and revise policies and procedures every three years, or more often if necessary.
  - (4) The hospital administration and the governing body shall review and approve all policies and procedures that relate to the nursing service every three years or more often, if necessary
- (b) Policies and procedures shall be based on current standards of nursing practice and shall be consistent with the nursing process which includes: assessment, nursing diagnosis, planning, intervention, evaluation, and, as circumstances require, patient advocacy.
- (c) Policies and procedures which contain competency standards for staff performance in the delivery of patient care shall be established, implemented, and updated as needed for each nursing unit, including standards for the application of restraints. Standards shall include the elements of competency validation for patient care personnel other than registered nurses as set forth in Section 70016, and the elements of competency validation for registered nurses as set forth in Section 70016.1. At least annually, patient care personnel shall receive a written performance evaluation. The evaluation shall include, but is not limited to, measuring individual performance against established competency standards.
- (d) Policies and procedures that require consistency and continuity in patient care, incorporating the nursing process and the medical treatment plan, shall be developed and implemented in cooperation with the medical staff.
- (e) Policies and procedures shall be developed and implemented which establish mechanisms for rapid deployment of personnel when any labor intensive event occurs which prevents nursing staff from providing attention to all assigned patients, such as multiple admissions or discharges, or an emergency health crisis.

### §70214. Nursing Staff Development

- (a) There shall be a written, organized in-service education program for all patient care personnel, including temporary staff as described in subsection 70217(m). The program shall include, but shall not be limited to, orientation and the process of competency validation as described in subsection 70213(c).
  - (1) All patient care personnel, including temporary staff as indicated in subsection 70217(m), shall receive and complete orientation to the hospital and their assigned patient care unit before receiving patient care assignments.

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Orientation to a specific unit may be modified in order to meet temporary staffing emergencies as described in subsection 70213(e)

- (2) All patient care personnel, including temporary staff as described in subsection 70217(m), shall be subject to the process of competency validation for their assigned patient care unit or units. Prior to the completion of validation of the competency standards for a patient care unit, patient care assignments shall be subject to the following restrictions:
    - (A) Assignments shall include only those duties and responsibilities for which competency has been validated.
    - (B) A registered nurse who has demonstrated competency for the patient care unit shall be responsible for nursing care as described in subsections 70215(a) and 70217(h)(3), and shall be assigned as a resource nurse for those registered nurses and licensed vocational nurses who have not completed competency validation for that unit.
    - (C) Registered nurses shall not be assigned total responsibility for patient care, including the duties and responsibilities described in subsections 70215(a) and 70217(h)(3), until all the standards of competency for that unit have been validated.
  - (3) The duties and responsibilities of patient care personnel who may be temporarily re-directed from their assigned units are subject to the restrictions in (A), (B), and (C) of subsection (a)(2) above.
  - (4) Orientation and competency validation shall be documented in the employee's file and shall be retained for the duration of the individual's employment.
  - (5) A rural General Acute Care Hospital, as defined in Health and Safety Code Section 1250 (a), may apply for program flexibility pursuant to Section 70129 of this Chapter, to meet the requirements of subsections 70214(a)(1) through (4) above, by alternate means.
- (b) The staff education and training program shall be based on current standards of nursing practice, established standards of staff performance as specified in subsection 70213 (c) above, individual staff needs and needs identified in the quality assurance process.
  - (c) The administrator of nursing services shall be responsible for seeing that all nursing staff receive mandated education as specified in subsection (a) of this Section.
  - (d) All staff development programs shall be documented by:
    - (1) A record of the title, length of course in hours, and objectives of the education program presented.
    - (2) Name, title, and qualifications of the instructor or the title and type of other educational media.
    - (3) A description of the content.
    - (4) A date, a record of the instructor, process, or media and a list of attendees.
    - (5) Written evaluation of course content by attendees.

### §70215. Planning and Implementing Patient Care

- (a) A registered nurse shall directly provide:
  - (1) Ongoing patient assessments as defined in the Business and Professions Code, Section 2725(d). Such assessments shall be performed, and the findings



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- documented in the patient's medical record, for each shift, and upon receipt of the patient when he/she is transferred to another patient care area.
- (2) The planning, supervision, implementation, and evaluation of the nursing care provided to each patient. The implementation of nursing care may be delegated by the registered nurse responsible for the patient to other licensed nursing staff, or may be assigned to unlicensed staff, subject to any limitations of their licensure, certification, level of validated competency, and/or regulation.
  - (3) The assessment, planning, implementation, and evaluation of patient education, including ongoing discharge teaching of each patient. Any assignment of specific patient education tasks to patient care personnel shall be made by the registered nurse responsible for the patient.
- (b) The planning and delivery of patient care shall reflect all elements of the nursing process: assessment, nursing diagnosis, planning, intervention, evaluation and, as circumstances require, patient advocacy, and shall be initiated by a registered nurse at the time of admission.
  - (c) The nursing plan for the patient's care shall be discussed with and developed as a result of coordination with the patient, the patient's family, or other representatives, when appropriate, and staff of other disciplines involved in the care of the patient.
  - (d) Information related to the patient's initial assessment and reassessments, nursing diagnosis, plan, intervention, evaluation, and patient advocacy shall be permanently recorded in the patient's medical record.

### §70217. Nursing Service Staff

- (a) Hospitals shall provide staffing by licensed nurses, within the scope of their licensure in accordance with the following nurse-to-patient ratios. Licensed nurse means a registered nurse, licensed vocational nurse and, in psychiatric units only, a licensed psychiatric technician. Staffing for care not requiring a licensed nurse is not included within these ratios and shall be determined pursuant to the patient classification system.

No hospital shall assign a licensed nurse to a nursing unit or clinical area unless that hospital determines that the licensed nurse has demonstrated current competence in providing care in that area, and has also received orientation to that hospital's clinical area sufficient to provide competent care to patients in that area. The policies and procedures of the hospital shall contain the hospital's criteria for making this determination.

Licensed nurse-to-patient ratios represent the maximum number of patients that shall be assigned to one licensed nurse at any one time. "Assigned" means the licensed nurse has responsibility for the provision of care to a particular patient within his/her scope of practice. There shall be no averaging of the number of patients and the total number of licensed nurses on the unit during any one shift nor over any period of time. Only licensed nurses providing direct patient care shall be included in the ratios.

Nurse Administrators, Nurse Supervisors, Nurse Managers, and Charge Nurses, and other licensed nurses shall be included in the calculation of the licensed nurse-to-patient ratio only when those licensed nurses are engaged in providing direct

## Title 22 California Code of Regulations Division 5

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patient care. When a Nurse Administrator, Nurse Supervisor, Nurse Manager, Charge Nurse or other licensed nurse is engaged in activities other than direct patient care, that nurse shall not be included in the ratio. Nurse Administrators, Nurse Supervisors, Nurse Managers, and Charge Nurses who have demonstrated current competence to the hospital in providing care on a particular unit may relieve licensed nurses during breaks, meals, and other routine, expected absences from the unit. Licensed nurses shall be included in the calculation of the nurse-to-patient ratio only when the licensed nurse has a patient care assignment, is present on the unit, and is not on a meal break or other statutorily mandated work break.

Licensed vocational nurses may constitute up to 50 percent of the licensed nurses assigned to patient care on any unit, except where registered nurses are required pursuant to the patient classification system or this section. Only registered nurses shall be assigned to Intensive Care Newborn Nursery Service Units, which specifically require one registered nurse to two or fewer infants. In the Emergency Department, only registered nurses shall be assigned to triage patients and only registered nurses shall be assigned to critical trauma patients:

Nothing in this section shall prohibit a licensed nurse from assisting with specific tasks within the scope of his or her practice for a patient assigned to another nurse. "Assist" means that licensed nurses may provide patient care beyond their patient assignments if the tasks performed are specific and time-limited.

- (1) The licensed nurse-to-patient ratio in a critical care unit shall be 1:2 or fewer at all times. "Critical care unit" means a nursing unit of a general acute care hospital which provides one of the following services: an intensive care service, a burn center, a coronary care service, an acute respiratory service, or an intensive care newborn nursery service. In the intensive care newborn nursery service, the ratio shall be 1 registered nurse: 2 or fewer patients at all times.
- (2) The surgical service operating room shall have at least one registered nurse assigned to the duties of the circulating nurse and a minimum of one additional person serving as scrub assistant for each patient-occupied operating room. The scrub assistant may be a licensed nurse, an operating room technician, or other person who has demonstrated current competence to the hospital as a scrub assistant, but shall not be a physician or other licensed health professional who is assisting in the performance of surgery.
- (3) The licensed nurse-to-patient ratio in a labor and delivery suite of the perinatal service shall be 1:2 or fewer active labor patients at all times. When a licensed nurse is caring for antepartum patients who are not in active labor, the licensed nurse-to-patient ratio shall be 1:4 or fewer at all times.
- (4) The licensed nurse-to-patient ratio in a postpartum area of the perinatal service shall be 1:4 mother-baby couplets or fewer at all times. In the event of multiple births, the total number of mothers plus infants assigned to a single licensed nurse shall never exceed eight. For postpartum areas in which the licensed nurse's assignment consists of mothers only, the licensed nurse-to-patient ratio shall be 1:6 or fewer at all times.
- (5) The licensed nurse-to-patient ratio in a combined Labor/Delivery/Postpartum area of the perinatal service shall be 1:3 or fewer at all times the licensed nurse

## Title 22 California Code of Regulations Division 5

is caring for a patient combination of one woman in active labor and a postpartum mother and infant. The licensed nurse-to-patient ratio for nurses caring for women in active labor only, antepartum patients who are not in active labor only, postpartum women only, or mother-baby couplets only, shall be the same ratios as stated in subsections (3) and (4) above for those categories of patients.

- (6) The licensed nurse-to-patient ratio in a pediatric service unit shall be 1:4 or fewer at all times.
- (7) The licensed nurse-to-patient ratio in a postanesthesia recovery unit of the anesthesia service shall be 1:2 or fewer at all times, regardless of the type of anesthesia the patient received.
- (8) In a hospital providing basic emergency medical services or comprehensive emergency medical services, the licensed nurse-to-patient ratio in an emergency department shall be 1:4 or fewer at all times that patients are receiving treatment. There shall be no fewer than two licensed nurses physically present in the emergency department when a patient is present.

At least one of the licensed nurses shall be a registered nurse assigned to triage patients. The registered nurse assigned to triage patients shall be immediately available at all times to triage patients when they arrive in the emergency department. When there are no patients needing triage, the registered nurse may assist by performing other nursing tasks. The registered nurse assigned to triage patients shall not be counted in the licensed nurse-to-patient ratio.

Hospitals designated by the Local Emergency Medical Services (LEMS) Agency as a "base hospital", as defined in section 1797.58 of the Health and Safety Code, shall have either a licensed physician or a registered nurse on duty to respond to the base radio 24 hours each day. When the duty of base radio responder is assigned to a registered nurse, that registered nurse may assist by performing other nursing tasks when not responding to radio calls, but shall be immediately available to respond to requests for medical direction on the base radio. The registered nurse assigned as base radio responder shall not be counted in the licensed nurse-to-patient ratios.

When licensed nursing staff are attending critical care patients in the emergency department, the licensed nurse-to-patient ratio shall be 1:2 or fewer critical care patients at all times. A patient in the emergency department shall be considered a critical care patient when the patient meets the criteria for admission to a critical care service area within the hospital. Only registered nurses shall be assigned to critical trauma patients in the emergency department, and a minimum registered nurse-to-critical trauma patient ratio of 1:1 shall be maintained at all times. A critical trauma patient is a patient who has injuries to an anatomic area that: (1) require life saving interventions, or (2) in conjunction with unstable vital signs, pose an immediate threat to life or limb.

- (9) The licensed nurse-to-patient ratio in a step-down unit shall be 1:4 or fewer at all times. Commencing January 1, 2008, the licensed nurse-to-patient ratio in a step-down unit shall be 1:3 or fewer at all times. A "step down unit" is defined as a unit which is organized, operated, and maintained to provide for the

## Title 22 California Code of Regulations Division 5

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- monitoring and care of patients with moderate or potentially severe physiologic instability requiring technical support but not necessarily artificial life support. Step-down patients are those patients who require less care than intensive care, but more than that which is available from medical/surgical care. "Artificial life support" is defined as a system that uses medical technology to aid, support, or replace a vital function of the body that has been seriously damaged. "Technical support" is defined as specialized equipment and/or personnel providing for invasive monitoring, telemetry, or mechanical ventilation, for the immediate amelioration or remediation of severe pathology.
- (10) The licensed nurse-to-patient ratio in a telemetry unit shall be 1:5 or fewer at all times. Commencing January 1, 2008, the licensed nurse-to-patient ratio in a telemetry unit shall be 1:4 or fewer at all times. "Telemetry unit" is defined as a unit organized, operated, and maintained to provide care for and continuous cardiac monitoring of patients in a stable condition, having or suspected of having a cardiac condition or a disease requiring the electronic monitoring, recording, retrieval, and display of cardiac electrical signals. "Telemetry unit" as defined in these regulations does not include fetal monitoring nor fetal surveillance.
- (11) The licensed nurse-to-patient ratio in medical/surgical care units shall be 1:6 or fewer at all times. Commencing January 1, 2008, the licensed nurse-to-patient ratio in medical/surgical care units shall be 1:5 or fewer at all times. A medical/surgical unit is a unit with beds classified as medical/surgical in which patients, who require less care than that which is available in intensive care units, step-down units, or specialty care units receive 24 hour inpatient general medical services, post-surgical services, or both general medical and post-surgical services. These units may include mixed patient populations of diverse diagnoses and diverse age groups who require care appropriate to a medical/surgical unit.
- (12) The licensed nurse-to-patient ratio in a specialty care unit shall be 1:5 or fewer at all times. Commencing January 1, 2008, the licensed nurse-to-patient ratio in a specialty care unit shall be 1:4 or fewer at all times. A specialty care unit is defined as a unit which is organized, operated, and maintained to provide care for a specific medical condition or a specific patient population. Services provided in these units are more specialized to meet the needs of patients with the specific condition or disease process than that which is required on medical/surgical units, and is not otherwise covered by subdivision (a).
- (13) The licensed nurse-to-patient ratio in a psychiatric unit shall be 1:6 or fewer at all times. For purposes of psychiatric units only, "licensed nurses" also includes licensed psychiatric technicians in addition to licensed vocational nurses and registered nurses. Licensed vocational nurses, licensed psychiatric technicians, or a combination of both, shall not exceed 50 percent of the licensed nurses on the unit.
- (14) Identifying a unit by a name or term other than those used in this subsection does not affect the requirement to staff at the ratios identified for the level or type of care described in this subsection.

## Title 22 California Code of Regulations Division 5

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- (b) In addition to the requirements of subsection (a), the hospital shall implement a patient classification system as defined in Section 70053.2 above for determining nursing care needs of individual patients that reflects the assessment, made by a registered nurse as specified at subsection 70215(a)(1), of patient requirements and provides for shift-by-shift staffing based on those requirements. The ratios specified in subsection (a) shall constitute the minimum number of registered nurses, licensed vocational nurses, and in the case of psychiatric units, licensed psychiatric technicians, who shall be assigned to direct patient care. Additional staff in excess of these prescribed ratios, including non-licensed staff, shall be assigned in accordance with the hospital's documented patient classification system for determining nursing care requirements, considering factors that include the severity of the illness, the need for specialized equipment and technology, the complexity of clinical judgment needed to design, implement, and evaluate the patient care plan, the ability for self-care, and the licensure of the personnel required for care. The system developed by the hospital shall include, but not be limited to, the following elements:
- (1) Individual patient care requirements.
  - (2) The patient care delivery system.
  - (3) Generally accepted standards of nursing practice, as well as elements reflective of the unique nature of the hospital's patient population.
- (c) A written staffing plan shall be developed by the administrator of nursing service or a designee, based on patient care needs determined by the patient classification system. The staffing plan shall be developed and implemented for each patient care unit and shall specify patient care requirements and the staffing levels for registered nurses and other licensed and unlicensed personnel. In no case shall the staffing level for licensed nurses fall below the requirements of subsection (a). The plan shall include the following:
- (1) Staffing requirements as determined by the patient classification system for each unit, documented on a day-to-day, shift-by-shift basis.
  - (2) The actual staff and staff mix provided, documented on a day-to-day, shift-by-shift basis.
  - (3) The variance between required and actual staffing patterns, documented on a day-to-day, shift-by-shift basis.
- (d) In addition to the documentation required in subsections (c)(1) through (3) above, the hospital shall keep a record of the actual registered nurse, licensed vocational nurse and licensed psychiatric technician assignments to individual patients by licensure category, documented on a day-to-day, shift-by-shift basis for all units except the emergency department. The hospital shall retain:
- (1) The staffing plan required in subsections (c)(1) through (3) for the time period between licensing surveys, which includes the Consolidated Accreditation and Licensing Survey process, and
  - (2) The record of the actual registered nurse, licensed vocational nurse and licensed psychiatric technician assignments by licensure category for a minimum of one year.
- (e) For emergency departments only, in addition to the documentation required in subsections (c)(1) through (3) above, hospitals shall document the licensed nurses

## Title 22 California Code of Regulations Division 5

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- on duty, and patient identifiers with the time of the patient's arrival and departure, on a day-to-day, shift-by-shift basis; however, actual specific licensed nurse assignments correlated to patient identifiers are not required to be documented.
- (f) The reliability of the patient classification system for validating staffing requirements shall be reviewed at least annually by a committee appointed by the nursing administrator to determine whether or not the system accurately measures patient care needs.
  - (g) At least half of the members of the review committee shall be registered nurses who provide direct patient care.
  - (h) If the review reveals that adjustments are necessary in the patient classification system in order to assure accuracy in measuring patient care needs, such adjustments must be implemented within thirty (30) days of that determination.
  - (i) Hospitals shall develop and document a process by which all interested staff may provide input about the patient classification system, the system's required revisions, and the overall staffing plan.
  - (j) The administrator of nursing services shall not be designated to serve as a charge nurse or to have direct patient care responsibility, except as described in subsection (a) above.
  - (k) Registered nursing personnel shall:
    - (1) Assist the administrator of nursing service so that supervision of nursing care occurs on a 24-hour basis.
    - (2) Provide direct patient care.
    - (3) Provide clinical supervision and coordination of the care given by licensed vocational nurses and unlicensed nursing personnel.
  - (l) Each patient care unit shall have a registered nurse assigned, present and responsible for the patient care in the unit on each shift.
  - (m) A rural General Acute Care Hospital as defined in Health and Safety Code Section 1250(a), may apply for and be granted program flexibility for the requirements of subsection 70217(i) and for the personnel requirements of subsection (j)(1) above.
  - (n) Unlicensed personnel may be utilized as needed to assist with simple nursing procedures, subject to the requirements of competency validation. Hospital policies and procedures shall describe the responsibilities of unlicensed personnel and limit their duties to tasks that do not require licensure as a registered or vocational nurse.
  - (o) Nursing personnel from temporary nursing agencies shall not be responsible for a patient care unit without having demonstrated clinical and supervisory competence as defined by the hospital's standards of staff performance pursuant to the requirements of subsection 70213(c) above.
  - (p) Hospitals which utilize temporary nursing agencies shall have and adhere to a written procedure to orient and evaluate personnel from these sources. Such procedures shall require that personnel from temporary nursing agencies be evaluated as often, or more often, than staff employed directly by the hospital.
  - (q) All registered and licensed vocational nurses utilized in the hospital shall have current licenses. A method to document current licensure shall be established.
  - (r) The hospital shall plan for routine fluctuations in patient census. If a healthcare emergency causes a change in the number of patients on any unit, the hospital must demonstrate that prompt efforts were made to maintain required staffing levels. A

## Title 22 California Code of Regulations Division 5

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healthcare emergency is defined for this purpose as an unpredictable or unavoidable occurrence at unscheduled or unpredictable intervals relating to healthcare delivery requiring immediate medical interventions and care.

- (s) For emergency departments only, if an unforeseeable increase in the number or acuity of patients in the emergency department occurs such that the patient activity in number or acuity exceeds the historically established trends for the emergency department and the emergency department reaches saturation, the hospital must demonstrate that prompt efforts were made to maintain required staffing levels. "Saturation" is defined for this purpose as an unforeseeable influx of patients who require immediate medical interventions and care and who, in their numbers or intensity of need for care, could not reasonably have been predicted by the hospital.

### §70219. Nursing Service Space

- (a) Space and components for nurses' stations and utility rooms shall comply with the requirements set forth in California Code of Regulations, Title 24, Part 2, Section 420A.14, California Building Code, 1995.
- (b) Office space shall be provided for the administrator of nursing services and for the other needs of the service.

### §70221. Surgical Service Definition

Surgical service means the performance of surgical procedures with the appropriate staff, space, equipment and supplies.

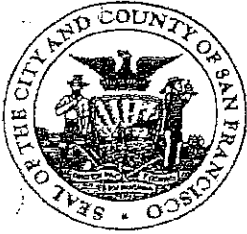
### §70223. Surgical Service General Requirements

- (a) Hospitals shall maintain at least the number of operating rooms in ratio to licensed bed capacity as follows:

<i>Licensed Bed Capacity</i>	<i>Number of Operating Rooms</i>
Less than 25 .....	One
25 to 99 .....	Two
100 or more .....	Three

For each additional 100 beds or major fractions thereof, at least one additional operating room shall be maintained, unless approved to the contrary by the Department.

- (1) Required operating rooms are in addition to special operating rooms, cystoscopy rooms and fracture rooms which are provided by the hospital.
- (2) Beds in a distinct part skilled nursing service, intermediate care service or psychiatric unit shall be excluded from calculating the number of operating rooms required.
- (b) A committee of the medical staff shall be assigned responsibility for:



# CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

GAVIN NEWSOM  
MAYOR

E. DENNIS NORMANDY  
PRESIDENT

DONALD A. CASPER  
VICE PRESIDENT

MORGAN R. GORRONO  
COMMISSIONER

MARY Y. JUNG  
COMMISSIONER

ANITA SANCHEZ  
EXECUTIVE OFFICER

June 24, 2010

## NOTICE OF CIVIL SERVICE COMMISSION ACTION

**SUBJECT: REVIEW OF REQUEST FOR APPROVAL OF PROPOSED  
PERSONAL SERVICES CONTRACT NUMBER 4148-09/10  
THROUGH 4162-09/10.**

At its meeting of June 21, 2010 the Civil Service Commission had for its consideration the above matter.

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

It was the decision of the Commission to:

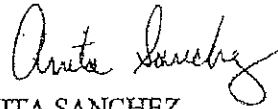
- (1) Adopt the report; Approve request for approval of PSC #s 4150-09/10 through 4153-09/10; 4156-09/10; 4160-09/10; and 4161-09/10 on the condition that the Department of Public Health make every reasonable effort to create requisitions for those 2819 Assistant Health Educators laid off in 2009 and other Local 21 represented positions that are subject to reduction or layoff; and that the Department of Public Health report every six (6) months to the Civil Service Commission on its progress in meeting this condition. Notify the Office of the Controller and the Office of Contract Administration.
- (2) Adopt the report; Approve request for approval of PSC #4155-09/10 on the condition that 1) the Department of Public Health will meet with IFPTE Local 21 to discuss and evaluate whether and to what extent work to be performed in this PSC is work which could be performed by Real Property Managers; 2) If at the conclusion of these discussions, it turns out that work in this PSC is not work which could be performed by Real Property Managers, then the matter is closed; 3) If at the conclusion of these discussions, it turns out that work in this PSC is work which could be performed by Real Property Managers, then the Department of Public Health and Local 21 will endeavor to utilize CCSF Real Property Managers to perform this work, and make appropriate modifications to the contract(s) in the PSC accordingly. Notify the Office of the Controller and the Office of Contract Administration.
- (3) Adopt the report; Approve request for approval of PSC #4158-09/10 for a duration of two years, to June 30, 2012. Notify the Office of the Controller and the Office of Contract Administration.
- (4) Adopt the report; Approve request for approval of all remaining contracts. Notify the Office of the Controller and the Office of Contract Administration.



CSC Notice of Action  
June 24, 2010  
Page 2

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: Micki Callahan, Human Resources Director  
Jacquie Hale, Department of Public Health  
Naomi Kelly, Office of Contract Administration  
Ben Rosenfield, Controller  
Commission File  
Chron

PERSONAL SERVICES CONTRACT SUMMARY

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

DEPARTMENT NAME: Department of Public Health DEPARTMENT NUMBER 81

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

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

TYPE OF SERVICE: Intermittent, supplemental temporary nursing personnel for Community Health Network

FUNDING SOURCE: General Fund - DPH Community Health Network

PSC AMOUNT: \$17,360,000 total, \$3,472,000/year PSC DURATION: 7/1/2010 - 6/30/2015

1. DESCRIPTION OF WORK

A. Concise description of proposed work:

Contractors will provide San Francisco General Hospital (SFGH), Laguna Honda Hospital (LHH), DPH's Primary Care clinics and Health At Home program a continuous, reliable source of intermittent, supplemental, on-call nursing personnel during high patient census, high acuity, unexpected staff illnesses and/or vacations, and to meet State nurse-to-patient staffing ratio requirements.

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

SFGH is the only Level I Trauma Center available for the over 1.5 million people living and working in San Francisco and northern San Mateo County. SFGH provides 24-hour comprehensive emergency, urgent and non-urgent care to approximately 65,000 adult and pediatric patients annually. State legislation mandating increased, specific nurse-to-patient ratios, which increased the burden on SFGH to provide adequate nurse staffing. The ability to access supplemental, temporary nursing personnel enables SFGH and the CHN to reduce the frequency and duration of ambulance diversions, creating flexibility in responding to crisis, such as multiple victim situations and maintaining inpatient revenue-generating capacity in the face of an ongoing shortage of nursing staff.

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):

PSC 4087-04/05

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

X SEIU Local 1021, Jacquie Hale April 30, 2010
IFPTE Local 21
Union Name Signature of person mailing/faxing form Date

RFP sent to SEIU Local 1021, on March 19, 2009 Mahlet Girma
IFPTE Local 21
Union Name Date Signature

\*\*\*\*\*

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 4157-09/10

STAFF ANALYSIS/RECOMMENDATION:

CIVIL SERVICE COMMISSION ACTION: approved June 21, 2010

3. DESCRIPTION OF REQUIRED SKILLS/EXPERTISE

A. Specify required skills and/or expertise:

Contractors must have personnel who are California-licensed nurses with a minimum of one year of nursing experience as well as specialty experience, where applicable, current CPR certifications and current health and safety classes congruent with City and County policy (DPH Health and Safety Policy) and Joint Commission (for hospital accreditation and California Title 22 Standards).

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

2302 Nursing Assistant, 2312 Licensed Vocational Nurse, 2320 Registered Nurse, 2340 Operating Room Nurse.

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 classifications already exist. These registry services are for intermittent, temporary, on-call services to provide back-up coverage during times of high patient census, high acuity, and/or unexpected staff illnesses and/or vacations.

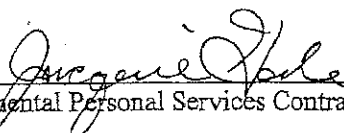
B. Would it be practical to adopt a new civil service class to perform this work? Explain.

No, because the City currently has Civil Service classifications used to provide a portion of these services on a regular basis. These registry services are needed to meet intermittent staffing needs during periods of unusually high patient activity or low staffing of civil service employees due to unanticipated staff shortages.

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"/> |
| <ul style="list-style-type: none"> <li>• Describe the training and indicate approximate number of hours.</li> <li>• Indicate occupational type of City and County employees to receive training (i.e., clerks, civil engineers, etc.) and approximate number to be trained.</li> </ul> |                                     |                                     |
| 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 94102  
 \_\_\_\_\_  
 Address

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

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: AIRPORT COMMISSION Dept. Code: AIR

Type of Request: [ ] Initial [x] Modification of an existing PSC (PSC # 4057-11/12)

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

Type of Service: As-Needed Project Support Services

Table with 2 columns: Funding Source, Amount, and Duration. Rows include PSC Original Approved Amount (\$2,000,000), PSC Mod#1-4 amounts, and PSC Cumulative Amount Proposed (\$7,500,000).

1. Description of Work

A. Scope of Work:

As part of the Airport's 5-year Capital Plan, Airport staff will need support services with: project controls, scheduling and cost estimating, pre-construction services, peer reviews, specialty design engineers, specialty construction inspectors, and specialty material testing and commissioning services.

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

Along with the aging infrastructure, the Airport continues to experience strong passenger growth, both of which require the Airport to upgrade facilities, and renovate the passenger terminals to improve operational efficiency, improve safety/security, and meet forecast demand.

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, under PSC #4057-11/12

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

2. Union Notification: On 05/22/15, the Department notified the following employee organizations of this PSC/RFP request: SEIU Local 1021; SEIU 1021 Miscellaneous; Architect & Engineers, Local 21;

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FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 4057-11/12

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 07/06/2015

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:

Professional project support skills with Airport project experience and specific expertise in development of master schedules, project phasing plans, project phase cost estimates, and check-estimates, project controls and reporting, pre-construction services, regulatory compliance, Airport special systems and operating protocols including special knowledge and skills required to develop, design, construct and commission an Airport terminal and all of its operating systems are required.

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

5201,5207,1052,1054,5241,5260,5212,5265,5268,5261,5362,5262,5266,6116,6318,5310,5312,5364,5366,5502, 5504 5506 5508

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

4. Why Classified Civil Service Cannot Perform

A. Explain why civil service classes are not applicable:

Existing staff does not have the required expertise and specialized skills related to Airport terminal design and construction, airport air-side and land-side development and in preparing cost estimates, schedules, peer reviews and commissioning services critical for an operating airport with critical construction schedules. The Airport will use experienced Airport design, project and construction management staff integrated with the consultant staff to provide all of the required services.

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

As stated above, classifications exist and will be utilized on the various projects and will be assigned based on individual project requirements and staff expertise.

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 05/22/15 BY:

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

Address: PO Box 8097 San Francisco, CA 94128

# **Receipt of Union Notification(s)**

## Cynthia Avakian (AIR)

---

**From:** Cynthia Avakian (AIR)  
**Sent:** Friday, May 29, 2015 4:12 PM  
**To:** 'Sandeep.lal@seiu1021.me'; 'Wendy.Frigillana@seiu1021.org';  
'leah.berlanga@seiu1021.org'; 'davidmkersten@gmail.com'; 'tiya.thlang@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) (DSS); 'david.canham@seiu1021.org'; 'joe.tanner@seiu1021.net';  
'Larry.Bradshaw@seiu1021.org'  
**Cc:** Lisa Randall (AIR); DHR-PSCCoordinator, DHR (HRD)  
**Subject:** Notification of removal of Class 5264 from PSC # 4057-11/12 - MODIFICATIONS  
**Attachments:** Explanation for removal of 5264 from PSC 4057-11\_12.pdf

All,

SFO has identified an error on PSC 4057-11/12. We have updated the PSC database and wanted to notify SEIU of the change. The explanation is detailed in the attached document.

Please let me know if you have further questions. Thanks,

Cynthia Avakian  
Director, Contracts  
San Francisco International Airport  
P. O. Box 8097, San Francisco, CA 94128  
E-mail: [cynthia.avakian@flysfo.com](mailto:cynthia.avakian@flysfo.com)  
Phone: (650) 821-2014

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

**From:** DHR-PSCCoordinator, DHR (HRD)  
**Sent:** Friday, May 29, 2015 3:27 PM  
**To:** Cynthia Avakian (AIR)  
**Subject:** FW: Receipt of Modification Request to PSC # 4057-11/12 - MODIFICATIONS

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

**From:** [dhr-psccordinator@sfgov.org](mailto:dhr-psccordinator@sfgov.org) [mailto:[dhr-psccordinator@sfgov.org](mailto:dhr-psccordinator@sfgov.org)] On Behalf Of [cynthia.avakian@flysfo.com](mailto:cynthia.avakian@flysfo.com)  
**Sent:** Friday, May 22, 2015 3:13 PM  
**To:** Cynthia Avakian (AIR); [Sandeep.lal@seiu1021.me](mailto:Sandeep.lal@seiu1021.me); [Wendy.Frigillana@seiu1021.org](mailto:Wendy.Frigillana@seiu1021.org); [leah.berlanga@seiu1021.org](mailto:leah.berlanga@seiu1021.org);  
[davidmkersten@gmail.com](mailto:davidmkersten@gmail.com); [tiya.thlang@seiu1021.org](mailto:tiya.thlang@seiu1021.org); Lopez, Ricardo (PDR); Basconcillo, Katherine (PUC);  
[pcamarillo\\_seiu@sbcglobal.net](mailto:pcamarillo_seiu@sbcglobal.net); [Carey.dall@seiu1021.org](mailto:Carey.dall@seiu1021.org); [pscreview@seiu1021.org](mailto:pscreview@seiu1021.org); [joe.brenner@seiu1021.org](mailto:joe.brenner@seiu1021.org);  
[ted.zarzecki@seiu1021.net](mailto:ted.zarzecki@seiu1021.net); [ablood@cirseiu.org](mailto:ablood@cirseiu.org); [xiumin.li@seiu1021.org](mailto:xiumin.li@seiu1021.org); Poon, SinYee (HSA) (DSS);  
[david.canham@seiu1021.org](mailto:david.canham@seiu1021.org); [joe.tanner@seiu1021.net](mailto:joe.tanner@seiu1021.net); [Larry.Bradshaw@seiu1021.org](mailto:Larry.Bradshaw@seiu1021.org); [richardisen@gmail.com](mailto:richardisen@gmail.com);  
[L21PSCReview@ifpte21.org](mailto:L21PSCReview@ifpte21.org); Lisa Randall (AIR); DHR-PSCCoordinator, DHR (HRD); Isen, Richard (TIS)  
**Subject:** Receipt of Modification Request to PSC # 4057-11/12 - MODIFICATIONS

PSC RECEIPT of Modification notification sent to Unions and DHR



The AIRPORT COMMISSION -- AIR has submitted a modification request for a Personal Services Contract (PSC) for \$1,500,000 for services for the period August 17, 2015 – June 30, 2019. 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/1257>

Email sent to the following addresses: [L21PSCReview@ifpte21.org](mailto:L21PSCReview@ifpte21.org) [richardisen@gmail.com](mailto:richardisen@gmail.com)  
[Larry.Bradshaw@seiu1021.org](mailto:Larry.Bradshaw@seiu1021.org) [joe.tanner@seiu1021.net](mailto:joe.tanner@seiu1021.net) [david.canham@seiu1021.org](mailto:david.canham@seiu1021.org) [Sin.Yee.Poon@sfgov.org](mailto:Sin.Yee.Poon@sfgov.org)  
[xiumin.li@seiu1021.org](mailto:xiumin.li@seiu1021.org) [abllood@cirseiu.org](mailto:abllood@cirseiu.org) [ted.zarzecki@seiu1021.net](mailto:ted.zarzecki@seiu1021.net) [joe.brenner@seiu1021.org](mailto:joe.brenner@seiu1021.org)  
[pscreview@seiu1021.org](mailto:pscreview@seiu1021.org) [Carey.dall@seiu1021.org](mailto:Carey.dall@seiu1021.org) [pcamarillo\\_seiu@sbcglobal.net](mailto:pcamarillo_seiu@sbcglobal.net) [Kbasconcillo@sfgov.org](mailto:Kbasconcillo@sfgov.org)  
[Ricardo.lopez@sfgov.org](mailto:Ricardo.lopez@sfgov.org) [tiya.thlang@seiu1021.org](mailto:tiya.thlang@seiu1021.org) [davidmkersten@gmail.com](mailto:davidmkersten@gmail.com) [leah.berlanga@seiu1021.org](mailto:leah.berlanga@seiu1021.org)  
[Wendy.Frigillana@seiu1021.org](mailto:Wendy.Frigillana@seiu1021.org) [Sandeep.lal@seiu1021.me](mailto:Sandeep.lal@seiu1021.me)

**Historical note regarding the removal of 5264 Airport Noise Abatement Spec from PSC 4057-11/12.**

When the initial and Mod 1 for PSC 4057-11/12 was entered into the PSC Database, the answer to question 3B was listed as:

“The following civil service classifications could potentially perform some of the work: 1052 – IS Business Analyst; 1054 – IS Business Analyst – Principal; 5201- Junior Engineer; 5203 – Assistant Engineer; 5207 – Associate Engineer; 5211 – Senior Engineer; 5212 – Principal Engineer; 5241 – Engineer; 5260 – Architectural Assistant I; 5261 – Architectural Assistant II; 5262 – Landscape Architectural Associate I; **5264 – Airport Noise Abatement Specialist**; 5265 – Architectural Associate I; 5266 – Architectural Associate II; 5268 – Architect; 5310 – Survey Assistant I; 5312 – Survey Assistant II; 5362 – Engineering Assistant; 5364 – Engineering Associate I; 5366 – Engineering Associate II; 5502 – Project Manager I; 5504 – Project Manager II; 5506 – Project Manager III; 5508 – Project Manager IV; 6116 – Supervising Wastewater Control Inspector; and 6318 – Construction Inspector. For the planned Airport projects, these civil service classes with the appropriate project expertise in managing the planning, design, construction inspection, testing and/or systems commissioning of Airport specific projects will participate in and supervise the contracted work.” *[NOTE: bold provided now for clarity]*

During Mod 2 (2014), the answer was revised to: “5201, 5207, 105x, 521x, 5241, 5260, **526x**, 5265, 5268, 531x, 5362, 550x, 536x, 550x, 6116, 6318”

During Mod 3 (2015), we realized that classification 5264 Airport Noise Abatement Spec (SEIU 1021 class) never should have been listed under this PSC but since it was in the 526x series it inadvertently was added. Staff never noticed SEIU since this was only Local 21 work.

Staff have been advised by the DHR PSC City-wide Coordinator to remove the classification from the PSC database and upload an explanation.

# **Additional Attachment(s)**

PSC 4057-11/12

Explanation for Duration  
As-Needed Project Management Support Services

The contract duration for contracts awarded under this PSC are for five (5) years. This term meets the needs of the Airport and is in line with an anticipated as-needed contract term. Under an as-needed contract, task orders may be issued through the end of the 3<sup>rd</sup> year, while the remaining 2 years may be used to complete existing task orders.

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: HUMAN RESOURCES Dept. Code: HRD

Type of Request:  Initial  Modification of an existing PSC (PSC # 39332 - 13/14)

Type of Approval:  Expedited  Regular ( Omit Posting)

Type of Service: Solicitation Advisory Services

Funding Source: General Fund

PSC Original Approved Amount: \$99,000 PSC Original Approved Duration: 05/01/14 - 06/30/15 (1 year 8 wee

PSC Mod#1 Amount: \$70,000 PSC Mod#1 Duration: 07/01/15-06/30/17 (2 years 1 day)

PSC Mod#2 Amount: \_\_\_\_\_ PSC Mod#2 Duration: \_\_\_\_\_

PSC Cumulative Amount Proposed: \$169,000 PSC Cumulative Duration Proposed: 3 years 8 weeks

1. **Description of Work**

A. **Scope of Work:**

The Contractor will provide advisory services, so the Department of Human Resources (DHR) can publish and evaluate solicitations in compliance with City requirements.

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

The service is necessary for DHR to ensure compliance with the City's requirements. If approval is denied, the department may not be able to execute solicitations in a timely, effective manner.

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

Services have been provided in the past through earlier PSC request. See 39332 - 13/14

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

2. **Union Notification:** On 05/26/15, the Department notified the following employee organizations of this PSC/RFP request: Professional & Tech Engrs, Local 21;

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FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 39332 - 13/14

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 07/06/2015

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

A. Specify required skills and/or expertise:

The Contractor will have knowledge of the City's policies and procedures. The Contractor will have experience drafting, managing, and evaluating solicitations.

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

The City has classes that are generalist in nature, but DHR requires highly specialized expertise. The amount of work is expected to be less than 0.30 full-time equivalent per year.

B. Would it be practical to adopt a new civil service class to perform this work? Explain.  
No, the work is intermittent.

**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? Ten hours per year for transfer of knowledge to Class 1823 employee.	<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? Esther Reyes	<input checked="" type="checkbox"/>	<input type="checkbox"/>

THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE AND ACCURATE ON BEHALF OF THE DEPARTMENT HEAD  
ON 05/26/15 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-psccordinator@sfgov.org](mailto:dhr-psccordinator@sfgov.org) on behalf of [brent.lewis@sfgov.org](mailto:brent.lewis@sfgov.org)  
**To:** [\(Lewis\\_Brent\\_\(HRD\); L21PSCReview@ifpte21.org; Brusaca, Christina; DHR-PSCCoordinator, DHR \(HRD\); Isen, Richard \(TIS\)\)](mailto:Lewis_Brent_(HRD); L21PSCReview@ifpte21.org; Brusaca, Christina; DHR-PSCCoordinator, DHR (HRD); Isen, Richard (TIS))  
**Subject:** Receipt of Modification Request to PSC # 39332 - 13/14 - MODIFICATIONS  
**Date:** Tuesday, May 26, 2015 12:31:09 PM

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PSC RECEIPT of Modification notification sent to Unions and DHR

The HUMAN RESOURCES -- HRD has submitted a modification request for a Personal Services Contract (PSC) for \$70,000 for services for the period July 1, 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/5028>  
Email sent to the following addresses: [L21PSCReview@ifpte21.org](mailto:L21PSCReview@ifpte21.org)



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 # 4030-13/14)

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

Type of Service: Conduct a Disadvantaged Business Enterprise Availability and Utilization Study

Funding Source: Operating Funds

PSC Original Approved Amount: \$499,000

PSC Mod#1 Amount: no amount added

PSC Mod#2 Amount: no amount added

PSC Cumulative Amount Proposed: \$499,000

PSC Original Approved Duration: 01/01/14 - 12/31/14 (52 weeks)

PSC Mod#1 Duration: 01/01/15-06/30/15 (25 weeks 5 days)

PSC Mod#2 Duration: 07/01/15-10/31/15 (17 weeks 4 days)

PSC Cumulative Duration Proposed: 1 year 43 weeks

1. Description of Work

A. Scope of Work:

The consultant will conduct complex financial and statistical analysis in the areas of contracting and affirmative action to perform a Disadvantaged Business Enterprise (DBE) Availability and Utilization Study (the Project). The Project involves: (1) investigating the existence of discrimination and its effects in the public transportation contracting industry within the San Francisco Bay Area, and (2) satisfying the requirements for Disparity/Utilization studies established by the Ninth Circuit Court of Appeals in Western States Paving Co., Inc. v. Washington State Department of Transportation.

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

The San Francisco Municipal Transportation Agency (SFMTA) is required to conduct this study by the Federal Transit Administration (FTA) as a result of the above court decision. Failure to do so would result in loss of federal funds. See attached Federal Register/Vol.71, No. 161 (Docket No., FTA-2006-24063).

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 #4030-13/14.

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

2. Union Notification: On 05/14/15, the Department notified the following employee organizations of this PSC/RFP request: Professional & Tech Engrs, Local 21;

\*\*\*\*\*

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 4030-13/14

DHR Analysis/Recommendation:

Commission Approval Required

DHR Approved for 07/06/2015

Civil Service Commission Action:

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

A. Specify required skills and/or expertise:

Requires at least five years of experience conducting DBE Availability and Utilization studies of a similar size and complexity. Extensive expertise and experience conducting complex financial and statistical analysis in the areas of contracting and affirmative action in compliance with Federal law is required.

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

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:

There is no civil service class that performs this highly specialized work.

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

This study, at best, is done only once every 5 years. It would not be practical to adopt a new civil service class.

**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? Yes. RBP/Exstare Joint Venture.

THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE AND ACCURATE ON BEHALF OF THE DEPARTMENT HEAD  
ON 05/14/15 BY:

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

Address: 1 S. Van Ness Avenue, 6th Floor San Francisco, CA 94013

# Receipt of Union Notification(s)

## Hamada, Cynthia

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**From:** dhr-psccordinator@sfgov.org on behalf of cynthia.hamada@sfmta.com  
**Sent:** Thursday, May 14, 2015 5:13 PM  
**To:** Hamada, Cynthia; L21PSCReview@ifpte21.org; Hamada, Cynthia; DHR-PSCCoordinator, DHR; Isen, Richard  
**Subject:** Receipt of Modification Request to PSC # 4030-13/14 - 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 \$0 for services for the period July 1, 2015 – October 31, 2015. For all Modification requests, there is a 7-Day noticed to the union(s) prior to DHR Review.

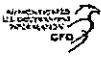
If SEIU is one of the unions that represents the classes you identified in the initial PSC and the cumulative amount of the request is over \$100,000, there is a 60 day review period for SEIU

After logging into the system please select link below:

<http://apps.sfgov.org/dhrdrupal/node/4095>

Email sent to the following addresses: [L21PSCReview@ifpte21.org](mailto:L21PSCReview@ifpte21.org)

# **Additional Attachment(s)**



of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimates of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Issued in Washington, DC, on August 14, 2006.

Carla Mauney,

FAA Information Collection Clearance Officer, Information Systems and Technology Services Staff, ABA-20.

[FR Doc. 06-7084 Filed 8-18-06; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

[Docket No. FTA-2006-24062]

#### Disadvantaged Business Enterprises; Western States Guidance for Public Transportation Providers

AGENCY: Federal Transit Administration (FTA), DOT.

ACTION: Notice of availability and policy guidance.

**SUMMARY:** This notice announces the Federal Transit Administration's (FTA) implementation of Department of Transportation guidance for participants of the Disadvantaged Business Enterprise (DBE) program. This notice solely concerns FTA implementation procedures applicable to FTA grantees in the states comprising the 9th Federal Judicial Circuit (California, Oregon, Washington, Alaska, Arizona, Idaho, Montana, Nevada, and Hawaii).

**DATES:** *Effective Date:* This policy takes effect on August 21, 2006.

**FOR FURTHER INFORMATION CONTACT:** Scheryl Portee, Attorney Advisor, Office of the Chief Counsel, (202) 366-4011 (telephone) and (202) 366-3809 (fax).

#### SUPPLEMENTARY INFORMATION:

##### 1. Availability of the DOT Guidance and Comments

A copy of the Department of Transportation Guidance for participants of the Disadvantaged Business Enterprise (DBE) program in the affected States and comments received from the public are available for inspection or copying at the Docket Management Facility, U.S. Department of Transportation, Room PL-401 on the plaza level of the Nassif Building, 400

Seventh Street, SW., Washington, DC between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may retrieve the guidance and comments online through the Document Management System (DMS) at: <http://dms.dot.gov>. Enter the docket number 24062 in the search field. The DMS is available 24 hours each day, 365 days each year. Electronic submission and retrieval help and guidelines are available under the help section of the Web site. An electronic copy of the document may also be downloaded by using a computer, modem and suitable communications software from the Government Printing Office's Electronic Bulletin Board Service at (202) 512-1651. Internet users may also reach the Office of the Federal Register's home page at: <http://www.nara.gov/fedreg> and the Government Printing Office's Web page at: <http://www.gpoaccess.gov/fr/index.html>.

##### 2. Background

The General Counsel of the Department of Transportation issued guidance concerning the effects of the *Western States Paving Co. v. United States and Washington State Department of Transportation*, 407 F. 3d 983 (9th Cir. 2005) in January 2006. On March 29, 2006, FTA published a Federal Register notice requesting comments on its implementation of the Department's guidance (58 FR 14775).

The guidance applies to recipients of Federal funds authorized under chapter 53 of Title 49 of the United States Code that are located within the states of Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon, and Washington.

The Court of Appeals for the 9th Circuit, like other Federal courts that have reviewed the Department of Transportation's DBE program, held that 49 CFR part 26 and the authorizing statute for the DBE program in TEA-21 were constitutional. The court affirmed that Congress had determined that there was a compelling need for the DBE program and part 26 was narrowly tailored. However, the 9th Circuit opinion held that the Washington State Department of Transportation's program for implementing part 26 was not narrowly tailored because the State's evidence of discrimination supporting the use of race conscious measures in the program was inadequate. The January 2006 DOT guidance provides information to recipients in the 9th Circuit about how to address the implications of the court's decision in their programs. This document provides further information on how FTA will administer the DBE program for FTA

recipients in light of the court decision and the DOT guidance.

##### 3. Response to Comments

This notice responds to comments regarding the procedures that FTA will employ in its review process for overall goal submissions from grantees in 9th Circuit States for Fiscal Year 2006 (that were due August 1, 2005) and subsequent-year submissions. These procedures concern such matters as race-neutral submissions, the evidence gathering process to determine evidence of discrimination or its effects in grantees' markets, and action plans for disparity/availability studies or other appropriate evidence gathering processes.

FTA solicited comments on two transit-specific issues. FTA considered all comments and statements filed that pertained to these two issues. FTA responses to these comments are included in this section. There is no discussion by FTA of comments that addressed Department-wide DBE issues, the content of the January 2006 DOT guidance, or statutory requirements. These issues were beyond the scope of the FTA notice. FTA received 10 comments in response to the two transit-specific issues we raised. The breakdown among commenter categories follows:

- Nonprofits and special transit providers: 1.
- City and County transit providers: 8.
- Trade association: 1.

##### Issues

###### 1. Commitment To Conduct Disparity Studies

On the two matters posed for comment regarding FTA's implementation of the *Western States* guidance, there were limited comments on the first issue, that FTA may require recipients to certify that they will conduct or participate in a disparity or availability study. Those that did respond expressed concern that the Regional Civil Rights Office may require this certification.

**FTA Response:** DBE compliance is a condition of the FTA Master Agreement for all applicable recipients. The Regional Civil Rights Officer, in its review of DBE goal submissions, will work with grantees. In some cases, this will result in grantees having to commit to conducting disparity studies or similar evidence gathering efforts.

The Department's Guidance explicitly states that if a recipient does not currently have sufficient evidence of discrimination or its effects, then an all

race-neutral overall goal for Fiscal Year 2006 would be submitted, along with a statement concerning the absence of adequate evidence and a description of plans to conduct a study or other appropriate evidence gathering process, an action plan, and time lines for its completion. The Regional Civil Rights Office review of the annual goal submissions will determine whether evidence of discrimination or its effects has been provided.

Under part 26, any recipient, wherever located, would submit an all race-neutral overall goal if it concluded, based on the information used in the goal-setting process, that it could meet its overall goal without any use of race conscious measures like contract goals. If a recipient in the 9th Circuit presents an analysis making this showing, then the recipient need not submit an action plan for conducting a disparity study or similar evidence gathering effort. However, if a 9th Circuit recipient's Part 26 goal-setting analysis concludes that race conscious measures would be necessary to meet part of its overall goal and that the recipient does not have sufficient evidence to meet the requirements of the *Western States* decision, the recipient would submit a race-neutral overall goal and an action plan for a disparity study or similar evidence gathering effort. In some cases, it may be necessary for grantees who have already submitted Fiscal Year 2006 goals to rework their submissions to address these matters.

## 2. Costs of Disparity Studies

A common thread was noted in comments responding to the second issue concerning funding of disparity studies. Commenters stated that additional targeted funding for disparity studies is needed to avoid reducing the current pressing service-related needs. Commenters also noted the financial limitations of small transit operators with respect to conducting such studies.

**FTA Response:** FTA is aware of the costs involved in conducting disparity studies or availability studies. For recipients in the 9th Circuit states whose goal-setting processes would lead to the use of race conscious means, but for the effects of the *Western States* decision, a disparity study or similar evidence gathering effort is essential, and consistent with DOT's guidance, is a condition of FTA's approval of a race-neutral overall goal. As noted in the General Counsel's DBE guidance, funding of disparity studies is reimbursable from Federal program funds, subject to the availability of those funds and under the FTA statute, this is an eligible capital expense. Recipients

that propose to undertake a study may wish to consider joint studies within their locale or participate in studies that will be undertaken by other transit properties in the local market. The Regional Civil Rights Office will review the overall goal submissions and work with recipients to respond to local circumstances and to achieve compliance with the overall objectives of the DBE program.

FTA also suggests that recipients communicate with the State DOT to determine what preparations are being undertaken for a statewide study and whether participation in the study is feasible. Per the guidance, this is occurring and some recipients are complying with the guidance by submission of a race-neutral overall goal and participation in studies currently underway rather than conducting their own study.

## 3. Group-Specific Goals

One commenter asked about an apparent inconsistency between Part 26 and the DOT guidance concerning group-specific goals.

**FTA Response:** Part 26 prohibits group-specific goals. Following the completion of a disparity study, a recipient might conclude that it had evidence of discrimination with respect to some of the groups presumed to be disadvantaged under the rule. In such a case, the recipient should apply for a program waiver under § 26.15 of the rule. This opportunity is not limited to recipients in the 9th Circuit or to FTA grantees. For example, Colorado DOT applied for and was granted such a waiver on the basis of its disparity study for its Fiscal Year 2000 overall goal.

FTA will continue to work with recipients in the 9th Circuit to meet the requirements of a "narrowly tailored" DBE program in light of the recent developments in case law.

Dated: August 15, 2006.

Sandra K. Bushue,

Deputy Administrator.

[FR Doc. 06-7053 Filed 8-18-06; 8:45 am]

BILLING CODE 4910-57-M

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA 2006-24928; Notice 2]

### Continental Tire North America, Grant of Petition for Decision of Inconsequential Noncompliance

Continental Tire North America (Continental) has determined that

certain tires it produced in 2004 and 2005 do not comply with S5.5(f) of 49 CFR 571.139, Federal Motor Vehicle Safety Standard (FMVSS) No. 139, "New pneumatic radial tires for light vehicles." Pursuant to 49 U.S.C. 30118(d) and 30120(h), Continental has petitioned for a determination that this noncompliance is inconsequential to motor vehicle safety and has filed an appropriate report pursuant to 49 CFR part 573, "Defect and Noncompliance Reports." Notice of receipt of a petition was published, with a 30-day comment period, on June 14, 2006, in the Federal Register (71 FR 34414). NHTSA received no comments.

Affected are a total of approximately 2,627 model 235/55R17 99H Conti Pro Contact replacement tires manufactured during 2004 and 2005. S5.5(f) of FMVSS No. 139 requires the actual number of plies in the tread area to be molded on both sidewalls of each tire. The noncompliant tires are marked on the sidewall "Tread Plies 1 Rayon + 2 Steel + 2 Nylon" whereas the correct marking should be "Tread Plies 1 Rayon + 2 Steel + 1 Nylon." Continental has corrected the problem that caused these errors so that they will not be repeated in future production.

Continental Tire believes that the noncompliance is inconsequential to motor vehicle safety and that no corrective action is warranted. Continental Tire states,

All other sidewall identification markings and safety information are correct. This noncompliant sidewall marking does not affect the safety, performance and durability of the tire; the tires were built as designed.

The Transportation Recall, Enhancement, Accountability, and Documentation (TREAD) Act (Pub. L. 106-414) required, among other things, that the agency initiate rulemaking to improve tire label information. In response, the agency published an Advance Notice of Proposed Rulemaking (ANPRM) in the Federal Register on December 1, 2000 (65 FR 75222).

The agency received more than 20 comments on the tire labeling information required by 49 CFR 571.109 and 119, part 567, part 574, and part 575. In addition, the agency conducted a series of focus groups, as required by the TREAD Act, to examine consumer perceptions and understanding of tire labeling. Few of the focus group participants had knowledge of tire labeling beyond the tire brand name, tire size, and tire pressure.

Based on the information obtained from comments to the ANPRM and the consumer focus groups, we have

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC UTILITIES COMMISSION Dept. Code: PUC

Type of Request: [ ] Initial [x] Modification of an existing PSC (PSC # 4007-11/12)

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

Type of Service: Fish Passage Facilities Design and Engineering Service (CS 204)

Funding Source: Water System Improvement Program
PSC Original Approved Amount: \$2,300,000 PSC Original Approved Duration: 12/01/11 - 06/30/16 (4 years 30 w
PSC Mod#1 Amount: \$1,964,580 PSC Mod#1 Duration: 07/01/16-10/30/18 (2 years 17 weeks)
PSC Mod#2 Amount: PSC Mod#2 Duration:
PSC Cumulative Amount Proposed: \$4,264,580 PSC Cumulative Duration Proposed: 6 years 47 weeks

1. Description of Work

A. Scope of Work:

Design of several fish passage facilities within the Alameda Creek Watershed, which include a long fish ladder, fish screens, bypass tunnel, and safety improvements (i.e., handrail and/or other improvements) at the Alameda Creek Diversion Dam, and modification of the natural barriers (boulders) at the Little Yosemite. Scope of work includes preparing Conceptual Engineering Report and design documents for the above components. Supplemental geotechnical, hydraulic and hydrologic analysis and studies, and fisheries-related studies may be required to complete the design.

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

Expertise in design of fish passage facilities is not available within San Francisco Public Utilities Commission(SFPUC) or other City departments. The same is true for geotechnical investigation and hydrologic design recommendations for fish passage facilities involving methods needed to verify appropriate criteria for foundation design, seismic design and hydraulic design for flow velocities within the fish ladder that allow passage and minimize sedimentation. Consequences of denial would prevent improvements for water delivery reliability to SFPUC customers.

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 is currently being provided via PSC No. 4007-11/12 (CS-204).

D. Will the contract(s) be renewed? Contract renewal is not anticipated.

2. Union Notification: On 05/15/15, the Department notified the following employee organizations of this PSC/RFP request: all unions were notified

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FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 4007-11/12

DHR Analysis/Recommendation:

Commission Approval Required

DHR Approved for 07/06/2015

Civil Service Commission Action:



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

A. Specify required skills and/or expertise:

Expertise is required in engineering and design of long fish ladders, fish screens, natural barrier improvement, and bypass tunnel within the dam, and engineering expertise in geotechnical investigation, fisheries related studies, hydraulic and hydrology analysis.

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

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

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

A. Explain why civil service classes are not applicable:

There is no continuous, long term workload for this service.

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

No. There is no long term need for the design of fisheries passage facilities in SFPUC watershed

**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? URS Corporation | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE AND ACCURATE ON BEHALF OF THE DEPARTMENT HEAD  
ON 05/15/15 BY: \_\_\_\_\_

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

Address: 525 Golden Gate Avenue, 8th Floor San Francisco, CA 94102

# **Receipt of Union Notification(s)**

**From:** [dhr-psccordinator@sfgov.org](mailto:dhr-psccordinator@sfgov.org) on behalf of [SJackson@sfgwater.org](mailto:SJackson@sfgwater.org)  
**To:** [Jackson\\_Shamica](mailto:Jackson_Shamica); [jb@local16.org](mailto:jb@local16.org); [Lopez\\_Ricardo](mailto:Lopez_Ricardo); [Basconcello\\_Kathy](mailto:Basconcello_Kathy); [Sandeep.lal@seiu1021.me](mailto:Sandeep.lal@seiu1021.me); [pcamarillo\\_seiu@sbcglobal.net](mailto:pcamarillo_seiu@sbcglobal.net); [Carey.dall@seiu1021.org](mailto:Carey.dall@seiu1021.org); [richardisen@gmail.com](mailto:richardisen@gmail.com); [Wendy.Frigillana@seiu1021.org](mailto:Wendy.Frigillana@seiu1021.org); [pscreview@seiu1021.org](mailto:pscreview@seiu1021.org); [joe.brenner@seiu1021.org](mailto:joe.brenner@seiu1021.org); [agonzalez@iam1414.org](mailto:agonzalez@iam1414.org); [ted.zarzecki@seiu1021.net](mailto:ted.zarzecki@seiu1021.net); [leah.berlanga@seiu1021.org](mailto:leah.berlanga@seiu1021.org); [gail@sffdlocal798.org](mailto:gail@sffdlocal798.org); [cityworker@sfcwu.org](mailto:cityworker@sfcwu.org); [davidmkersten@gmail.com](mailto:davidmkersten@gmail.com); [djohnson@opcmlocal300.org](mailto:djohnson@opcmlocal300.org); [hodlocal@pacbell.net](mailto:hodlocal@pacbell.net); [ablood@cirseiu.org](mailto:ablood@cirseiu.org); [pkarinen@nccrc.org](mailto:pkarinen@nccrc.org); [tony@dc16.us](mailto:tony@dc16.us); [stevek@bac3-ca.org](mailto:stevek@bac3-ca.org); [xiumin.ji@seiu1021.org](mailto:xiumin.ji@seiu1021.org); [Sin.Yee.Poon@sfgov.org](mailto:Sin.Yee.Poon@sfgov.org); [smcgarry@nccrc.org](mailto:smcgarry@nccrc.org); [mitchell@twusf.org](mailto:mitchell@twusf.org); [groio@local39.org](mailto:groio@local39.org); [jduritz@uapd.com](mailto:jduritz@uapd.com); [staff@simea.com](mailto:staff@simea.com); [mike@dc16.us](mailto:mike@dc16.us); [khughes@bew6.org](mailto:khughes@bew6.org); [L21PSCReview@fpte21.org](mailto:L21PSCReview@fpte21.org); [sfmsa@gmail.com](mailto:sfmsa@gmail.com); [mshelley@dc16.us](mailto:mshelley@dc16.us); [david.canham@seiu1021.org](mailto:david.canham@seiu1021.org); [joe.tanner@seiu1021.net](mailto:joe.tanner@seiu1021.net); [Larry.Bradshaw@seiu1021.org](mailto:Larry.Bradshaw@seiu1021.org); [L21PSCReview@fpte21.org](mailto:L21PSCReview@fpte21.org); [LIJUNA.local261@gmail.com](mailto:LIJUNA.local261@gmail.com); [local200fwu@sbcglobal.net](mailto:local200fwu@sbcglobal.net); [speedy4864@aol.com](mailto:speedy4864@aol.com); [camaguey@simea.com](mailto:camaguey@simea.com); [ecdemvoter@aol.com](mailto:ecdemvoter@aol.com); [tiva.thlang@seiu1021.org](mailto:tiva.thlang@seiu1021.org); [Jackson\\_Shamica](mailto:Jackson_Shamica); [DHR-PSCCoordinator](mailto:DHR-PSCCoordinator); [Isen\\_Richard](mailto:Isen_Richard)  
**Subject:** Receipt of Modification Request to PSC # 4007-11/12 - MODIFICATIONS  
**Date:** Friday, May 15, 2015 5:05:36 PM

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PSC RECEIPT of Modification notification sent to Unions and DHR

The PUBLIC UTILITIES COMMISSION -- PUC has submitted a modification request for a Personal Services Contract (PSC) for \$1,964,580 for services for the period July 1, 2016 – October 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/4987>

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

## **Additional Attachment(s)**



**MEMORANDUM**

**DATE:** May 15, 2015

**TO:** San Francisco Civil Service Commission

**FROM:** Alaric Degrafinried  
 Manager, Contract Administration Bureau

**RE:** 5-Years Plus Justification  
 CS-204, PSC No. 4007-11/12  
 Fish Passage Facilities within the Alameda Creek Watershed

The San Francisco Public Utilities Commission (SFPUC) is requesting Personal Service Contract authority in order to provide additional design and engineering support during construction, start-up, commissioning, and close-out of the Project. These services extend beyond five (5) years, as indicated in the table below.

Original Value/Term	Amendment No. 1 Value/Term	Total Value/Term
\$2,300,000 4 years, 10 months	\$1,964,280 2 years, 4 months	\$4,264,580 7 years, 2 months

Thank you for consideration and should you have any questions please do not hesitate contact me at 415-551-4788.

- Edwin M. Lee  
Mayor
- Ann Moller Caen  
President
- Francesca Vietor  
Vice-President
- Vince Courtney  
Commissioner
- Anson Moran  
Commissioner
- Ike Kwon  
Commissioner
- Harlan L. Kelly, Jr.  
General Manager



PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC UTILITIES COMMISSION Dept. Code: PUC

Type of Request: [ ] Initial [x] Modification of an existing PSC (PSC # 4141-11/12)

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

Type of Service: Community Choice Aggregation (CCA) Back Office Services (CS-247)

Funding Source: CCA - Customer Fund
PSC Original Approved Amount: \$8,000,000 PSC Original Approved Duration: 07/01/12 - 02/01/17 (4 years 30 w
PSC Mod#1 Amount: \$1,000,000 PSC Mod#1 Duration: 02/02/17-05/31/18 (1 year 16 weeks)
PSC Mod#2 Amount: no amount added PSC Mod#2 Duration: 06/01/18-12/31/21 (3 years 30 weeks)
PSC Cumulative Amount Proposed: \$9,000,000 PSC Cumulative Duration Proposed: 9 years 26 weeks

1. Description of Work

A. Scope of Work:

Provide the back office services necessary to operate the City's Community Choice Aggregation (CCA) program. In the context of CCA, back office services include comprehensive customer care, account management and data services for the program. This allows for the tracking of participating customers, recording electric usage and billings via electronic data exchange with PG&E, and managing a customer care call center.

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

This service is necessary to ensure that we can bill customers accurately, track payment, and have necessary revenues to operate the program. Without this service, we will have no income, and the program will not be possible. Denial would terminate 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.

This is a new program. It has never been provided in the past.

D. Will the contract(s) be renewed? Depends on which activities could be incorporated by staff at expiration.

2. Union Notification: On 04/09/15, 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; Municip

\*\*\*\*\*

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 4141-11/12

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 07/06/2015

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:

Experience billing "Direct Access" customers and interfacing with PG&E's Electronic Data Interchange (EDI). Experience managing call center functions that rely on timely EDI information to respond to potential customer queries. Experience with electricity wholesale markets. Experience/Expertise in providing Meter Data Management Agent (MDMA) function to California Independent System Operator (CAISO).

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

0922,4310,1480,1478,5601,5602,

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 resources with the necessary skills are not available, and the project timeframe precludes recruitment, hiring and training new staff quickly enough. It is possible that these services could be incorporated into SFPUC. Once call volume stabilizes (we anticipate a surge of volume at contract launch), this could be provided by SFPUC call center staff. This is a new process - only one CCA is operating in California.

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

See above. After getting up and running, we expect these services could be handled by existing civil service classes.

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? SFPUC Resolution No. 11-0027

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 04/09/15 BY:

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

Address: 525 Golden Gate Avenue, 8th Floor San Francisco, CA 94102

# **Receipt of Union Notification(s)**



**From:** [dhr-psccordinator@sfgov.org](mailto:dhr-psccordinator@sfgov.org) on behalf of [SJackson@sfgwater.org](mailto:SJackson@sfgwater.org)  
**To:** [Jackson, Shamica](mailto:Jackson.Shamica); [Sandeep.lal@seiu1021.me](mailto:Sandeep.lal@seiu1021.me); [Wendy.Frigillana@seiu1021.org](mailto:Wendy.Frigillana@seiu1021.org); [leah.berlanga@seiu1021.org](mailto:leah.berlanga@seiu1021.org); [davidmkersten@gmail.com](mailto:davidmkersten@gmail.com); [tiya.thiang@seiu1021.org](mailto:tiya.thiang@seiu1021.org); [Lopez, Ricardo](mailto:Lopez.Ricardo); [Basconcello, Kathy](mailto:Basconcello.Kathy); [pcamarillo\\_seiu@sbcglobal.net](mailto:pcamarillo_seiu@sbcglobal.net); [Carey.dall@seiu1021.org](mailto:Carey.dall@seiu1021.org); [pscreview@seiu1021.org](mailto:pscreview@seiu1021.org); [joe.brenner@seiu1021.org](mailto:joe.brenner@seiu1021.org); [ted.zarzecki@seiu1021.net](mailto:ted.zarzecki@seiu1021.net); [ablood@cirseiu.org](mailto:ablood@cirseiu.org); [xiumin.li@seiu1021.org](mailto:xiumin.li@seiu1021.org); [Sin.Yee.Poon@sfgov.org](mailto:Sin.Yee.Poon@sfgov.org); [david.canham@seiu1021.org](mailto:david.canham@seiu1021.org); [joe.tanner@seiu1021.net](mailto:joe.tanner@seiu1021.net); [Larry.Bradshaw@seiu1021.org](mailto:Larry.Bradshaw@seiu1021.org); [camaguey@sfmea.com](mailto:camaguey@sfmea.com); [staff@sfmea.com](mailto:staff@sfmea.com); [richardisen@gmail.com](mailto:richardisen@gmail.com); [L21PSCReview@ifpte21.org](mailto:L21PSCReview@ifpte21.org); Jackson, Shamica; DHR-  
**Subject:** PSCCoordinator, DHR; Isen, Richard  
**Date:** Receipt of Modification Request to PSC # 4141-11/12 - MODIFICATIONS  
Thursday, April 09, 2015 4:12:26 PM

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PSC RECEIPT of Modification notification sent to Unions and DHR

The PUBLIC UTILITIES COMMISSION -- PUC has submitted a modification request for a Personal Services Contract (PSC) for \$0 for services for the period June 1, 2018 -- December 31, 2021. 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/dhr Drupal/node/4753>

Email sent to the following addresses: [L21PSCReview@ifpte21.org](mailto:L21PSCReview@ifpte21.org)  
[richardisen@gmail.com](mailto:richardisen@gmail.com) [staff@sfmea.com](mailto:staff@sfmea.com) [camaguey@sfmea.com](mailto:camaguey@sfmea.com)  
[Larry.Bradshaw@seiu1021.org](mailto:Larry.Bradshaw@seiu1021.org) [joe.tanner@seiu1021.net](mailto:joe.tanner@seiu1021.net) [david.canham@seiu1021.org](mailto:david.canham@seiu1021.org)  
[Sin.Yee.Poon@sfgov.org](mailto:Sin.Yee.Poon@sfgov.org) [xiumin.li@seiu1021.org](mailto:xiumin.li@seiu1021.org) [ablood@cirseiu.org](mailto:ablood@cirseiu.org)  
[ted.zarzecki@seiu1021.net](mailto:ted.zarzecki@seiu1021.net) [joe.brenner@seiu1021.org](mailto:joe.brenner@seiu1021.org) [pscreview@seiu1021.org](mailto:pscreview@seiu1021.org)  
[Carey.dall@seiu1021.org](mailto:Carey.dall@seiu1021.org) [pcamarillo\\_seiu@sbcglobal.net](mailto:pcamarillo_seiu@sbcglobal.net)  
[Kbasconcello@sfgwater.org](mailto:Kbasconcello@sfgwater.org)  
[Ricardo.lopez@sfgov.org](mailto:Ricardo.lopez@sfgov.org) [tiya.thiang@seiu1021.org](mailto:tiya.thiang@seiu1021.org) [davidmkersten@gmail.com](mailto:davidmkersten@gmail.com)  
[leah.berlanga@seiu1021.org](mailto:leah.berlanga@seiu1021.org) [Wendy.Frigillana@seiu1021.org](mailto:Wendy.Frigillana@seiu1021.org)  
[Sandeep.lal@seiu1021.me](mailto:Sandeep.lal@seiu1021.me)

# **Additional Attachment(s)**



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

Contract Administration Bureau  
 525 Golden Gate Avenue, 8th Floor  
 San Francisco, CA 94102  
 T 415.551.4603  
 F 415.554.3225

**MEMORANDUM**

**DATE:** April 9, 2015

**TO:** San Francisco Civil Service Commission

**FROM:** Alaric Degrafinried *AD*  
 Manager, Contract Administration Bureau

**RE:** 5-Years Plus Justification  
 CS-247R, PSC No. 4141-11/12  
 Community Choice Aggregation Back Office Services.

The San Francisco Public Utilities Commission (SFPUC) is requesting Personal Service Contract authority to implement the Community Choice Program in phases, over multiple years. The timing of additional phases will depend on a number of factors, including but not limited to our ability to procure cost-effective sources of energy. As a result, the SFPUC is likely to need the services we are seeking from the contractor for more than six years as we add subsequent phases. The long-term plan is to build in the capacity to provide the services described in the contract within the SFPUC. Additionally, though approval for this contract was initially obtained in 2012, the project has been delayed until now in order to address and resolve program implementation issues.

Thank you for consideration and should you have any questions please do not hesitate contact me at 415-551-4788.

Edwin M. Lee  
 Mayor

Ann Moller Caen  
 President

Francesca Vietor  
 Vice President

Vince Courtney  
 Commissioner

Anson Moran  
 Commissioner

Ike Kwon  
 Commissioner

Harlan L. Kelly, Jr.  
 General Manager



## PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. 11-0027

WHEREAS, The San Francisco Board of Supervisors established a CCA program in 2004 (Ordinance 86-04) and has implemented the program, called CleanPowerSF, through the work of the SFPUC in consultation with the San Francisco Local Agency Formation Commission (Ordinances 146-07, 147-07, and 232-09); and

WHEREAS, The SFPUC issued two Request for Proposals (RFPs) seeking suppliers to provide key services for CleanPowerSF; and

WHEREAS, The SFPUC RFPs were consistent with City policy and clearly stated the City's goals of meeting the state's Renewables Portfolio Standard, providing 51% renewable energy at prices that meet or beat PG&E rates, developing new renewable energy resources, and providing these benefits with no financial risk to the City; and

WHEREAS, Upon advice from LAFCO and the SFPUC, the first RFP was issued on November 5, 2009 for electricity supply, renewable project development and customer care and billing services; and

WHEREAS, In order to elicit the largest possible pool of respondents, the first RFP afforded respondents flexibility with respect to meeting certain City goals for CCA including the timeline to achieve the requested renewable portfolio content and development of new renewable resources; and

WHEREAS, The SFPUC received five (5) responses to the first RFP on December 29, 2009, from Fotowatio Renewable Ventures, Invenergy, LLC, Main Street Power, Power Choice, LLC, and Shell North America, but only two (2) of these included electricity supply; and

WHEREAS, Negotiations with the highest ranked proposer (Power Choice, LLC) were not successful; and

WHEREAS, A second RFP, CS-160, was issued on August 5, 2010, for electricity supply and customer care and billing services for CleanPowerSF, after the receipt of feedback from the SFPUC and LAFCO and a decision to provide for development of new renewable resources by the City through a separate process; and

WHEREAS, CS-160 stated that the "City has a goal of developing 360 MW of new energy resources" (p. 7 of CS-160, revised) pursuant to Ordinance 147-07 and that the City intends to conduct a process immediately for the development, construction and operation of green energy resources (including energy efficiency and demand side programs) located within the City as well as Northern California; and

WHEREAS, CS-160 was revised on September 30, 2010, to provide additional flexibility to potential respondents, including allowing firms to submit proposals to provide either electricity supply, or customer care and billing services or both, and reducing the credit rating requirement to Baa3/BBB-; and

WHEREAS, The SFPUC received four (4) responses to CS-160 on November 3, 2010, from Constellation Energy, Noble Americas, Power Choice, Inc, and Shell North America, and none met the minimum qualifications and minimum proposal requirements of the RFP; and

WHEREAS, On November 15, 2010, respondents were informed of the deficiencies in their proposals and were given until December 10, 2010, to supplement their proposals; and

WHEREAS, The revised proposals were received on December 10, 2010, and still failed to meet minimum qualifications and minimum proposal requirements set forth in the RFP, including a comprehensive pricing proposal that meets or beats PG&E rates; and

WHEREAS, in light of the failure of two RFP processes to result in an acceptable contract for electricity supply and customer care and billing services, the General Manager of the SFPUC has determined that the RFP could not be altered and reissued in a manner likely to attract responsive offers; and

WHEREAS, direct negotiations may identify alternatives for the provision of electricity supply and customer care and billing services for CleanPowerSF that are commercially reasonable and may meet many, if not all, of the City's core goals for a CCA program; and

WHEREAS, if such alternatives are identified, the General Manager could present such alternatives to this Commission, the LAFCO and the San Francisco Board of Supervisors for their review, consideration and, if appropriate, approval; now, therefore be it

RESOLVED, That this Commission hereby determines that all proposals received in response to CS-160: Electric Supply Services for Community Choice Aggregation (CCA) Program are non-responsive because no proposal met the RFP minimum qualifications and minimum proposal requirements; and be it

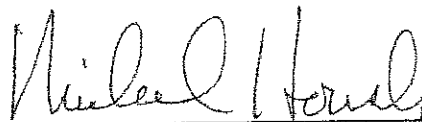
FURTHER RESOLVED, That the General Manager of the SFPUC is authorized to negotiate with one or more creditworthy entities, for power supply and customer care and billing services for CleanPowerSF in a manner that comes as close as possible to meeting core CCA goals of the City; and be it

FURTHER RESOLVED, That the commercially feasible contract terms utilized in the Marin Energy Authority's supplier contracts shall provide the basis to commence SFPUC negotiations; and be it

FURTHER RESOLVED, That the General Manager of the SFPUC shall direct SFPUC staff to develop a process, and scope of work, together with stakeholders and consultants, to request bids for renewable generation and green resource commitments to further the adopted City goals for CCA as described in Ordinance 147-07, shall initiate timely action on the process and scope of work, and shall report on the status of these efforts to the Commission by July 2011; and be it

FURTHER RESOLVED, That the General Manager of the SFPUC shall report to the Commission on the progress of these negotiations on no less than a quarterly basis with an expectation that a staff will bring a contract to the Public Utilities Commission and Board of Supervisors for approval by the end of the summer.

*I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of* \_\_\_\_\_ *February 8, 2011*



\_\_\_\_\_  
*Secretary, Public Utilities Commission*

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC HEALTH Dept. Code: DPH

Type of Request:  Initial  Modification of an existing PSC (PSC # 4001-12/13)

Type of Approval:  Expedited  Regular ( Omit Posting)

Type of Service: Access to a MAA TCM web based application

Funding Source: General Fund

PSC Original Approved Amount: \$65,000 PSC Original Approved Duration: 07/09/12 - 06/30/15 (2 years 50 w

PSC Mod#1 Amount: \$105,000 PSC Mod#1 Duration: 07/01/15-06/30/18 (3 years 1 day)

PSC Mod#2 Amount: \_\_\_\_\_ PSC Mod#2 Duration: \_\_\_\_\_

PSC Cumulative Amount Proposed: \$170,000 PSC Cumulative Duration Proposed: 5 years 51 weeks

**1. Description of Work**

**A. Scope of Work:**

This contract will provide access to a proprietary, web-based software application to enable DPH to maximize State reimbursement for DPH's administration of the Medi-Cal Administrative Activities (MAA) and Targeted Case Management (TCM) programs. In 2012-13 new State requirements will take effect which will expand the annual staff time survey required by the State from one sample month to all year. This software will save staff time and ensure more accurate submissions to the State, to ensure as much administrative time as possible is claimed for reimbursement.

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

DPH receives approximately \$9 million in revenue from MAA/TCM administrative costs reimbursement each year. Current survey tools were designed for a limited survey period and are too difficult to use to meet new State requirements for daily surveying all year. As program reimbursement is dependent on maximum staff participation, this software, which creates a more user-friendly interface and allows for periodic data review to encourage participation, is needed in order to maintain this level of reimbursement (and possibly to increase revenues). If the service is denied, the MAA TCM program will have no record keeping method.

**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, as needed.**

**2. Union Notification:** On 05/23/15, the Department notified the following employee organizations of this PSC/RFP request: Professional & Tech Engrs, Local 21; Prof & Tech Eng, Local 21; Municipal Executive Association; Management & Sup

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 4001-12/13

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 07/06/2015

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

A. Specify required skills and/or expertise:

The contractor must have a commercially available healthcare MAA/TCM time survey application, and sufficient resources to provide it over the internet with ongoing support, including guarantees that the application meets minimum performance standards.

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

1023,1062,1054,1042,1064,1070,1071,

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

Yes the contractor will provide for secured hosting and related hardware needed to host a 24/7 application.

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

A. Explain why civil service classes are not applicable:

Civil Service staff will work with the contractor in order to obtain the necessary knowledge for the day to day upkeep of the application. In addition, Civil Service classes will also have the opportunity to gain insight and knowledge of current best practices for web-based applications through their interactions with the vendor.

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 because the services are intermittent and as-needed and deal with a proprietary product that is already developed and available for commercial use.

**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? Explanation of training has not been provided by the department	<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? Fiscal Experts, Inc.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE AND ACCURATE ON BEHALF OF THE DEPARTMENT HEAD  
ON 05/23/15 BY:

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

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



# **Receipt of Union Notification(s)**

**From:** [dhr-psccordinator@sfgov.org](mailto:dhr-psccordinator@sfgov.org) on behalf of [jacque.hale@sfdph.org](mailto:jacque.hale@sfdph.org)  
**To:** [Hale, Jacquie \(DPH\); camaguey@sfmea.com; staff@sfmea.com; richardisen@gmail.com; L21PSCReview@ifpte21.org; Rojas, Kelly \(DPH\); DHR-PSCCoordinator, DHR \(HRD\); Isen, Richard \(TIS\)](mailto:Hale, Jacquie (DPH); camaguey@sfmea.com; staff@sfmea.com; richardisen@gmail.com; L21PSCReview@ifpte21.org; Rojas, Kelly (DPH); DHR-PSCCoordinator, DHR (HRD); Isen, Richard (TIS))  
**Subject:** Receipt of Modification Request to PSC # 4001-12/13 - MODIFICATIONS  
**Date:** Saturday, May 23, 2015 4:14:12 PM

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PSC RECEIPT of Modification notification sent to Unions and DHR

The PUBLIC HEALTH -- DPH has submitted a modification request for a Personal Services Contract (PSC) for \$105,000 for services for the period July 1, 2015 – 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/4994>

Email sent to the following addresses: [L21PSCReview@ifpte21.org](mailto:L21PSCReview@ifpte21.org)  
[richardisen@gmail.com](mailto:richardisen@gmail.com) [staff@sfmea.com](mailto:staff@sfmea.com) [camaguey@sfmea.com](mailto:camaguey@sfmea.com)

# **Additional Attachment(s)**

Explanation Regarding Duration

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

The MAA TCM program will run until 2020 and it is necessary to use this proprietary software to track the workers hours in the MAA TCM program until 2020.

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC HEALTH Dept. Code: DPH

Type of Request: [ ] Initial [x] Modification of an existing PSC (PSC # 4137-12/13)

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

Type of Service: Adult Immunization and Travel Clinic private insurance billing and collections

Funding Source: New patient revenue
PSC Original Approved Amount: \$175,000 PSC Original Approved Duration: 01/01/14 - 12/31/18 (5 years)
PSC Mod#1 Amount: \$2,781,800 PSC Mod#1 Duration: 07/01/15-12/31/21 (3 years 1 day)
PSC Mod#2 Amount: PSC Mod#2 Duration:
PSC Cumulative Amount Proposed: \$2,956,800 PSC Cumulative Duration Proposed: 8 years 1 day

1. Description of Work

A. Scope of Work:

Contractor will be responsible for all functions necessary to submit electronic medical claims to third party payers for services provided by the Adult Immunization and Travel Clinic (AITC). Contractor will conduct eligibility determinations; submit electronic claims to third party payers; review Explanation of Benefits (EOB) electronic payment data; analyze denied and partial paid claims; financial responsibility information; provide utilization and claims reports; and reconcile claims and payments. NOTE: The amount of the requested PSC is the Departments best estimate of the cost of the services, and reflects only the maximum fee anticipated to be paid to the contractor as percentage of total collected revenue, not the actual billings submitted or processed by the contractor. As this is a new contract, the actual revenue to be realized is as yet unknown.

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

The Department of Public Health (DPH) Adult Immunization and Travel Clinic (AITC) provides direct medical services to international travelers, including vaccinations, anti-malaria medications, and health advice. Many of its patients and potential patients have third party insurance, which AITC currently does not have the ability to bill. As a result, revenue is lost from these sources. With the implementation of the Affordable Care Act, DPH anticipates that AITC will not be competitive in the new health care environment. The consequence will be decreased revenues and related services reductions.

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

Services have been provided in the past through earlier PSC request. See 4137-12/13

D. Will the contract(s) be renewed? Yes, only if continued need.

2. Union Notification: On 03/13/15, the Department notified the following employee organizations of this PSC/RFP request: SEIU 1021 Miscellaneous;

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FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 4137-12/13

DHR Analysis/Recommendation:

Commission Approval Required

DHR Approved for 07/06/2015

Civil Service Commission Action:

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

A. Specify required skills and/or expertise:

Knowledge of electronic medical billing and claiming; knowledge of eligibility determination; ability to translate electronic EOB payment information; ability to analyze denied and partially paid claims; ability to void, refile and resubmit claims; knowledge of how to negotiate reimbursement from third party payers; knowledge of patient financial responsibility and share cost collection; ability to produce utilization and claims reports; ability to reconcile claims and payments.

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

1635,1636,1662,1663,

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

Yes. Contractor will use an automated electronic billing and financial system to submit electronic claims to third party payers, analyze electronic EOB information, and produce claims reports.

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

A. Explain why civil service classes are not applicable:

Civil service classes are not applicable because future funding is uncertain for this new program, as there is not a dedicated, reliable, and steady source of funding for any positions. The services will be paid for based on the percentage of successful billings. The volume of services billed to third parties is a variable amount and is subject to change with the demand for immunization services, or by the contracted reimbursement rate of third party payers. (continued on attachment)

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

No. It is not practical to create a new civil service class because this work requires an electronic billing and financial system to perform the functions. Current Department staff will have the opportunity to gain know/edge of the latest techniques and trends of third party payer billing, (continued on attachment)

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

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

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

ON 03/13/15 BY: \_\_\_\_\_

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

Address: 101 Grove, Room 402 San Francisco, CA 94102

# **Receipt of Union Notification(s)**

## Receipt of Modification Request to PSC # 4137-12/13 - MODIFICATIONS

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

Fri 3/13/2015 11:42 AM

Inbox

To: Hale, Jacquie (DPH) <jacquie.hale@sfdph.org>; Lopez, Ricardo (PDR) <ricardo.lopez@sfgov.org>; Basconillo, Katherine (PUC) <kbasconillo@sfgwater.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) (DSS) <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>; Carmona, Irene (DPH) <Irene.Carmona@sfdph.org>; DHR-PSCCoordinator, DHR (HRD) <dhr-psccordinator@sfgov.org>; Isen, Richard (TIS) <richard.isen@sfgov.org>;

PSC RECEIPT of Modification notification sent to Unions and DHR

The PUBLIC HEALTH -- DPH has submitted a modification request for a Personal Services Contract (PSC) for \$2,781,800 for services for the period July 1, 2015

– December 31, 2021. 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/4614>

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 Kbasconillo@sfgwater.org  
Ricardo.lopez@sfgov.org



**Choi, Suzanne (HRD)**

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**From:** Joe Brenner <Joe.Brenner@seiu1021.org>  
**Sent:** Thursday, June 18, 2015 3:35 PM  
**To:** Hale, Jacquie (DPH)  
**Cc:** DHR-PSCCoordinator, DHR (HRD); Emma Gerould; David Canham  
**Subject:** Re: Meeting Re: PSC Modification 4137-12/13 - MODIFICATIONS

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Red Category

Jacquie,

Yes, confirming that SEIU does not object to PSC Modification 4137-12/13 - MODIFICATION.

Joe

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

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**From:** Hale, Jacquie (DPH) <jacquie.hale@sfdph.org>  
**Sent:** Thursday, June 18, 2015 8:18 AM  
**To:** Joe Brenner  
**Cc:** DHR-PSCCoordinator, DHR (HRD)  
**Subject:** RE: Meeting Re: PSC Modification 4137-12/13 - MODIFICATIONS

Joe,

Have you been able to confirm that SEIU is OK with DPH asking DHR to calendar this PSC for the July 6 CSC meeting? DHR needs to complete their work on the meeting packets as early as possible today, so if you could please respond to this email with a "cc" to the DHR PSC Coordinator (just a "Reply To All"), we would appreciate it.

Thank you,

Jacquie  
(415) 554-2609

—Original Message—

**From:** Joe Brenner [mailto:Joe.Brenner@seiu1021.org]  
**Sent:** Wednesday, June 17, 2015 3:41 PM  
**To:** Hale, Jacquie (DPH)  
**Cc:** DHR-PSCCoordinator, DHR (HRD)  
**Subject:** Re: Meeting Re: PSC Modification 4137-12/13 - MODIFICATIONS

Jacquie,

# **Additional Attachment(s)**

City and County of San Francisco



Edwin M. Lee  
Mayor

Department of Public Health

Barbara A. Garcia, MPA  
Director of Health

**MEMORANDUM**

TO: DHR City Wide PSC Coordinator  
THROUGH: Barbara A. Garcia, MPA, Director of Health  
FROM: Jacquie Hale, Director, DPH Office of Contracts Management  
DATE: March 13, 2015  
SUBJECT: PSC 4137 12/13 Modification #1 Memo

The Department of Public Health (DPH) respectfully requests approval to modify the following PSC:

**PSC 4137 – 12/13 Adult Immunization and Travel Clinic Insurance Billing and Collections**

**Reason for modification:**

There is no change in the services needed. The amount shown in the initial request was the Department's best estimate of the total contract amount, and reflected only the maximum fee anticipated to be paid to the contractor as percentage of total collected revenue, not the actual billings submitted or processed by the contractor. At that time this service was new and the actual revenue to be realized was then unknown. Subsequent experience with this contract has indicated that substantial revenue will be realized, necessitating an increase to this PSC, as the revenue collected by the contractor is included by the contractor and then returned to the City.

**Reason duration exceeds five (5) years:**

There was a delay in the solicitation of services which will delay the start date of services. The Department is currently in the process of soliciting the services outlined in PSC 4137 12/13.

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

**A. Explain why civil service classes are not applicable:**

(continued)

The City also currently lacks the Contractor's established automated system for these services and has existing staff who specialize in these services for many clients, affording the City access to their broad range of expertise and resources.

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

(continued)

... which is a changing field due to the presently unknown impacts of healthcare reform.