



Gavin Newsom
Mayor

Micki Callahan
Human Resources Director

Date: August 2, 2010

To: The Honorable Civil Service Commission

Through: Micki Callahan
Human Resources Director

From: Gordon Choy, DPW
Rachel Buerkle, ENV
Thomas DiSanto, CPC
Pauline Marx, TTX
Joan Lubamersky, GSA

Subject: Personal Services Contracts Approval Request

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

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

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

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

Total of this Report	YTD Expedited Approvals FY 2010-2011	Total for FY 2010-2011
\$62,875,000	\$103,800	\$79,471,317

POSTING FOR
8/2/2010

PROPOSED PERSONAL SERVICES CONTRACTS - Regular

PSC No	Dept No.	Dept Name	Approval Type	Contract Amount	Description of Work	Duration
4016-10/11	90	Public Works	Regular	\$400,000	Contractor shall fully provide multi-surface graffiti abatement services, on private property, within the city limits of San Francisco. This multi-surface graffiti removal process will include scraping, priming, power washing, color matching and painting and the application of environmentally safe chemical removers and cleaning agents. The department anticipates awarding 4 as-needed contracts, each not to exceed \$100,000.	8/31/2013
4017-10/11	22	Environment	Regular	\$75,000	GreenFinancesSF is a City sponsored Clean Energy Loan Program ("PACE" program) which will property owners (residential and commercial) to install electric and thermal solar systems and make energy efficiency improvements to their buildings and pay for the cost of such improvements over 20 years through a special tax on their property tax bills. The City will facilitate the project funding for each project through proceeds derived from sale of special tax bonds or other borrowings secured by a special tax levy on participating landowners' property tax bill. The contractor will administer (and finance) the program. The administrative services include program design services; program implementation services, including: web portal with online application interface, project data tracking; program marketing and communications (web, print, in person, training materials); program administration services including: application processing, request, and payment; program reporting, program documentation, and customer services; special tax administrative services (special tax apportionment method, data collection, boundary map preparation and recordation, contributions to disclosure documents, annual special; tax levy calculation and enrollment, annual CFD administration report preparation, delinquent special tax reporting, repayments of special tax liens).	12/31/2018
4018-10/11	29	City Planning	Regular	\$1,500,000	The San Francisco Planning Department (the "Department") has determined the need to select a pool of pre-qualified environmental, transportation, historic resources, and archeology review consultants through a request-for-qualifications ("RFQ") process to use on an as-needed basis for detailed environmental, transportation impact analysis, historic resources evaluation, and archeological research on various private and public projects. Such projects include, but are not limited to: environmental review of the Japantown Better Neighborhood Plan, India Basin Shoreline Community Planning Process, and the Fourth and King Street Railyards Study. Private development proposals will be required to use this as-needed pool to conduct independent environmental analysis, maintain better quality control, and follow the model used in most other jurisdictions. The Department has determined that the most effective way to provide these specialized studies is to solicit consultants to create as large a pool as possible of pre-qualified firms with the knowledge and expertise in environmental and/or transportation impact analysis, historic resource and archeology review which would follow the best practice of other California counties. Inclusion in the pre-qualified pool will be mandatory for any consultant to either 1) enter into an independent contract with a private developer for environmental or transportation impact studies, historic resource and archeology review which must be reviewed and finalized by Department staff, or 2) enter into contracts with the City and County of San Francisco on an as-needed basis for the provision of specialized studies.	7/31/2013
4019-10/11	22	Environment	Regular	\$100,000	Vendor will design and develop a web-based platform to allow multiple agencies to jointly manage and share recycling/reuse/disposal information with residents and businesses through the Bay Area.	9/30/2014

POSTING FON

8/2/2010

PROPOSED PERSONAL SERVICES CONTRACTS - Regular

PSC No	Dept No.	Dept Name	Approval Type	Contract Amount	Description of Work	Duration
4020-10/11	08	Treasurer/Tax Collector	Regular	\$300,000	Provide financial advisory services to the Treasurer/Tax Collector in the following areas: economic data analysis, fed funds rate and yield curve analysis; horizon analysis, sector and credit distribution; callable structures and maturity distribution; performance summary and attribution analysis; portfolio characteristics and cash flow analysis; review of investment sectors; portfolio recommendations; target maturity structure recommendations; Investment Pool core and liquidity balances analysis; and credit analysis for corporate issuers.	7/31/2015
4021-10/11	70	General Services Agency	Regular	\$60,000,000	The Risk Management Division of the Office of the City Administrator seeks to reestablish a pool of as-needed insurance brokers and to place insurance and provide specialized support and independent analysis (e.g., act as independent insurance advisor, proactively analyze the City's insurance programs and identify risk transfers and risk financing options), risk analysis and Enterprise Risk Management consultant services (e.g., assess risks and propose an enterprise solution to mitigate/measure/improve the City's risk profile), insurance services (e.g., design policies and programs most advantageous to the City for coverage of exposures), and claims support services (e.g., represent the City in policy interpretation and negotiations with carriers.) The pool will be utilized by multiple departments including the Airport, SFMTA, SFPUC, and, Port. During the six year period, approximately \$53 million will be for insurance premiums and approximately \$7 million for risk management consultant services. Vendors will also train City managers on new international standards for Enterprise Risk Management.	11/30/2016
4022-10/11	70	General Services Agency	Regular	\$500,000	Parking Garage operation and management at the One South Van Ness Garage consisting of transient and monthly parking for 142 vehicles.	7/31/2016

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PERSONAL SERVICES CONTRACT SUMMARY

DATE: 07/06/2010

DEPARTMENT NAME: PUBLIC WORKS DEPARTMENT NUMBER 90

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

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

TYPE OF SERVICE: Graffiti Abatement Service

FUNDING SOURCE: 1G AGF AAA General Fund

PSC AMOUNT: \$400,000.00 PSC DURATION: 08/20/2010 through 08/31/2013

1. DESCRIPTION OF WORK

A. Concise description of proposed work:

Contractor shall fully provide multi-surface graffiti abatement services, on private property, within the city limits of San Francisco. This multi-surface graffiti removal process will include scraping, priming, power washing, color matching and painting and the application of environmentally safe chemical removers and cleaning agents. The department anticipates awarding 4 as-needed contracts, each not to exceed \$100,000.

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

San Francisco Administrative Code, Chapter 80, the Community Preservation and Blight Reduction Act (CPBRA), and San Francisco Public Works Code, Article 23 the Graffiti Removal and Abatement Ordinance (GRAO), requires that private property owners receiving a Notice of Violation from the Department of Public Works (DPW), for graffiti vandalism on their property, must abate the graffiti within a set period of time. If the private property owner fails to abate the graffiti, the Director may initiate proceedings in accordance with Section 80.4 to enter upon the owner's property and abate the violation at the owner's expense. Denial of the proposed services would permit private property owners to violate the CPBRA and GRAO and evade the purpose and intent of CPBRA and GRAO (see Section 80.2 of the CPBRA and Section 1301 of the GRAO; attachments).

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

This service has been provided in the past by private contractors, under Graffiti Removal Services, directed by the DPW Bureau of Street Environmental Services.

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

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

Table with 3 columns: Union Name, Signature of person mailing/faxing form, Date. Rows include Local 21 and Local 261 & 1176.

PSC# 4016-10/11 FOR DEPARTMENT OF HUMAN RESOURCES USE gjo 7/12/2010 STAFF ANALYSIS/RECOMMENDATION:

CIVIL SERVICE COMMISSION ACTION:

DESCRIPTION OF REQUIRED SKILLS/EXPERTISE

A. Specify required skills and/or expertise:

Contractors are required to have 5 years of Graffiti Removal services. Contractor shall be fully responsible for ensuring that qualified workers perform the work and conduct inspections to ensure that work was performed according to the highest quality standards.

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

Civil Service Classifications 7514 General Laborers and 7346 Painters may perform aspects of this work but the work is performed on private property when City staff is normally attending to work located in the public domain.

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

Yes. The contractor must provide all materials and equipment required for this graffiti abatement service.

WHY CLASSIFIED CIVIL SERVICE CANNOT PERFORM

A. Explain why civil service classes are not applicable:

This graffiti abatement work is performed on an as-needed basis and requires immediate responses pursuant to Administrative Code Section 80.4 (d) requirements. City staff is already committed to other projects and these services will supplement staffs' inability to perform this private property work due to the immediate peak demands of the abatement work. Administrative Code Section 80.6 allows these services to be contracted out by DPW.

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

No. Civil Service Classifications exist but this graffiti abatement work is performed on private property on an as-needed and immediate basis when staff are assigned to other projects.

ADDITIONAL INFORMATION (if "yes," attach explanation)

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

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

B. Will the contractor train City and County employees?

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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- 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 checked="" type="checkbox"/>	<input type="checkbox"/>
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D. Are there federal or state grant requirements regarding the use of contractual services?

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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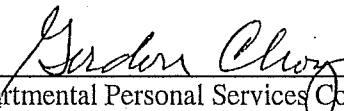
E. Has a board or commission determined that contracting is the most effective way to provide this service? Administrative Code Section 80.6 allows these services to be contracted out by DPW

<input checked="" type="checkbox"/>	<input type="checkbox"/>
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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"/>
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THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE AND ACCURATE ON BEHALF OF THE DEPARTMENT HEAD:



 Signature of Departmental Personal Services Contract Coordinator

Gordon Choy

 Print or Type Name

(415) 554-6230

 Telephone Number

875 Stevenson Street, Room 420
San Francisco, CA 94103

 Address

San Francisco, California, Administrative Code >> CHAPTER 80: - ANTI-BLIGHT ENFORCEMENT PROCEDURE
>>CHAPTER 80: - ANTI-BLIGHT ENFORCEMENT PROCEDURESEC. 80.1. - COMMON TITLE.SEC. 80.2. - LEGISLATIVE FINDINGS.SEC. 80.3. - ADMINISTRATIVE ENFORCEMENT PROCEDURES.SEC. 80.4. - GENERAL PROVISIONS-ABATEMENT OF NUISANCE.SEC. 80.5. - GENERAL PROVISIONS - NOTICE.SEC. 80.6. - ABATEMENT ACTIONS PERFORMED BY CITY.SEC. 80.7. - GENERAL PROVISIONS - INJUNCTIVE RELIEF, CIVIL PENALTIES, ATTORNEYS' FEES AND COSTS.SEC. 80.8. - COST RECOVERY.SEC. 80.9. - JOINT OR COMMON OWNERSHIP.SEC. 80.10. - SEVERABILITY.**SEC. 80.1. - COMMON TITLE.**

This Chapter may shall be referred to as the Community Preservation and Blight Reduction Act.

(Added by Ord. 256-08, File No. 081118, App. 11/7/2008)

SEC. 80.2. - LEGISLATIVE FINDINGS.

The San Francisco Board of Supervisors finds and declares that:

- (a) Properties that are in a condition of significant deterioration or disrepair or otherwise violate municipal code requirements attract vagrants, gang members and other criminal elements as prime locations to conduct their illegal criminal activities.
- (b) Properties that are in a condition of significant deterioration or disrepair or otherwise violate municipal code requirements are a blight and cause general deterioration and instability in surrounding neighborhoods.
- (c) Properties that are in a condition of significant deterioration or disrepair or otherwise violate municipal code requirements substantially endanger the health and safety of residents of the blighted properties and of the surrounding neighborhoods,
- (d) Properties that are in a condition of significant deterioration or disrepair or otherwise violate municipal code requirements pose serious threats to the public's health and safety and therefore are declared to be public nuisances.
- (e) Immediate abatement and rehabilitation of these properties is necessary and can be accomplished by using the judicial or administrative procedures found in this Chapter.

(Added by Ord. 256-08, File No. 081118, App. 11/7/2008)

SEC. 80.3. - ADMINISTRATIVE ENFORCEMENT PROCEDURES.

- (a) **Purpose.** The Board of Supervisors finds that enforcement of anti-blight provisions of the Municipal Code is vital to ensuring Quality of life in San Francisco's neighborhoods and in the City and County as a whole. A centralized administrative enforcement program with staff will promote coordination of anti-blight efforts across City departments, including, but not limited to, the Department of Public Works, the Planning Department, the Department of Building Inspections, and the Department of Public Health. This Chapter is intended to promote the general health, safety and welfare of the people of the City by promoting uniform, fair, and efficient enforcement of anti-blight provisions of the Municipal Code and related departmental regulations.

The Director of Public Works is authorized to administer and enforce the provisions of this Chapter. All staff to whom the Director has delegated enforcement responsibilities are authorized to inspect property and to take any other enforcement actions as may be required or appropriate to administer or enforce the provisions of this Chapter.

Nothing in this Chapter shall be construed to limit any right or remedy otherwise available in law or equity to any party harmed by a blighted property, nor shall this Chapter in any way limit the City's right to enforcement under any other provision of the Municipal Code or state law or create a duty or obligation on the part of the City to enforce this Chapter.

(b) Definitions.

"Blight." The presence of any one or more of the following conditions on property constitutes property blight: (i) any condition that constitutes a public nuisance as defined in California Civil Code Sections 3479- 3480, including but not limited to the conditions defined in San Francisco Public Works Code Section 174; (ii) any condition of deterioration or disrepair that creates a substantial adverse impact on neighboring properties, including but not limited, to the conditions defined in San Francisco Public Works Code Section 735; or (iii) any violation of the San Francisco Municipal Code that is visible from the

public way and creates a substantial adverse impact on neighboring properties. Notwithstanding the above definition, public nuisances pertaining to unsafe buildings, structures, or property conditions, as defined by Section 102A of the Building Code, shall not constitute blight for purposes of this Chapter and shall remain within the exclusive enforcement authority of the Department of Building Inspection to the extent required by state and local law. Blight includes, but is not limited to, the following enumerated conditions:

- (A) Property, whether improved or not, which is not kept substantially clean and free from accumulations including, but not limited to, overgrown, dead or decayed trees, weeds or other vegetation, rank growth, rubbish, junk, garbage, litter, debris, flyers or circulars.
- (B) Buildings or structures which are unpainted or the exterior paint is substantially worn off provided, however, that nothing in this section shall be construed to require an owner to paint a building where the architectural style indicates it was intended to be unpainted, such as a brown shingle building.
- (C) Buildings or structures or significant sections thereof including, but not limited to, awnings, canopies, exterior stairs, roof, foundation, walls, fences, signs, retaining walls, driveways, or walkways which are substantially deteriorated or defaced, or windows which are missing or broken. For the purposes of this section "defaced" includes, but is not limited to, writings, inscriptions, figures, scratches, or other markings commonly referred to as "graffiti."
- (D) Property which contains, in the outdoor area, any refrigerator, washing machine, sink, stove, heater, boiler, tank or any other household equipment, machinery, furniture, or item, appliance or appliances, boxes, lumber, dirt or debris, trash, garbage or refuse cans, or any items other than those commonly stored outdoors, or any parts of such items, for a period of time in excess of seventy-two consecutive hours. This subsection does not prohibit machinery installed in the rear setback areas for household or recreational use, furniture designed and used for outdoor activities, trash cans in the front yard during the twenty-four hour period allowed for garbage pick-up and garbage bins or debris boxes, were for which a valid permit has been issued by the City.

Notwithstanding the foregoing, this Chapter shall not apply to building, structural, or property conditions that present public safety risks under the San Francisco Building Code and construction codes. The Department of Building Inspection and the Fire Department retain their respective jurisdiction over such conditions pursuant to applicable state and local law.

"Director." The Director of Public Works or the Director's designee, including any Enforcement Officer staff so designated by the Director to carry out responsibilities under this Chapter.

"Staff." Employees charged with enforcement of anti-blight provisions pursuant to this Chapter,

"Owner." The owner of the property, her agent, and/or any lessee, occupant, or other person having charge or control over the property.

- (c) **Procedures of this Chapter - Cumulative.** The determination by the City to seek enforcement of its code requirements pursuant to this Chapter is solely at the City's discretion and is only one option available to the City to seek redress for the violation of its ordinances. By adopting this Chapter, the Board does not intend to limit the ability of the City to use any other remedy, civil or criminal, that may be available in a particular case. The City may use the procedures set forth herein as an alternative to, or in conjunction with, any other available remedy and in any order that seems appropriate to the City.

All property blight conditions that are required to be abated according to the provisions and permit requirements of this Chapter shall be subject to all provisions of the Municipal Code including, but not limited to, all property improvement, zoning and fire code provisions.

The Director's election to utilize the procedures set forth in this Chapter shall not affect the City Attorney's independent authority under the Charter to pursue a civil action against a property owner.

- (d) **Enforcement.** In consultation with relevant City agencies, the Director shall oversee staff with direct responsibility for enforcing the blight provisions of this Chapter. Staff shall be authorized under the Director's authority to inspect properties for blighted conditions as defined in this Chapter and elsewhere in the Municipal Code. Pursuant to this Chapter, staff shall have authority to issue notices of violation and/or take other enforcement actions consistent with the requirements of this Chapter, including but not limited to initiation of abatement actions pursuant to Section 80.4, or pursuing administrative penalties pursuant to Administrative Code Chapter 100, the provisions of which are hereby incorporated into this Chapter. Nothing in this Chapter shall be interpreted as restricting or otherwise limiting the inspection and enforcement authority conferred upon other City employees by other provisions of the Municipal Code.

(Added by Ord. 256-08, File No. 081118, App. 11/7/2008)

SEC. 80.4. - GENERAL PROVISIONS-ABATEMENT OF NUISANCE.

- (a) **Authority.** Whenever the Director determines that a property is blighted property, the Director may require or take any necessary abatement or other enforcement actions to cause the property blight to be abated in accordance with the provisions of this Chapter, or by any other lawful means, including but not limited to abatement procedures provided for elsewhere in the Municipal Code.
- (b) **Fees for Enforcement of Violation Applicable Irrespective of Abatement.** Whenever the Director issues a Notice of Violation pursuant to this Chapter, the Director may impose a fee to recover costs associated with inspection and related enforcement costs. These fees shall be established by the department and submitted to the Board of Supervisors for approval. The Director shall provide notice of such fees under Section 80.5 and may collect such fees

according to the procedures in Section 80.8, below. The blight inspection fee charged under this section is in addition to any abatement fees authorized under Section 80.5 and Section 80.8 of this Chapter.

- (1) **Application.** If the Department inspects a property and issues a notice of violation or summary abatement order, the owner(s) of the property may be required to pay the Department a blight inspection fee of \$250 to cover the Department's inspection costs. The Department shall rescind the blight inspection fee if a property owner successfully contests the notice of violation or summary abatement order after a public hearing pursuant to Section 80.5(g) of this Chapter. The Director may reduce the blight inspection fee upon a showing of financial hardship by affected property owners.
 - (2) **Controller Review and Adjustment of Fee Amount.** Beginning with fiscal year 2009-2010, the Controller will annually adjust the fee amount specified in this Section by the two-year average consumer price index change for the San Francisco/San Jose Primary Metropolitan Statistical Area. No later than May 15th of each year, the Controller shall file a report with the Board of Supervisors reporting the new fee schedule and certifying whether: (a) the blight inspection fee produces sufficient revenue to support the costs of providing inspection service; and whether (b) the blight inspection fee produces revenue significantly in excess of the costs of providing the services for which each inspection is conducted.
 - (3) **Additional Costs.** In instances where Department inspection costs exceed the blight inspection fee amount specified in Section 80.4, subsection (b)(1), the Director may require the property owner to pay an additional sum in excess of the ordinary blight inspection fee. The blight inspection fee, together with any additional sum authorized under this section, shall not exceed the actual costs incurred by the Department, as calculated on a time and materials basis. The Director also may charge for any time and materials costs that other agencies, boards, commissions, or departments of the City, including but not limited to the Office of the City Attorney, incur in connection with the inspection of the blighted property. The Director shall provide property owners with written itemization of the basis for the additional fees or an estimate of the additional fees to be charged.
- (c) **Summary Abatement of Conditions in the Public Right-of-Way—Imminent Danger.**
- (1) Any condition of property blight in the public right-of-way that is reasonably believed by the Director to be imminently dangerous to the life, limb, health or safety of the public may be summarily abated by the Director in accordance with the procedures of this Chapter.
 - (2) Actions taken to abate imminently dangerous conditions may include, but are not limited to, repair or removal of the condition creating the danger or any other abatement action determined by the Director to be necessary.
 - (3) Costs for any abatement performed on behalf of the City may be recovered by the City according to the provisions of this Chapter.
- (d) **General Abatement Provisions.**
- (1) **General Provision.** Any thing or condition, including but not limited to violations of the Municipal Code or State law, that threatens injury or damage to the health, safety, welfare or property of members of the public, that obstructs the free use of property of others or of the public way or commons, or otherwise interferes with the comfortable enjoyment of life or property, is a public nuisance. Such public nuisances are prohibited within the City and no person shall create or participate in the creation or maintenance of such a public nuisance.
 - (2) **Applicability.** Whenever the City, pursuant to this Chapter, takes any action to abate a blighted condition or requires any person to abate any blighted condition existing on private property, the procedures set forth in this Chapter may be utilized, unless such use is specifically prohibited. For the purpose of this Chapter, property shall include parcels of land, and/or any building, structure or portion thereof.
 - (3) **Inspections of Private Property.** Private property is subject to inspection under this Chapter whenever:
 - (A) There is reason to believe that a condition exists on such property that violates, a provision of the Municipal Code, or that makes a property a public nuisance, or in a blighted condition; or
 - (B) Such inspection is deemed necessary by staff to carry out the provisions of the Municipal Code; or
 - (C) There is any abatement action being performed on the property pursuant to a provision of this Chapter or any order issued pursuant thereto requiring such action; or
 - (D) Such inspection is conducted to determine if there has been completion of an abatement action pursuant to any abatement order.
 - (4) **Entry onto Private Property for Inspection Authorized.** Whenever it is necessary to make an inspection of property to investigate or enforce any of the provisions of this Chapter, any official authorized by the City to conduct such inspections may enter such property at all reasonable times to inspect the same provided that:
 - (A) If such property is occupied, the official shall first present proper credentials and request entry;
 - (B) If such property is unoccupied, except in emergency circumstances, the official shall make a reasonable effort to contact the owner or other persons having charge or control of the property and request entry;
 - (C) If such entry is not granted or the owner or other persons having charge or control of said building or structure cannot be contacted, the official seeking entry shall have recourse to every remedy provided by law to secure entry.
 - (5) **Inspections at Discretion of the City.** All inspections authorized for the purpose of investigation or enforcing the provisions of this Chapter shall be at the discretion of the City and nothing in this Chapter shall be construed as requiring the City to conduct any such inspection nor shall any actual inspection made imply a duty to conduct any other inspection. Furthermore, nothing in this Chapter shall be construed to hold the City responsible for any damage to persons or property by reason of making an inadequate or negligent inspection or by reason of any failure to make an inspection or reinspection.
 - (6) **Obstruction or Interference with Work Prohibited.** No person shall obstruct, impede or interfere or cause another to obstruct, impede or interfere with any person who is engaged in abatement actions performed

pursuant to the provisions of this Chapter or who is directing or performing any act necessary or incidental to such abatement.

(7) Time Within Which to Commence and Complete Abatement Work.

- (A) Whenever an abatement order is issued, the work shall commence as soon as reasonably possible under the circumstances and be diligently pursued to completion with the time periods specified in the order issued by the Director.
- (B) If no City permits are required for the abatement action and the conditions are not imminently dangerous, unless otherwise specified in the order, the abatement actions shall commence no later than 15 days from the date the order was issued and be completed within 30 days from commencement.
- (C) If City permits are required for the abatement action, unless the period of time is extended by the Director, a complete application for each such permit shall be submitted no later than 15 days from the date of the notice of violation. Work shall begin within 30 days of the issuance of the permit and be completed within 30 days from commencement of the work, unless either time period is otherwise specified in the order.

(8) Failure to Comply - Abatement Action by City Authorized. Whenever there is a failure to comply with an abatement notice or order within the time specified in such notice or order, or within the later time specified by the decision of an administrative hearing officer on appeal from the Director's decision, the Director is authorized to:

- (A) Cause the conditions that require abatement actions to be repaired or abated to the extent necessary to remedy the conditions causing the nuisance.
- (B) Extension of time permitted. Any person, firm or corporation required to take abatement action pursuant to this Chapter may apply to the Director for an extension of time in order to comply. The Director may grant an extension of time, if the Director, at his or her discretion, determines that such an extension of time is reasonable under the circumstances. The Director may require a written agreement by such person, firm or corporation that the order will be complied with, as a condition for such extension. The extension of time to complete an abatement action will not extend the time for any hearing hereunder unless the Director expressly so states.

(e) **Public-Owned Property.** Where the property is owned by a public entity other than the City, the Director shall cause removal of the blighted condition only after securing the consent of an authorized representative of the public entity that has jurisdiction over the property. The Director shall use all reasonable efforts to minimize blighted vacant lots on City-owned property, but City-owned property shall not otherwise be subject to the requirements of this Article.

(f) **Public Rights-of-Way.** The Director may choose to abate public nuisances upon the public right-of-way in accordance with the notice, hearing, and abatement procedures set forth in this Chapter. The owner and/or occupant of the premises or unit adjacent to a public sidewalk, public stairway or other public right-of-way shall be held liable for such conditions, including the cost of enforcement actions under this Chapter.

(Added by Ord. 256-08, File No. 081118, App. 11/7/2008; Ord. 82-09, File No. 090076, App. 5/20/2009)

SEC. 80.5. - GENERAL PROVISIONS - NOTICE.

(a) Notice of Violation.

(1) Where the Director determines that any condition constitutes a blighted property in violation of this Chapter, and that said conditions do not warrant summary abatement procedures, the Director shall issue a notice of violation to the property owner. At the time the notice of violation is issued, the Director shall take one or more photographs of the property showing the blighted conditions, and shall make copies of the photographs available to the recipient of the notice upon request. The photographs shall be dated and retained as a part of the file for the violation. The notice shall generally describe the violation, give the owner 15 calendar days from the date of the service of the notice to either commence abatement of the violation or request a hearing on the notice of violation, and shall set forth the procedure for requesting a hearing on the violation. The notice shall also inform the property owner of his or her right to request an extension of time pursuant to paragraph (a)(2) of this Section in order to abate the violation, and further inform the owner that where the owner fails to either commence abatement of the violation or request a hearing within 15 calendar days (plus an extension if applicable) from the date of service of the notice, the Director may initiate proceedings in accordance with Section 80.4 to enter upon the owner's property and abate the violation at the owner's expense, and/or may impose an administrative penalty under Administrative Code Chapter 100 for failure to abate the violations, and/or may refer the matter to the City Attorney for further enforcement action, as appropriate. In addition, the notice shall inform the owner that the minimum charge for City abatement of the violation is the greater of \$400 or the actual cost to the City, (including overhead and administrative costs, as well as attorneys' fees where the Director has elected to seek recovery of attorneys' fees), and that the City's cost of preparation for and appearance at the hearing required by Section 80.5 and all prior and subsequent attendant costs (including enforcement fees and costs incurred and penalties assessed in ascertaining violations) shall be assessed upon the property owner. Said violations will not be deemed legally abated until the property owner makes full payment of the assessment of costs to the Department.

(2) **Extension of Time.** A property owner may receive an extension of an additional 15 calendar days in which to abate the violation pursuant to Section 80.4. The notice of violation issued under this subsection shall specify the address, telephone and facsimile numbers for requesting such an extension. An extension under this paragraph shall not affect the deadline for a property owner to request a hearing on a notice of violation.

(b) **Summary Abatement - Imminent Danger - Contents of Notice.** Whenever it is determined that summary abatement action by the City is necessary due to any condition in the public right-of-way that is imminently dangerous, the Director shall issue a notice of summary abatement directed to the record owner(s) of the adjacent property that has been determined to be responsible for the condition to be abated. The notice shall contain:

- (1) The street address and a legal description sufficient for identification of the location of the property.
 - (2) A statement that the public right-of-way adjacent to the property was found to be imminently dangerous, with a brief and concise description of the conditions found to render the property condition imminently dangerous in accordance with the provisions of this Chapter.
 - (3) A description of the summary abatement actions that were required and performed by the City to abate the imminent danger.
 - (4) Statements advising that a charge will be assessed for the work that was performed and a description of the cost recovery procedure of Section 80.8 of this Chapter.
 - (5) An order specifying what additional actions, if any, are required to be taken by those persons receiving this notice and the time within which the actions must be commenced and completed. Such order shall include the information required in Section 80.5(a).
 - (6) Statements advising that any person having any record title or legal interest in the property as described in Section 80.5(e) may protest any abatement action taken or ordered by the Director to a Hearing Officer as designated in Section 80.5(g), at a public hearing on the date certain specified in the notice; and,
 - (7) Statements advising that failure to file a written protest or to appear at such hearing will constitute a failure to exhaust administrative remedies.
- (c) **General Abatement - Proposed Abatement Order - Contents of Notice.** Upon the determination that any condition exists on the property that requires abatement action, the Director may issue a proposed abatement order directed to the owner(s) of the property. The order shall contain:
- (1) The street address and a legal description sufficient for identification of the location of the property;
 - (2) A statement advising that the property has been found to require abatement actions, with a brief and concise description of the conditions found to require such abatement actions;
 - (3) Specification of any abatement actions to be taken and the time within which the actions must be commenced.
 - (4) A statement advising that if any ordered abatement action is not completed within the time specified by this Chapter or in the decision of the administrative hearing officer on appeal from a decision of the Director, the Director may proceed to cause the abatement work to be done and charge the costs thereof against the property or its owner, including the costs of ascertaining violations.
 - (5) A statement advising that: (A) any person having any record title or legal interest in the building as described in Section 80.5(e) may appear and protest the notice or order of any action taken or required to be taken by the Director to the Hearing Officer designated in Section 80.5(g), at a public hearing at the time and place specified in the order; and (B) failure to file a written protest or to appear at such hearing will constitute a failure to exhaust the administrative remedies.
- (d) **Recording of Abatement Order Certificates.**
- (1) When a notice of abatement or proposed abatement order is issued, the Director may file in the Office of the County Recorder a certificate describing the property and certifying that: (A) the property, building or structure is a nuisance pursuant to the provisions of this Chapter; (B) the actions proposed by the Director to abate the conditions or defects causing the property to be a nuisance; (C) if the abatement actions required by the Director are not performed, the City may do so; (D) if the City performs the required abatement actions, the costs incurred for such performance may become a lien against the property; and (E) those persons entitled to service pursuant to Section 80.5(e) have been so notified.
 - (2) Whenever an abatement order certificate has been filed and the corrections ordered by the Director have been completed, and any costs assessment owed to the Department has been paid, the Director shall file a compliance certificate with the County Recorder certifying that all the required corrections have been made or that the building or structure has been demolished so that the property is no longer in violation of the notice or order of abatement, whichever is appropriate.
- (e) **Service to Certain Persons Required.** Any notice or order, and any amended or supplemental notice or order, that is required shall be served upon the record owner(s) of the subject property. A copy of each notice or order, and any amended or supplemental notice and order, shall also be served on each of the following as disclosed by official public records in the County Recorder's Office:
- (1) The holder of any mortgage or deed of trust or other lien or encumbrance of record;
 - (2) The owner or holder of any lease of record; and
 - (3) The holder of any other estate of legal interest of record in or to the property on which the nuisance is located.
- The lack of service to any person required to be served shall not invalidate any proceedings as to any other person duly served or relieve any such person from any duty or obligation imposed by the provisions of this Chapter.
- (f) **Notice or Order - Method of Service.** Service of any required notice or order shall be made either personally or by mailing a copy of such notice or order by certified mail postage prepaid, to each person entitled to service at the address that appears on the last equalized assessment roll of the County or as known to the Director. If no such address appears or is known to the Director then a copy of the notice or order shall be mailed, addressed to such person, at the address of the property involved in the proceedings. The failure of any such person to receive such notice or order shall not affect the validity of any proceedings taken pursuant to this Chapter. Service by certified mail shall be effective from the date of mailing.
- (g) **Hearing.**
- (1) **Request for Hearing.** A properly owner may request a hearing in order to contest the decision of the Director by filing with the Director within 15 calendar days from the date of the notice of violation, a request for hearing that specifies in detail the basis for contesting the notice of violation or summary abatement.
 - (2)

Notice of Hearing. Whenever a hearing is requested pursuant to this Section, the Director shall, within seven calendar days of receipt of the request, notify the property owner of the date, time, and place of the administrative review hearing by certified mail. Such hearing shall be held no later than 45 calendar days after the Director receives the request, unless time is extended by the Director upon request of the owner.

- (3) **Hearing Procedure.** The hearing shall be conducted by a neutral Hearing Officer from a City office or department outside the Department of Public Works, appointed by the City Administrator. The burden of proof to establish that the property is blighted shall be on the City. The owner shall be entitled to present evidence and demonstrate that his or her property is not blighted. The property owner shall also be entitled to present evidence and demonstrate that requiring the owner to abate the violations at her own expense would result in an unfair extreme hardship. All testimony shall be under oath, and witnesses may be cross-examined. The hearing officer may consider any relevant evidence submitted by the parties, including evidence that might be excluded from a court hearing because it may constitute hearsay. The Hearing Officer shall ensure that a record of the proceedings is maintained. The determination of the hearing officer after the hearing shall be final and not appealable.
- (4) **Submittals for the Hearing.** At least five City business days prior to the hearing, the property owner and the City shall submit to the Hearing Officer and exchange with one another, written information including, but not limited to, the following: a statement of the issues to be determined by the Hearing Officer, a statement of the evidence to be offered at the hearing and the identity of any witnesses to appear at the hearing. The Director shall provide to the Hearing Officer a copy of the Department's case file, which shall include at a minimum the notice of violation or summary abatement, any other written communications between the Department and the responsible party, and communications submitted by interested members of the public concerning the case. The Director may also submit, but is not required to do so, written arguments on why the Director's order should be upheld. Anything submitted to the Hearing Officer by either party to the appeal shall be served upon the other party at the same time and in the same manner as it is submitted to the Hearing Officer.
- (5) **Decision.** The Hearing Officer shall issue a decision upholding or overturning the Director's decision, including a summary of the issues and the evidence presented, and findings and conclusions, within ten calendar days of the conclusion of the hearing. A copy of the decision shall be served upon the property owner by certified mail. The decision shall be the City's final administrative determination. An aggrieved party may seek judicial review of the decision pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6.
- (h) **Effect of Failure to Request or Appear at Hearing.** Unless and until any property owner issued a notice or order under this Chapter shall timely request a hearing as provided in this Section, the notice or order shall have the full force and effect of a final order to abate. The failure of any property owner issued a notice or order under this Chapter to appear at a hearing scheduled in accordance with the requirements of this Chapter and contest the validity of the notice of order shall preclude the owner from raising such issues in any subsequent proceeding.
- (i) **Presumption of Noncompliance with Order.** Notwithstanding any other provision of this Chapter, any person or entity served, in any manner permitted for service of process under the provisions of the Code of Civil Procedure, with a notice or order by the Director setting forth the nature of the violation of this Chapter, demanding correction of such violation, and specifying the time within which such violation must be corrected, shall be presumed, in subsequent civil proceedings, to have failed to comply with said notice or order at and after the time given in said notice or order for correction of such violation has expired without correction of said violation.
- (j) **Parallel Running of Notice Provisions.** The notices required by this Chapter, including but not limited to notice(s) of inspection, violation, hearing, and abatement, may run concurrently rather than sequentially in order to facilitate timely resolution and/or abatement of blight conditions.

(Added by Ord. 256-08, File No. 081118, App. 11/7/2008)

SEC. 80.6. - ABATEMENT ACTIONS PERFORMED BY CITY.

- (a) **Supervision of Work.** Any abatement action performed by the City pursuant to this Chapter shall be accomplished under the supervision of the Director either:
- (1) by City personnel; or
 - (2) by contract awarded by the Director or by the City Department with direct jurisdiction over the Code violations to be abated.
- (b) **Contract and Bid Procedures.** Any contract for work pursuant to this Chapter shall be contracted for and awarded pursuant to applicable Municipal Code procedures.
- (c) **Work Standard.** Whenever the City performs any abatement action pursuant to this Chapter, the City shall not be required to perform such abatement actions to the standard that the property, building or structure complies with all applicable provisions of this Code. The City shall perform such actions as are determined by the Director to be necessary to abate or remedy the nuisance caused by such property, building or structure. Such limited abatement action by the City does not relieve the property owner from any requirement to bring the property into compliance with any applicable provisions of this Code.

(Added by Ord. 256-08, File No. 081118, App. 11/7/2008)

SEC. 80.7. - GENERAL PROVISIONS - INJUNCTIVE RELIEF, CIVIL PENALTIES, ATTORNEYS' FEES AND COSTS.

- (a) Any use of, maintenance of, or action taken with regard to any property that is contrary to the provisions of this Chapter or any condition of any permit required by this Chapter shall be, and is hereby declared to be, unlawful and a public nuisance. As an alternative to any other remedy, the City Attorney may apply to any court having jurisdiction for any

- relief as will abate or remove such nuisance and restrain any person, firm or corporation from using, maintaining or taking any action regarding any property contrary to the provisions of this Chapter.
- (b) This Chapter may be enforced by an injunction issued by any court having jurisdiction upon any suit by the City or by the owner or occupant of any property affected by any such violation or threatened violation or by any neighbor of any property affected by any such violation or threatened violation.
- (c) In any court action to enforce this Chapter by the City Attorney, unless the specific code provision violated otherwise provides for civil penalties in another amount, the City shall be entitled to recover civil penalties in the amount specified by this Section:
- (1) Up to \$100 per day for each day of violation following issuance of Notice of Violation to the Owner, for the period beginning 15 days following issuance of said Notice until 90 days following issuance of such Notice;
 - (2) From \$100 per day to \$500 per day for each day following issuance of Notice of Violation to the Owner, for the period beginning 91 days following issuance of said Notice until 120 days following issuance of such Notice;
 - (3) From \$500 per day to \$1,000 per day for each day following issuance of Notice of Violation to the Owner, for the period beginning 121 days following issuance of such Notice;
- (d) In deciding the amount of civil penalty to be imposed, the Court shall consider the following factors:
- (1) Whether the responsible party was properly identified;
 - (2) The nature and seriousness of the violation;
 - (3) The duration of the violation;
 - (4) The number of violations;
 - (5) The willfulness of the responsible party's misconduct;
 - (6) Efforts made by the responsible party to correct the violation;
 - (7) The impact of the violation upon the community;
 - (8) Any instance in which the responsible party has been in violation of the same or similar laws at the same or other locations in the City and County of San Francisco;
 - (9) The responsible party's good faith efforts to comply;
 - (10) Whether the violation is easy to correct;
 - (11) The assets, liabilities and net worth of the responsible party; and,
 - (12) Such other factors as the Court may consider relevant to whether the responsible party is likely to commit similar violations in the future.
- (e) In any action under this section in which the City succeeds in obtaining any order from the Court enforcing this Chapter, the City shall be entitled to recover from defendant its costs of investigation, enforcement, and litigation, including but not limited to attorneys' fees and expert witness fees. This provision is designed to support and encourage actions to abate blighted conditions in the City and therefore is not a prevailing party attorneys' fee provision and in no way allows recovery by any defendant of his or her costs or attorneys' fees against the City.
- (f) Upon entry of a second or subsequent civil or criminal judgment within a two-year period that finds that the owner of property is responsible for a condition that may be abated in accordance with this Chapter, the court may order the owner to pay trebled costs of the abatement.

(Added by Ord. 256-08, File No. 081118, App. 11/7/2008)

SEC. 80.8. - COST RECOVERY.

- (a) **Blight Abatement Fund.** The City shall maintain a special revolving fund designated as the "Blight Abatement Fund." The Blight Abatement Fund is established as a Category 6 special fund within the meaning of Administrative Code Article XIII, Section 10.100-1, meaning that funds may be appropriated, interest shall not accumulate and that any fund balance shall carry forward year to year. Payments shall be made out of said fund upon the demand of the Director. The Blight Abatement Fund shall be used exclusively to defray costs and expenses incurred by the City in ascertaining violations, enforcing the provisions of this Chapter, and doing or causing to be done the necessary work of repair or other abatement work performed pursuant to this Chapter. This fund may also be used to defray the costs of the City performing any blight abatement where it is determined that requiring private abatement of a blighted condition by a property owner would impose an extreme financial burden on that property owner.
- All funds collected pursuant to this Chapter shall be paid to the Controller who shall credit the same to Blight Abatement Fund.
- (b) **Expenses - Accounting and Report Required.** The Director shall keep an itemized account of the expense incurred by the City for enforcement and abatement actions performed pursuant to the provisions of this Chapter. Upon the completion of any enforcement or abatement action, the Director shall prepare an invoice specifying the actions taken, the itemized and total cost of the actions, and any allowable inspection fees, a description of the property where the action was performed, and the names and addresses of the persons entitled to notice pursuant to Section 80.5(e). This invoice shall be served on such persons in accordance with the provisions of Section 80.5(f). Such invoices may be served upon the completion of each enforcement or abatement action or may be served upon the completion of all necessary enforcement and abatement actions.
- (c) **Payment Required.** This invoice shall be paid within 30 days of the date it is served or within the time and in the manner specified by the Controller or Bureau of Delinquent Revenue Collection. Such payment shall be made to the Controller.
- (d) **Failure to Pay.** If the responsible party fails to pay the invoice within thirty days of service, the Director may take such action to collect the fees as he or she deems appropriate, including (i) referral of the matter to the Bureau of Delinquent Revenue Collection under Article V, Section 10.39 of the Administrative Code, (ii) initiation of lien proceedings under

Article XX, Section 10.230 et seq. of the Administrative Code whereby the amount of the lien shall be payable in the same time and manner as outstanding ad valorem real property taxes due, consistent with Article XX, Section 10.236, and/or (iii) requesting that the City Attorney pursue collection of the penalties imposed against the responsible party in a civil action. The City Attorney may request its attorneys' fees in any action that he or she pursues to collect the administrative penalties or to enforce collection of the penalties.

(Added by Ord. 256-08, File No. 081118, App. 11/7/2008; Ord. 82-09, File No. 090076, App. 5/20/2009)

SEC. 80.9. - JOINT OR COMMON OWNERSHIP.

Whenever property that is the subject of blight abatement pursuant to this Chapter is jointly owned, owned as common property or is otherwise subject to multiple ownership whether in fee or as an easement, the owners of the property shall be jointly and severally liable for the nuisance. The City may apportion each owner's liability in reasonable proportion to each individual's ownership interest in the subject property.

(Added by Ord. 256-08, File No. 081118, App. 11/7/2008)

SEC. 80.10. - SEVERABILITY.

In the event that a court or agency of competent jurisdiction holds that federal or state law, rule or regulation invalidates any clause, sentence, paragraph or section of this Chapter or the application thereof to any person or circumstances, it is the intent of the Board of Supervisors that the court or agency sever such clause, sentence, paragraph or section so that the remainder of this Chapter shall remain in effect.

(Added by Ord. 256-08, File No. 081118, App. 11/7/2008)

San Francisco, California, Public Works Code >> ARTICLE 23: - GRAFFITI REMOVAL >>ARTICLE 23: - GRAFFITI REMOVALSEC. 1300. - TITLE.SEC. 1301. - PURPOSE AND INTENT.SEC. 1302. - DEFINITIONS.SEC. 1303. - PROHIBITION.SEC. 1304. - VIOLATIONS.SEC. 1305. - REQUEST FOR HEARING; HEARING.SEC. 1306. - ABATEMENT BY DIRECTOR.SEC. 1307. - STAY OF PROCEEDINGS DURING CRIMINAL PROSECUTION.SEC. 1308. - LIMITATION OF LIABILITY.SEC. 1309. - SEVERABILITY.**SEC. 1300. - TITLE.**

This Article shall be known as the "Graffiti Removal and Abatement Ordinance."

(Added by Ord. 29-94, App. 1/14/94)

SEC. 1301. - PURPOSE AND INTENT.

The Board of Supervisors hereby finds and declares that:

- (a) Graffiti is detrimental to the health, safety and welfare of the community in that it promotes a perception in the community that the laws protecting public and private property can be disregarded with impunity. This perception fosters a sense of disrespect of the law that results in an increase in crime; degrades the community and leads to urban blight; is detrimental to property values, business opportunities and the enjoyment of life; is inconsistent with the City's property maintenance goals and aesthetic standards; and results in additional graffiti and in other properties becoming the target of graffiti unless it is quickly removed from public and private property.
- (b) Graffiti results in visual pollution and is hereby deemed a public nuisance. Graffiti must be abated as quickly as possible to avoid detrimental impacts on the City and County and its residents, and to prevent the further spread of graffiti.
- (c) Graffiti is increasingly used by gangs to frighten residents of neighborhoods. Therefore, gang graffiti, in particular, exacerbates the degradation of San Francisco's quality of life. In order to alleviate this fear caused by gang graffiti, and to assist the partnership between the City and County and the neighborhoods in their mutual efforts to make streets safe, gang graffiti must be abated as quickly as possible.
- (d) It is the purpose of this Article to provide a program for the removal of graffiti from walls, pavement, structures and other improvements on both public and private property.

(Added by Ord. 29-94, App. 1/14/94; amended by Ord. 263-04, File No. 041150, App. 11/4/2004)

SEC. 1302. - DEFINITIONS.

- (a) **City.** "City" means the City and County of San Francisco.
- (b) **Director.** "Director" means the Director of the Department of Public Works or his or her designee.
- (c) **Graffiti.** "Graffiti" means any inscription, word, figure, marking or design that is affixed, marked, etched, scratched, drawn or painted on any building, structure, fixture or other improvement, whether permanent or temporary, including by way of example only and without limitation, signs, banners, billboards and fencing surrounding construction sites, whether public or private, without the consent of the owner of the property or the owner's authorized agent, and which is visible from the public right-of-way. "Graffiti" shall not include: (1) any sign or banner that is authorized by, and in compliance with, the applicable requirements of this Code, the San Francisco Planning Code or the San Francisco Building Code; or (2) any mural or other painting or marking on the property that is protected as a work of fine art under the California Art Preservation Act (California Civil Code Sections 987 et seq.) or as a work of visual art under the Federal Visual Artists Rights Act of 1990 (17 U.S.C. §§ 101 et seq.).
- (d) **Owner.** "Owner" shall mean the owner of record of the property as set forth in the most current records of the Tax Assessor, or the owner's authorized agent.

(Added by Ord. 29-94, App. 1/14/94; amended by Ord. 263-04, File No. 041150, App. 11/4/2004)

SEC. 1303. - PROHIBITION.

It shall be unlawful for the owner of any real property within the City and County bearing graffiti to allow the graffiti to remain on the property in violation of this Article.

ARTICLE 23: - GRAFFITI REMOVAL

(Added by Ord. 29-94, App. 1/14/94; amended by Ord. 263-04, File No. 041150, App. 11/4/2004)

SEC. 1304. - VIOLATIONS.

- (a) **Notice of Violation.** Where the Director determines that any property contains graffiti in violation of Section 1303, the Director may issue a notice of violation to the property owner. At the time the notice of violation is issued, the Director shall take one or more photographs of the alleged graffiti, and shall make copies of the photographs available to the property owner upon request. The photographs shall be dated and retained as a part of the file for the violation. The notice shall give the owner thirty (30) calendar days from the date of the notice to either remove the graffiti or request a hearing on the notice of violation, and shall set forth the procedure for requesting the hearing. The notice shall also inform the owner that where the owner fails to either remove the graffiti or request a hearing within thirty (30) calendar days from the date of the notice, the Director may initiate proceedings in accordance with this Article to enter upon the owner's property and abate the graffiti at the owner's expense. The notice shall further inform the owner that the minimum charge for removing graffiti is the greater of either \$500 or the actual cost to the City, (including overhead and administrative costs, as well as attorneys' fees where the Director has elected to seek recovery of attorneys' fees). The Director shall serve the notice of violation as follows:
1. One copy of the Notice shall be posted in a conspicuous place upon the building or property.
 2. One copy of the Notice shall be served upon each of the following:
 - A. The person, if known, in real or apparent charge and control of the premises or property involved;
 - B. The owner of record.
 3. The Director may also serve one copy of the notice upon any other parties with a recorded interest. Service required by paragraphs 2 and 3 may be made by personal service or by certified mail.
- (b) Where property defaced by graffiti is owned by a public entity other than the City and County, the Director shall cause removal of the graffiti only after securing the consent of an authorized representative of the public entity that has jurisdiction over the property. The Director shall use all reasonable efforts to minimize graffiti on City-owned property, but City-owned property shall not otherwise be subject to the requirements of this Article.

(Added by Ord. 29-94, App. 1/14/94; amended by Ord. 211-99, File No. 990623, App. 7/30/99; Ord. 263-04, File No. 041150, App. 11/4/2004)

SEC. 1305. - REQUEST FOR HEARING; HEARING.

- (a) **Request for Hearing.** A property owner may request a hearing in order to contest the notice of violation issued in accordance with Section 1304 by filing with the Director within thirty (30) calendar days from the date of the notice of violation, a request for hearing that specifies in detail the basis for contesting the notice of violation.
- (b) **Notice of Hearing.** Whenever a hearing is requested pursuant to this Section, the Director shall, within seven (7) calendar days of receipt of the request, notify the property owner of the date, time, and place of the administrative review hearing by certified mail. Such hearing shall be held no later than forty-five (45) calendar days after the Director receives the request, unless time is extended by mutual agreement of the affected parties.
- (c) **Submittals for the Hearing.** At least five (5) City business days prior to the hearing, the property owner and the City shall submit to the hearing officer and exchange with one another, written information including, but not limited to, the following: a statement of the issues to be determined by the hearing officer, a statement of the evidence to be offered at the hearing and the identity of any witnesses to appear at the hearing.
- (d) **Hearing Procedure.** The hearing shall be conducted by a neutral hearing officer from a City office or department outside the Department of Public Works, appointed by the Director of Administrative Services. The burden of proof to establish that the property contains graffiti shall be on the City. The owner shall be entitled to present evidence and demonstrate that his or her property does not contain graffiti. The property owner shall also be entitled to present evidence and demonstrate that his or her property is burdened with a disproportionate share of graffiti vandalism, based on factors such as the frequency or extent of the graffiti, such that requiring the owner to remove the graffiti would result in an unfair hardship. All testimony shall be under oath, and witnesses may be cross-examined. The hearing officer shall ensure that a record of the proceedings is maintained. The determination of the hearing officer after the hearing shall be final and not appealable.
- (e) **Decision.** The hearing officer shall issue a decision including a summary of the issues and the evidence presented, and findings and conclusions, within ten (10) calendar days of the conclusion of the hearing. A copy of the decision shall be served upon the property owner by certified mail. The decision shall be the City's final administrative determination. An aggrieved party may seek judicial review of the decision pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6.

(Formerly part of Sec. 1306; added by Ord. 29-94, App. 1/14/94; amended and renumbered by Ord. 263-04, File No. 041150, App. 11/4/2004)
 (Former Sec. 1305 added by Ord. 29-94, App. 1/14/94; amended by Ord. 211-99, File No. 990623, App. 7/30/99; repealed by Ord. 263-04)

SEC. 1306. - ABATEMENT BY DIRECTOR.

- (a) Following the hearing if the City sustains its burden of proof, or if the property owner does not request a hearing and fails to remove the graffiti within thirty (30) calendar days from the date of the notice of violation, the Director may immediately order that the graffiti be abated. Unless the Director has obtained written consent from the property owner to enter the property and remove the graffiti, before initiating abatement the Director shall obtain a court order authorizing the Department of Public Works to enter upon the property and remove the graffiti and give written notice of the abatement (Abatement Order) served in accordance with Section 1304(a). The Director may not order a graffiti abatement action that may violate the California Art Preservation Act (California Civil Code Sections 987 et seq.) or the Federal Visual Artists Rights Act of 1990 (17 U.S.C. §§ 101 et seq.) without first consulting with the City Attorney.

- (b) Alternatively, the Director may provide paint for graffiti removal to a property owner at no charge. In return, the property owner shall agree in writing to paint over the graffiti giving rise to the violation within 10 City business days from receiving the paint. A property owner's failure to paint over the graffiti within that time shall be ground for the Director to issue a new notice of violation under Section 1304.
- (c) If the hearing officer determines that a hardship exists, the Director is authorized to remove the graffiti at no cost to the property owner, provided that the owner releases the City from liability by providing the Director with a signed waiver of liability. The Director may develop forms for this purpose.
- (d) The following procedures shall apply to actions by the Director to abate and recover costs for abatement of graffiti on private property:
- (1) **Abatement Action.** After obtaining a court order, the Director shall implement the Abatement Order. The Director may enter upon the property and cause the removal, painting over or other eradication of the graffiti as the Director deems appropriate. The Director shall not authorize or undertake to provide for the painting or repair of any more extensive area than that where the graffiti is located, except where the Director determines in a written notice to the owner that a more extensive area is required to be repainted or repaired in order to avoid an aesthetic disfigurement to the neighborhood or community. Where the Director removes graffiti in accordance with the requirements of this Article, the owner shall pay the greater of either \$500 or the actual cost (including overhead and administrative costs, as well as attorneys' fees where the Director has elected to seek recovery of attorneys' fees) of removing the graffiti. The Director shall provide an accounting to the owner of the costs of the abatement action (Abatement Accounting) on a full cost recovery basis not later than 10 days from the date the abatement action is completed. The Abatement Accounting shall include all administrative costs incurred by the City in abating graffiti on the property. The total amount set forth in the Abatement Accounting shall be due and payable by the owner within 30 days from the date of mailing of the Abatement Accounting.
 - (2) **Recovery of Attorneys' Fees.** At the time the abatement action is filed, the Director may elect to seek recovery of attorneys' incurred in a graffiti abatement action under this Article. In a case where the Director makes this election, the prevailing party shall be entitled to recover attorneys' fees. In no event shall the award of attorneys' fees to a prevailing party exceed the amount of reasonable attorneys' fees incurred by the City in the action.
 - (3) **Lien.** If all or any portion of the amount set forth in the Abatement Accounting remains unpaid after 30 days of the mailing of the Abatement Accounting, such portion shall constitute a proposed lien on the property which was the subject matter of the Abatement Action. Except as otherwise specified in this subparagraph, such liens shall be imposed in accordance with Chapter 10, Article XX of the Administrative Code. Property owners seeking to challenge the amount of the Abatement Accounting may do so at the hearing authorized under Chapter 10, Article XX of the Administrative Code.
 - (A) In addition to the requirements imposed under Section 10.232 of the San Francisco Administrative Code, the notice to the property owner of the hearing on the proposed lien shall be served in the same manner as a summons in a civil action in accordance with Article 3 (commencing with Section 415.10) of Chapter 4 of Title 5 of Part 2 of the California Code of Civil Procedure. Where, after diligent search, the owner of record cannot be found, the notice may be served by posting a copy in a conspicuous place upon the property for a period of ten (10) days and publication thereof in a newspaper of general circulation.
 - (B) Any lien authorized by this Section shall specify the amount of the lien, the name of the department initiating the abatement proceeding, the date of the abatement order, the street address, legal description and assessor's parcel number of the parcel on which the lien is imposed, and the name and address of the recorded owner of the parcel.
 - (C) Where a lien authorized by this Section is discharged, released or satisfied, either through payment or foreclosure, the Tax Collector shall record a notice of the discharge containing the information specified in subparagraph (B). Any such notice of discharge shall be subject to the Release of Lien Fee imposed pursuant to Section 10.237 of the San Francisco Administrative Code.
 - (4) **Special Assessment.** Notwithstanding anything to the contrary in Article XX of Chapter 10, pursuant to Section 38773.5 of the California Government Code, the Board of Supervisors may order that the amount of the lien be specially assessed against the parcel. Upon such an order, the entire unpaid balance of the costs, including any penalty and interest payments on the unpaid balance to the date that the Director reports to the Board shall be included in the special assessment lien against the property. The Director shall report charges against delinquent accounts to the Board of Supervisors at least once each year. At the time the special assessment is imposed, the Director shall give notice to the property owner by certified mail, and shall inform the property owner that the property may be sold by the Tax Collector for unpaid delinquent assessments after three years. The assessment may be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and procedure and sale in case of delinquency as provided for ordinary municipal taxes. All tax laws applicable to the levy, collection and enforcement of ordinary municipal taxes shall be applicable to the special assessment. However, if any real property to which a cost of abatement relates has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrancer for value has been created and attaches thereon, prior to the date on which the first installment of taxes would become delinquent, then the cost of abatement shall not result in a lien against the real property but instead shall be transferred to the unsecured roll for collection.

(Added by Ord. 29-94, App. 1/1/94; partially renumbered as Sec. 1305 and amended by Ord. 263-04, File No. 041150, App. 11/1/2004)

SEC. 1307. - STAY OF PROCEEDINGS DURING CRIMINAL PROSECUTION.

In any case in which a criminal prosecution is pending or is about to be instituted for violation of Penal Code Sections 594 and 640.6, or of any other law that authorizes a court to sentence a criminal defendant to remove graffiti placed on property by that defendant, the Director may suspend abatement actions under this Article. In such a case, the abatement

TITLE 23: - GRAFFITI REMOVAL

action shall be suspended only in connection with any property upon which the defendant is charged with placing graffiti, and only until such time as the defendant is sentenced or the case is otherwise closed. This provision shall not prohibit a property owner from removing graffiti from his or her own property during such time as the criminal proceeding is pending.

(Added by Ord. 29-94, App. 1/14/94; amended by Ord. 263-04, File No. 041150, App. 11/4/2004)

SEC. 1308. - LIMITATION OF LIABILITY.

By adopting this Graffiti Abatement and Removal Ordinance, the City is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

(Added by Ord. 29-94, App. 1/14/94; amended by Ord. 263-04, File No. 041150, App. 11/4/2004)

SEC. 1309. - SEVERABILITY.

If any provision, subdivision, section, paragraph, phrase or clause of this Article or the application thereof is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Article. The remainder of this Article shall remain effective and enforceable to the fullest extent allowed by law. All clauses and provisions of this Article are hereby declared to be severable.

(Added by Ord. 29-94, App. 1/14/94)

Transmission Report

Date/Time
Local ID 1
Local ID 2

07-07-2010
415 554 6232

12:57:33 p.m.

Transmit Header Text
Local Name 1
Local Name 2

DPW

This document : Confirmed
(reduced sample and details below)
Document size : 8.5"x11"

City and County of San Francisco



Gavin Newsom, Mayor
Edward D. Releskin, Director



(415) 554-6229
FAX (415) 554-6232
<http://www.sfdpw.com>
Department of Public Works
Contract Administration Division
Financial Management and Administration
876 Stevenson Street, Room 420
San Francisco, CA 94103-0803
Gordon Choy, Division Manager

FAX

Date July 7, 2010
Number of pages including cover sheet 15
To:
Manager
Local 21
Phone _____
Fax Phone (415) 864-2166
CC: _____

From:
Gordon Choy
Division Manager
Phone (415) 554-6230
Fax Phone (415) 554-6232

REMARKS:				
	Urgent	<input checked="" type="checkbox"/>	For your review	Reply ASAP
Please comment				
Please see the attached PSC form and supporting documents.				
In compliance with Local 21's MOU and the Civil Service Commission's Instructions for Processing Proposed Personal Services Contract Approval Requests, this is your advance notice of the proposed services. An RFP for the project will not be issued.				
The Contract Manager is Phil Galli, and he may be reached at (415) 695-2036 for any additional questions.				

Total Pages Scanned : 15

Total Pages Confirmed : 15

No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
001	091	415 864 2166	12:48:59 p.m. 07-07-2010	00:07:53	15/15	1	EC	HS	CP28800

Abbreviations:

HS: Host send
HR: Host receive
WS: Waiting send

PL: Polled local
PR: Polled remote
MS: Mailbox save

MP: Mailbox print
CP: Completed
FA: Fail

TU: Terminated by user
TS: Terminated by system
RP: Report

G3: Group 3
EC: Error Correct

Transmission Report

Date/Time: 07-07-2010 01:06:01 p.m. TransmIt Header Text
 Local ID 1: 415 554 6232 Local Name 1: DPW
 Local ID 2: Local Name 2

This document : Confirmed
 (reduced sample and details below)
 Document size : 8.5"x11"

City and County of San Francisco



Gavin Newsom, Mayor
Edward D. Relakin, Director



(415) 554-6229
 FAX (415) 554-6232
<http://www.sfdpw.com>
 Department of Public Works
 Contract Administration Division
 Financial Management and Administration
 875 Stevenson Street, Room 420
 San Francisco, CA 94103-0903
 Gordon Choy, Division Manager

FAX

Date: July 7, 2010
 Number of pages including cover sheet: 15
 To: _____
 Oscar De La Torre
 Manager
 Local 261
 Phone: (415) 826-4550
 Fax Phone: (415) 826-1948
 CC: _____

From: _____
 Gordon Choy
 Division Manager
 Phone: (415) 554-6230
 Fax Phone: (415) 554-6232

REMARKS:					
	Urgent	<input checked="" type="checkbox"/>	For your review	Reply ASAP	Please comment
<p>Please see the attached PSC form and supporting documents.</p> <p>In compliance with Local 261's MOU and the Civil Service Commission's Instructions for Processing Proposed Personal Services Contract Approval Requests, this is your advance notice of the proposed services. An RFP for the project will not be issued.</p> <p>The Contract Manager is Phil Gall, and he may be reached at (415) 695-2036 for any additional questions.</p>					

Total Pages Scanned : 15

Total Pages Confirmed : 15

No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
001	092	415-826-1948	12:49:45 p.m. 07-07-2010	00:07:50	15/15	1	EC	HS	CP28800

Abbreviations:
 HS: Host send
 HR: Host receive
 WS: Waiting send

PL: Polled local
 PR: Polled remote
 MS: Mailbox save

MP: Mailbox print
 CP: Completed
 FA: Fall

TU: Terminated by user
 TS: Terminated by system
 RP: Report

G3: Group 3
 EC: Error Correct

Transmission Report

Date/Time
Local ID 1
Local ID 2

07-07-2010
415 554 6232

01:20:03 p.m.

Transmit Header Text
Local Name 1
Local Name 2

DPW

This document : Confirmed
(reduced sample and details below)
Document size : 8.5"x11"

City and County of San Francisco



Gavin Newsom, Mayor
Edward D. Reiskin, Director



(415) 554-6229
FAX (415) 554-6232
<http://www.sfdpw.com>
Department of Public Works
Contract Administration Division
Financial Management and Administration
875 Stevenson Street, Room 420
San Francisco, CA 94103-0803
Gordon Choy, Division Manager

FAX

Date July 7, 2010
Number of pages including cover sheet 15
To: _____
Jose Santana
Business Representative
Local 1176
Phone (510) 632-7456
Fax Phone (510) 632-7459
CC: _____

From: _____
Gordon Choy
Division Manager
Phone (415) 554-6230
Fax Phone (415) 554-6232

REMARKS:				
	Urgent	<input checked="" type="checkbox"/>	For your review	Reply ASAP
Please comment				
Please see the attached PSC form and supporting documents.				
In compliance with Local 1176's MOU and the Civil Service Commission's Instructions for Processing Proposed Personal Services Contract Approval Requests, this is your advance notice of the proposed services. An RFP for the project will not be issued.				
The Contract Manager is Phil Galli, and he may be reached at (415) 695-2036 for any additional questions.				

Total Pages Scanned : 15

Total Pages Confirmed : 15

No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
001	093	(510)632-7459	12:50:27 p.m. 07-07-2010	00:13:34	15/15	1	EC	HS	CP14400

Abbreviations:

HS: Host send
HR: Host receive
WS: Waiting send

PL: Polled local
PR: Polled remote
MS: Mailbox save

MP: Mailbox print
CP: Completed
FA: Fail

TU: Terminated by user
TS: Terminated by system
RP: Report

G3: Group 3
EC: Error Correct

PERSONAL SERVICES CONTRACT SUMMARY

DATE: July 7, 2010

DEPARTMENT NAME: Environment DEPARTMENT NUMBER 22

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

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

TYPE OF SERVICE: Program Administration, Special Tax Administration - GreenFinanceSF (formerly "San Francisco Sustainable Financing")

FUNDING SOURCE: American Recovery and Reinvestment Act - EECBG

PSC AMOUNT: \$75,000 PSC DURATION: July 1, 2010 - December 31, 2018

1. DESCRIPTION OF WORK

A. Concise description of proposed work:

See Attachment

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

The contract is necessary to operate the GreenFinanceSF Program, and to fulfill Board of Supervisors approved resolutions and ordinances that establish the "San Francisco Sustainable Financing" special tax district to support voluntary assessment contracts entered by private property owners to finance the costs of energy efficiency, water conservation, and renewable energy improvements on residential and nonresidential properties. Not implementing the administrative services portion would mean that the Department would not be compliant with Board of Supervisors direction.

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):

There is no precedent for the exact type of services referred by this professional services contract.

D. Will the contract(s) be renewed:

No. Should continued sources of funding be available as current contracts approach termination dates, another RFP will be issued and refined to address the Department's needs at that time.

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

Local 21 Union Name Rachel C. Bue 7/7/10 Signature of person mailing/faxing form Date
Local 1021 Union Name Rachel C. Bue 7/7/10 Signature of person mailing/faxing form Date

RFP sent to Union Name, on Date Signature

***** FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 4017-10/11 STAFF ANALYSIS/RECOMMENDATION: Jjc 7/12/2010

CIVIL SERVICE COMMISSION ACTION:

3. DESCRIPTION OF REQUIRED SKILLS/EXPERTISE

A. Specify required skills and/or expertise:

Support development of a Property Assessed Clean Energy (PACE) program designed to address the particularities of creating a renewable energy and energy efficiency program through a Mello-Roos special tax district; develop a roadmap for implementation, including district formation documents, special tax district administration, and link with complimentary energy programs and funding resources; program administration including specialized marketing, property title screening, customer service; offer financing alternatives that eliminate the City's financial liability with interim financing and bond placement.

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

None

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

Yes, contractor has developed software applications and a turnkey website to manage the required information.

4. WHY CLASSIFIED CIVIL SERVICE CANNOT PERFORM

A. Explain why civil service classes are not applicable:

Due to the multitude and diverse range of very of specific tasks (application processing, loan origination, technical energy program specification development and coordination, internet/web technology, marketing & communications) that need to be performed concurrently in a compressed period of time, we believe that civil service classes either existing or newly created to perform these functions could not meet program deadlines.

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

The work required by this contract is seen by the City as highly specialized so that it would not be realistic to adopt a new civil service class that could cover many diverse areas of expertise.

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

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

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

B. Will the contractor train City and County employees?

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

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

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

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

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

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

Rachel Buerkle

355-3704

Print or Type Name

Telephone Number

Department of the Environment

11 Grove St. San Francisco, CA 94102

7/7/10
Department of the Environment


PSC1 submission for:

Program Administration, Special Tax Administration – GreenFinanceSF (formerly “San Francisco Sustainable Financing”)

Q. 1A

GreenFinanceSF is a City sponsored Clean Energy Loan Program (“PACE” program) which will property owners (residential and commercial) to install electric and thermal solar systems and make energy efficiency improvements to their buildings and pay for the cost of such improvements over 20 years through a special tax on their property tax bills. The City will facilitate the project funding for each project through proceeds derived from the sale of special tax bonds or other borrowings secured by a special tax levy on participating landowners’ property tax bill.

The contractor will administer (and finance) the program. The administrative services include program design services; program implementation services, including: web portal with online application interface, project data tracking; program marketing and communications (web, print, in person, training materials); program administration services, including: application processing, request, and payment; program reporting, program documentation, and customer services; special tax administrative services (special tax apportionment method, data collection, boundary map preparation and recordation, contributions to disclosure documents, annual special; tax levy calculation and enrollment, annual CFD administration report preparation, delinquent special tax reporting, repayments of special tax liens).



Rachel Buerkle/ENV/SFGOV

07/07/2010 04:08 PM

To daz.lamparas@seiu1021.org, pattie.tamura@seiu1021.org,
Cromero@ifpte21.org, JRBrenner@IFPTE21.org,
JGEE@IFPTE21.org

cc

bcc

Subject PSC form for GreenFinanceSF administration

Attached is the PSC1 form for the above. Also, a copy of the Board of Supervisor's resolution regarding the administrative contract.

Please let me know if you need anything else. Thanks.

Rachel C. Buerkle
SF Environment
(415)355-3704
rachel.buerkle@sfgov.org



GreenFinanceSF PSC 1 7.7.10.doc



Renewable Funding BOS resolution 1.10.pdf

1 [Resolution approving administrative terms and conditions for San Francisco Sustainable
2 Financing Program.]

3 **Resolution approving administrative terms and conditions for the San Francisco**
4 **Sustainable Financing Program; identifying the San Francisco Department of the**
5 **Environment or its City agency designee as the Program Administrator for the City;**
6 **setting reporting requirements; authorizing the execution of an administrative services**
7 **agreement; and related matters.**

8 WHEREAS, Under Ordinance Nos. 196-08 and 216-09 (together, the "Enabling
9 Ordinance") the Board of Supervisors (the "Board of Supervisors") of the City and County of
10 San Francisco (the "City") has adopted the San Francisco Special Tax Financing Law, an
11 ordinance providing authority for the establishment of a unique type of Mello-Roos special tax
12 district to finance energy efficiency, renewable energy, water conservation and water pollution
13 control improvements to privately-owned real property; and,

14 WHEREAS, The Enabling Ordinance provides that such a district may be formed with
15 no participating properties at its formation, with special taxes to be paid only by those property
16 owners electing to join the district in order to finance a qualifying retrofit project; and,

17 WHEREAS, By its Resolution Nos. 464-09 and 465-09, respectively, the Board of
18 Supervisors has adopted a resolution of intention to establish City and County of San
19 Francisco Special Tax District No. 2009-1 (San Francisco Sustainable Financing) (the
20 "Special Tax District"), along with a resolution of intention for such Special Tax District to incur
21 bonded indebtedness; and,

22 WHEREAS, This Resolution has been submitted for consideration in connection with
23 several pieces of legislation that, if approved, together would authorize the formation of the
24 Special Tax District for the purpose of financing approved projects (together, the "District
25 Formation Legislation"); and,

1 WHEREAS, On January 30, 2009 the Controller's Office of Public Finance issued a
2 request for proposals (the "RFP") in respect of administrative and financial services in support
3 of the implementation and operation of the Special Tax District; and,

4 WHEREAS, Renewable Funding LLC ("Renewable Funding") was selected as the
5 highest ranked proposer under the RFP; and,

6 WHEREAS, Renewable Funding and City staff have negotiated a form of
7 administration services agreement relating to the Special Tax District, which is on file with the
8 Clerk of the Board of Supervisors in File No. 091452 (the "Administration Services
9 Agreement"); and

10 This Board of Supervisors now wishes to establish administrative terms and conditions
11 and related processes to implement and operate the proposed Special Tax District and its
12 financing structure; now, therefore, be it

13 RESOLVED, That, upon due approval of the District Formation Legislation this Board
14 of Supervisors hereby directs the establishment of the San Francisco Sustainable Financing
15 Program (the "Program"), and that such program shall be implemented and operated
16 according to the terms and conditions set forth in this Resolution; and be it

17 FURTHER RESOLVED That the Program shall be administered on behalf of the City
18 by the San Francisco Department of the Environment, or such other City agency as the
19 Executive Director of the San Francisco Department of the Environment shall designate (the
20 "Administrator"); and, be it

21 FURTHER RESOLVED That the Administrator shall establish and publish terms and
22 conditions for City property owners to apply for Program financing and, if approved, to opt into
23 the Special Tax District, approve the levy of the special tax, and obtain such financing, and at
24 a minimum such terms and conditions shall include the following:
25

1 a. Application procedures. These procedures shall include a funding reservation
2 system along the lines of that employed by the GoSolarSF program.

3 b. Financial terms. These terms should include a clear statement of the
4 effective interest cost of a project financing as well as related costs to be paid by
5 borrower, such as application and other administrative fees.

6 c. Property eligibility criteria. These criteria shall be established as a means to
7 demonstrate the ability of the subject property to secure the repayment obligation
8 associated with the proposed retrofit project. At minimum these criteria shall include
9 some demonstration that the property's value exceeds the aggregate total of all private
10 debt secured by the property plus the principal amount of the proposed special tax
11 financing.

12 d. Project eligibility criteria. These criteria shall be established to identify
13 whether a proposed project or group of projects is of a size and character appropriate
14 in relation to the size of and approved funding source for the Program.

15 e. List of eligible improvements. The Administrator shall develop a list of
16 improvements that are eligible for Program financing. The initial list should build off of
17 the projects eligible for funding from existing state and federal grant programs, with
18 new improvements to be added upon a demonstration of numerous successful
19 applications providing cost-effective energy or water savings.

20 f. Energy and water rating requirements. In accordance with the state and
21 federal policies relative to retrofits in general and property tax lien financing programs
22 in particular, the program shall include a strategy to encourage energy and/or water
23 audits, ratings or similar systematic analysis as a prerequisite to financing approval, as
24 well as the translation of such analyses to desired outcomes in terms of the
25 implementation of energy and water efficiency retrofits. In particular this Board of

1 Supervisors endorses the concept of loading order, where cost effective energy
2 efficiency measures are pursued in advance of or in conjunction with more costly
3 renewable energy projects.

4 g. Regulatory compliance. The Administrator should develop Program terms
5 that assist in ensuring that all improvements are installed and constructed in
6 accordance with applicable laws and regulations; and be it

7 FURTHER RESOLVED, That the Administrator shall publish and file with the Clerk of
8 the Board of Supervisors an initial status report on the progress of the program not more than
9 six months from the date the Program first accepts applications, with further annual reports on
10 the Program's performance to be so published and filed on or around the anniversary of such
11 date, and such reports shall include, at a minimum:

- 12 a. Total dollar amount and number of projects financed;
- 13 b. A projection of future financing demand;
- 14 c. Program costs, including funds drawn from state or federal grant sources;
- 15 d. Program funding capacity under existing financial agreements;
- 16 e. Current list of eligible projects;
- 17 f. A description of emerging technologies or transaction types that appear to be
18 likely to grow in the coming year based on Program experience; and
19 Recommendations for changes to the Program legal or administrative
20 structure, if any.
- 21
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1 FURTHER RESOLVED That the Administration Services Agreement between the City
2 and Renewable Funding, LLC, is hereby approved, together with such additions or changes
3 as are approved.
4

5
6 APPROVED AS TO FORM:

7 DENNIS J. HERRERA
8 City Attorney

9 By: 

10 MARK D. BLAKE
11 Deputy City Attorney
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25



City and County of San Francisco

Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 091452

Date Passed: January 12, 2010

Resolution approving administrative terms and conditions for the San Francisco Sustainable Financing Program; identifying the San Francisco Department of the Environment or its City agency designee as the Program Administrator for the City; setting reporting requirements; authorizing the execution of an administrative services agreement; and related matters.

January 12, 2010 Board of Supervisors - ADOPTED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

Excused: 1 - Alioto-Pier

File No. 091452

I hereby certify that the foregoing Resolution was ADOPTED on 1/12/2010 by the Board of Supervisors of the City and County of San Francisco.

Mayor Gavin Newsom

Angela Calvillo
Clerk of the Board

1-22-10

Date Approved

PERSONAL SERVICES CONTRACT SUMMARY

DATE: July 7, 2010

PARTMENT NAME: PLANNING DEPARTMENT DEPARTMENT NUMBER: 29

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

[] CONTINUING [] ANNUAL

TYPE OF REQUEST:

[X] INITIAL REQUEST [] MODIFICATION (PSC # _____)

TYPE OF SERVICE: As-Needed Pool of Qualified Environmental, Transportation, Historic Resources, and Archeology Review

FUNDING SOURCE: Various

PSC AMOUNT: \$1,500,000 PSC DURATION: August 2, 2010 - July 31, 2013

1. DESCRIPTION OF WORK

A. Concise description of proposed work:

The San Francisco Planning Department (the "Department") has determined the need to select a pool of pre-qualified environmental, transportation, historic resources, and archeology review consultants through a request-for-qualifications ("RFQ") process to use on an as-needed basis for detailed environmental, (Continued on Attachment)

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

The services are required to comply with the California Environmental Quality Act ("CEQA") in the provision of mandatory environmental and transportation impact studies, historic resources evaluation, and archeological research by consultants with expertise in the various project areas. Denial would result in legal risk to the City the inability to opt area plans and programs that advance a better built environment in the City.

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):

Services similar in scope have been provided through a personal services contract, PSC #4000-08/09.

D. Will the contract(s) be renewed? Contracts will be awarded on an as-needed basis for various projects.

It is possible that one firm may be awarded more than one contract for different projects during the RFQ term.

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

[X] SEIU Local 1021 [Signature] 07/7/2010
Union Name Signature of person mailing/faxing form Date

[] Union Name Signature of person mailing/faxing form Date

RFP sent to IFPTE Local 21, on 07/7/2010 [Signature]
Union Name Date Signature

PSC# 4018-10/11 FOR DEPARTMENT OF HUMAN RESOURCES USE [Signature] 7/12/2010

STAFF ANALYSIS/RECOMMENDATION:

CIVIL SERVICE COMMISSION ACTION:

3. DESCRIPTION OF REQUIRED SKILLS/EXPERTISE

A. Specify required skills and/or expertise:

The firms that would perform these services must have technical experts in the areas of environmental science/air quality, meteorology (including knowledge and experience with Urbemis software), graphic information systems, 3-D modeling, shadow, transportation and traffic engineering analysis, and related fields, and the ability to compile data and make projections pertaining to greenhouse gasses and related environmental impacts. *(continued on attachment)*

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

These services would be performed by a combination of experts and expertise as stated in 3.A above. These specialists are not represented in any civil service classes except for the historic resource portion. *(continued on attachment)*

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

Contractor's staff would perform the requested services at their company offices, with some on-site review of the development or plan area.

4. WHY CLASSIFIED CIVIL SERVICE CANNOT PERFORM

A. Explain why civil service classes are not applicable:

Due to the unique nature of California Environmental Quality Act (CEQA) requirements, no planning departments in California counties routinely prepare environmental or transportation-related impact studies with historic resource and archeology review because these studies require expertise in many topics, *(continued on attachment)*


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

Due to the various combinations of environmental and transportation impact knowledge and expertise required for each project or plan, it would not be desirable or practical to create various classifications, or classifications with various specialties, that may be called on to provide services for only a fraction of any project for a limited duration.

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 numbers to be trained. | | |
| C. Are there legal mandates requiring the use of contractual services? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| D. Are there federal or state grant requirements regarding the use of contractual services? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| E. Has a board or commission determined that contracting is the most effective way to provide this service? | <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? <i>Possibly; unknown at this time.</i> | <input 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

Thomas DiSanto

415-575-9113

Print or Type Name

Telephone Number

1650 MISSION ST STE 400
SAN FRANCISCO CA 94103

Address

ATTACHMENT

ATE: July 7, 2010DEPARTMENT NAME: PLANNING DEPARTMENTDEPARTMENT NUMBER: 29TYPE OF SERVICE: As-Needed Pool of Qualified Environmental, Transportation, Historic Resources, and Archeology Review1.A Concise description of proposed work (Continued):

transportation impact analysis, historic resources evaluation, and archeological research on various private and public projects. Such projects include, but are not limited to: environmental review of the Japantown Better Neighborhood Plan, India Basin Shoreline Community Planning Process, and the Fourth and King Street Railyards Study.

Private development proposals will be required to use this as-needed pool to conduct independent environmental analysis, maintain better quality control, and follow the model used in most other jurisdictions.

The Department has determined that the most effective way to provide these specialized studies is to solicit consultants to create as large a pool as possible of pre-qualified firms with the knowledge and expertise in environmental and/or transportation impact analysis, historic resource and archeology review which would follow the best practice of other California counties. Inclusion in the pre-qualified pool will be mandatory for any consultant to either 1) enter into an independent contract with a private developer for environmental or transportation impact studies, historic resource and archeology review which must be reviewed and finalized by Department staff; or 2) enter into contracts with the City and County of San Francisco on an as-needed basis for the provision of specialized studies.

3.A Description of required skills/expertise (Continued):

These firms would also need to provide archeological field work and analysis, and historic resource related field work and analysis.

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

The Historic Resource portion would normally be provided by those in the [Preservation] Planner III and [Preservation Coordinator] Planner IV classifications, which include historic preservation specialties that conform to the federal Professional Qualifications Standards. There is no readily identifiable historic architect classification that meets the federal requirements.

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

including archeology, greenhouse gas emissions, historic resource evaluations, shadow and wind analysis, and transportation analysis. Environmental, transportation impact study, historic resource, and archeology firms are able through subconsulting relationships to call on a range of expertise, modeling, and other state-of-the-art technologies.

In order for the Planning Department to complete environmental and transportation impact studies with historic resource and archeology review in-house, it would require substantial investment in additional staff and technologies, which would not be cost-effective or follow best practices of any other California jurisdiction. Since these analyses are for very specific areas of the city and it is not an ongoing project, it is the most cost-efficient way to have as-needed consultants to provide these specialized studies.

City and County of San Francisco

Request for Qualifications #CP-10/11-001 for

**As-Needed Consultant Services for
Environmental, Transportation, Historic Resources, and
Archeological Review**



Date issued:	July 8, 2010
Pre-qualification conference:	July 20, 2010, 11:00 a.m.
Qualifications due:	August 2, 2010, 5:00 p.m.

Request for Qualifications for **Environmental and Related Consultant Services**

TABLE OF CONTENTS

	<u>Page</u>
I. Introduction and Schedule	1
II. Scope of Work	3
III. Submission Requirements.....	5
IV. Evaluation and Selection Criteria	7
V. Pre-qualification conference and Contract award.....	11
VI. Terms and Conditions for Receipt of Qualifications	12
VII. Contract Requirements for Public Projects.....	18
VIII. Contract Requirements for Private Projects.....	20
IX. Protest Procedures.....	21

Appendices:

- A. HRC Attachment 2: Requirements for Architecture, Engineering and separate Professional Services Contracts, for contacts \$29,000 and over document (separate document). Proposers must submit the following forms:

- Form 2A HRC Contract Participation form
- Form 2B HRC "Good Faith" Outreach Requirements form
- Form 3 HRC Non-discrimination Affidavit
- Form 5 HRC Employment form

The following form may be required, depending on the circumstances:

- Form 4 Joint Venture Participation Schedule

- B. Standard Forms: Listing and Internet addresses of Forms related to Taxpayer Identification Number and Certification, to Business Tax Declaration, and to Chapters 12B and 12C, and 14B of the S.F. Administrative Code. B-1
- C. Agreement for Professional Services (form P-500). separate document

Request for Qualifications for

As-Needed Consultant Services for Environmental, Transportation, Historic Resources,
and Archeological Review

I. Introduction and Schedule

A. General

The San Francisco Planning Department ("Planning Department") is seeking to create four pools of qualified consultants ("Pool(s)"), each with expertise in one of the following: 1) environmental impact reports and other California Environmental Quality (CEQA) documents; 2) transportation impact analyses; 3) historic resource evaluations; and 4) archeological research, treatment, and/or mitigation programs.

The Major Environmental Analysis ("MEA") section of the Planning Department is designated by the San Francisco Administrative Code as the lead agency for all public and private projects within San Francisco and/or under the jurisdiction of San Francisco departments. MEA works closely with other parts of the Planning Department, including the Preservation Team in the Neighborhood Planning (i.e. permit review) Section, to complete environmental review. Based on responses to this Request for Qualifications ("RFQ"), it is the intent of the Planning Department to create pre-qualified pools of consultants from which the Planning Department shall choose prospective contractors for public and privately-sponsored projects requiring complex analyses in the applicable topic area(s) on an as-needed basis as indicated below in Section 2, Scope of Work. These consultant pools may be utilized by the City, at its sole and absolute discretion, for contractor selection and negotiations from September 1, 2010 through August 31, 2012. No pre-qualified or selected Respondent is guaranteed a contract.

The "Respondent" refers to any entity that submits a response to this RFQ. The "Contractor" refers to any Respondent(s) who is selected as a candidate to provide services under this RFQ. The "Respondent partner" refers to a proposing joint venture partner or a subconsultant to the lead Respondent.

The Department has determined that an RFQ solicitation is the most useful and efficient means of establishing a list of appropriate individuals, firms, and/or teams for consultant services. Applications will be evaluated based on qualifications, including experience of the firm and staff, as described in Section IV of this RFQ.

The pools of qualified consultants shall have a term of two (2) years.

RFQ for Environmental and Related Consultant Services

B. Schedule

The anticipated schedule for selecting a consultant is:

<u>Qualification Phase</u>	<u>Date</u>
RFQ is issued by the City	July 8, 2010
Pre-qualification conference	July 20, 2010, 11:00 a.m.
Deadline for submission of written questions or requests for clarification	July 23, 2010
Qualifications due	August 2, 2010

II. Scope of Work

As indicated in Section I, the Planning Department's MEA section is designated as San Francisco's lead agency for conducting environmental impact analyses. For the preparation of Environmental Impact Reports ("EIRs"), Environmental Impact Statements ("EISs"), and other complex environmental documents, MEA executes its responsibilities with the assistance of consultants. Only those consultants selected into the applicable Pool through this RFQ shall be eligible to provide environmental impact analyses, transportation analyses, historical resource evaluations (HREs), and archeological analyses (collected referred to as "environmental analyses" in this RFQ) for the Planning Department as specified in this RFQ. The amounts of work for consultants in the Pool are expected to vary from month to month, depending upon the extent and complexity of projects needing analysis.

The Pool will be used by the Planning Department in the following ways:

- **Department-sponsored projects.** The Department will select from the Pools for preparation of environmental analyses for various public projects as they emerge over the two-year term of the Pools.
- **Other public projects.** The Pools will be made available to other City and County of San Francisco Departments. Other departments may choose to select and contract with consultants from the Pools, but are not required to do so.
- **Privately-sponsored projects.** The Pools from this RFQ will be used as the exclusive basis for the selection of consultants for all proposed private development projects requiring the applicable analyses on an as-needed basis. After establishment of these Pools, selected consultants will be required to contract directly with representatives for proposed private development projects. The Planning Department will, in its sole discretion, select from the Pool a Preliminary Consultant List (PCL) of qualified consultants from which a private developer may select a consultant for any particular project. The PCL selection will be based upon factors including the following:
 1. Character and scope of project, including complexity of the required analysis and any specific technical expertise or resource needs;
 2. Consultant level of performance on other projects;
 3. Fair allocation of work among consultants to promote a robust and diverse Pool (i.e., rotational component to selection);
 4. Any other consultant- or project-specific information bearing on the quality and integrity of the review process.

Consultants selected to perform work from a Pool will be required to work under the supervision of MEA and/or Preservation staff. Prior to final submission, documents prepared by a Consultant shall be reviewed and modified, as necessary, to reflect the independent judgment of Planning Department staff. Consultants selected from a Pool are expected to provide high quality initial submittals that will require minimal revisions by staff and be fully consistent with San Francisco's review process. Consultants selected from a Pool are also expected to be fully and promptly responsive to requests for revisions to initial submittals from staff in order to facilitate finalization of documents without needing more than two draft submittals.

RFQ for Environmental and Related Consultant Services

The Planning Department has established expectations for the content of submittals and for communications between environmental consultants and private project sponsors, which are detailed in Section VIII of this RFQ and in the *Department's Consultant Guidelines for the Preparation of Environmental Review Documents* (<http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=3771>). As a condition of acceptance into the Pool(s), consultants shall be required to adhere to similar performance standards concerning cooperation with the Planning Department, as described in Section VIII of this RFQ. Consultants must expressly include these performance standards in their contracts with project sponsors. Failure to adhere to Planning Department performance standards may be cause for removal from the applicable Pool(s) and/or rejection of noncompliant documents.

III. Submission Requirements

A. Time and Place for Submission of Qualifications

The required number of submittals and related documents (see below) must be received by the Receptionist on the Fourth Floor of the San Francisco Planning Department at 1650 Mission Street, San Francisco no later than 5:00 P.M. Pacific [Daylight] Time, on August 2, 2010. This is a firm deadline and delivery point. Submissions via facsimile ("fax") or e-mail will not be accepted. Qualifications may be delivered in person or sent via United States Postal Service or other delivery service such as Federal Express to:

Lisa Chau Attn. CP-10/11-001– Area of Expertise: *[environmental, transportation, historic resources, and/or archeology; see below]*
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco CA 94103-2414

Proposers shall submit: eight (8) hard copies of the qualification and one electronic copy on a compact disc ("CD") clearly marked "Environmental Consultant Services RFQ," and one or more of the following indicating the type of work applied for: "(1) General Environmental Impact Document Preparation", "(2) Transportation Impact Analysis", "(3) Historical Resource Evaluation, and/or "(4) Archeological Resource Evaluation; and two hard copies, separately bound, of required HRC Forms in a sealed envelope clearly marked "Environmental Consultant Services RFQ – HRC FORMS" to the above location.

Late submissions will not be considered. Postmarks, delivery slips, or other documents will not be considered in judging the timeliness of submissions.

B. Format

Submittals should include the information outlined below under "Content." If your response is lengthy, please include a Table of Contents. The form of the hard copy submittal is at your discretion (bound, binder, etc...); however you must also submit an electronic version on CD, preferably in PDF format.

C. Content

Firms interested in responding to this RFQ must submit the following information, in the order specified below:

1. Introduction and Executive Summary (up to 3 pages)

Submit a letter of introduction and executive summary of your firm's skills and experience as related to this RFQ. The letter should be addressed to Bill Wycko, Environmental Review Officer, and must be signed by a person with authority to commit your firm to adhere to the performance standards in this RFQ. Submission of the letter will constitute

RFQ for Environmental and Related Consultant Services

a representation by your firm that your firm will in good faith fulfill the Planning Department's preconditions for inclusion in the Pools.

This section shall also include acknowledgement of the Department's Contract Requirements for Private Projects, described in Section VIII of this RFQ.

2. Firm Qualifications (up to 15 pages)

Provide information on your firm's background and qualifications which addresses the following:

- Name, address, and telephone number of a contact person
- A brief description of your firm;
- A description of the experience and qualifications of relevant team members, including brief resumes if necessary, demonstrating clearly that they meet the minimum professional qualifications outlined in Section IV;
- A description of not more than four projects prepared by your firm that demonstrate experience and ability in the required skills outlined in Section II of this RFQ, including a project summary, client references and telephone numbers, staff members who worked on each project, as well as information regarding adherence to project budget and project schedule. Descriptions should be limited to one page for each project.

3. References (up to 2 pages)

Provide references including the name, address, telephone number, and e-mail address of at least three recent clients (preferably other public agencies).

4. Fee Qualification

The City intends to select consultants for the Pools that MEA determines will provide the best overall program services for a particular project. The City reserves the right to accept consultants for inclusion in the Pools on bases other than the lowest priced services, and to reject any qualifications that are not responsive to this request to disclose fees.

Please provide a fee schedule that includes hourly rates for all team members and key positions. Hourly rates and itemized costs may be used to negotiate contracts that result from this RFQ, and rates assigned to specific staff and for key positions will be considered stable for the term of this RFQ and for the term of resulting contracts.

IV. Evaluation and Selection Criteria

A. Minimum Qualifications

Consultants responding to this RFQ should clearly indicate the areas of expertise for which the firm desires to be pre-qualified for the Pool hereby established, i.e., Environmental, Transportation, Historic, or Archeology, and may be considered for more than one area if so indicated. For example, an environmental consultant with in-house capabilities to provide transportation expertise should indicate each skill area in which the firm can demonstrate experience that could form the basis to be included in a Pool that will be established by this RFQ. Recipients of this RFQ who have working relationships with other consultants in particular specialty skill areas are encouraged to share this RFQ with other consultants; the Pool will be the exclusive basis by which environmental, transportation, historic resources, and archeology consultant services will be performed for both Department-sponsored and private projects for which the Planning Department is the lead agency.

Any qualification that does not demonstrate that the proposer meets these minimum requirements by the deadline for submittal of qualifications will be considered non-responsive and will not be eligible for award of the contract.

1. Environmental Consultants

Consultant responses to this RFQ should document specific experience in San Francisco and/or other comparable jurisdictions in the preparation of complex environmental and related documents. Consultant responses to this RFQ should also demonstrate the availability of experienced and appropriate staff resources to timely address the Planning Department's needs for environmental consultant services. In addition, consultant responses to this RFQ should demonstrate relevant experience in project management for complex environmental documents. Environmental consultant respondents should document an ability to assemble and manage expertise for the full range of environmental topics either in-house or through subconsultants as well as successful coordination and oversight regarding all aspects of a team's work throughout preparation of complex environmental documents.

Consultants prepare all EIRs and many complex Mitigated Negative Declarations in San Francisco. Environmental review documents must address all topics contained in San Francisco's Initial Study/environmental evaluation checklist, available at http://www.sf-planning.org/ftp/files/MEA/Initial_Study_Checklist.doc; the checklist generally mirrors Appendix G of the CEQA Guidelines, but contains some additional topics specific to San Francisco such as analysis of wind and shadow impacts. Environmental documents are prepared in accordance with the Department's *Consultant Guidelines for the Preparation of Environmental Review Documents* (<http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=3771>). Consultants will generally be expected to complete document production, conduct appropriate notification according to City and State requirements, attend hearings, track and record oral and written comments, and respond to comments submitted on environmental review documents and appeals. A proven ability to conduct environmental review in an accurate, adequate, objective, and legally defensible manner is essential.

2. Transportation Consultants

This RFQ is also intended to establish a Pool for transportation consultant services which are needed to perform transportation impact analyses in support of the overall environmental review process of the San Francisco Planning Department. Requisite skills for transportation consultants include consultant familiarity with and ability to use the full range of tools used to analyze effects on traffic conditions at intersections, transit (including delays to operations and ridership capacity constraints), pedestrians (including adequate space and safety), bicycle users and facilities, and loading needs including both goods and services as well as passenger drop-offs and pick-ups at high-use visitor attractors. These technical skills will be applied to a broad range of private and public development projects under the direction of MEA transportation staff. Consultants must possess both technical transportation skills and a strong background in transportation planning in a multi-modal environment. Responses should demonstrate understanding of transportation analysis requirements in San Francisco, including the Department's *Transportation Impact Analysis Guidelines for Environmental Review* (<http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=6753>)

3. Historic Resources Consultants

Historical Resources consultants responding to this RFQ are required to demonstrate, thorough knowledge, skills, and experience, as well as the ability to evaluate eligibility for the California Register of Historical Resources, to assess potential impacts to potential resources, and – where impacts have been identified – to provide mitigation measures to reduce impacts where applicable. The Department may request that consultants prepare Historic Resource Evaluations (HRE's) and Cultural Resource Surveys, create and implement mitigation monitoring and reporting programs, and develop and prepare recommendations for the historic resource component of environmental impact review documents.

Consultants should have a strong understanding of the Secretary of the Interior's Standards for the Treatment of Historic Properties (Standards) and common interpretations and guidelines based on the Standards as well as other relevant historic preservation practices. Consultants should also indicate any specialized area of expertise, such as knowledge of historic landscapes or other particular skill areas.

Consultants must provide information to demonstrate a strong expertise in the development of complex documentation and environmental mitigation measures when impacts have been identified.

Consultants, in addition, are required satisfy the Secretary of the Interior's Professional Qualification Standards for Architectural History and/or Historic Architecture. Special consideration may be given to consultants with a strong background in Historic Preservation Planning.

Responding consultants must demonstrate adequate staff with graduate degrees in Historic Preservation, Planning, Cultural Resources Management, or a closely related field and demonstrated experience in the respective fields.

4. Archeology Consultants

Archeological consultants responding to this RFQ are required to demonstrate a well-established experience and ability to prepare complex archeological documents in support of environmental project analyses and/or to undertake required complex archeological field investigations and documentation in compliance with environmental mitigation programs. More specifically, the archeological consultant must demonstrate the competency and experience to prepare an archeological research design and treatment plan in San Francisco or a comparable California urban setting. Responding archeological consultants, in addition, are required to minimally satisfy the Secretary of the Interior's Professional Qualification Standards for Archaeology, to demonstrate adequate staffing including an historical archeologist and a prehistoric archeologist having graduate degrees in archeology, anthropology, cultural resources management or closely related field and demonstrated experience in the respective fields. In addition, the prehistoric archeologist should have demonstrated expertise and knowledge in San Francisco Bay Area prehistoric archeology. Special consideration may be given to RPA-certified (Register of Professional Archaeologists-certified) archeological consultants. The work of archeological consultants under this RFQ is expected to conform with the Society for California Archaeology *Code of Ethical Guidelines* and the *MEA Consultant Instructions for Archeology* under the direction of the MEA staff archeologist.

B. Selection Criteria

The qualifications will be evaluated by a selection committee comprised of parties with expertise in the relevant topic areas. Qualifications that meet the minimum qualifications will be considered for the Pool.

Note: Proposers that meet the selection criteria will not be ranked within their respective Pool. The Planning Department reserves the right to enter into contract negotiations with any firm from within a Pool on a task-by-task basis.

1. Firm Qualifications (50 points)

- a. Expertise of the firm in relevant consulting services, including topical review in complex urban settings;
- b. Quality of recently completed projects including but not limited to prior work with the City, adherence to schedules, deadlines and budgets;
- c. Experience with similar types of work; and
- d. Results of reference checks.

2. Experience of Assigned Staff (50 points)

- a. Recent experience of staff assigned to the projects that would result from this RFQ, and a description of the tasks to be performed by each staff person;

RFQ for Environmental and Related Consultant Services

- b. Professional qualifications and education, including number of years of relevant professional experience;
- c. Workload, staff availability and accessibility.

V. Pre-qualification conference and Contract award

A. Pre-Qualification Conference

Proposers are encouraged to attend a pre-qualification conference on **July 20, 2010**, at **11:00 a.m.** to be held at the **Planning Department at 1650 Mission Street, Suite 400**. All questions will be addressed at this conference and any available new information will be provided at that time. If you have further questions regarding the RFQ, please contact the individual designated in Section VI.B.

B. Contract Awards from the Pool

When the City is in need of consulting service for public projects, the City will select proposers from the qualified pool with whom City staff shall commence contract negotiations. The selection of any qualification shall not imply acceptance by the City of all terms of the qualification, which may be subject to further negotiations and approvals before the City may be legally bound thereby. If a satisfactory contract cannot be negotiated in a reasonable time, the City, in its sole discretion, may terminate negotiations with the proposer and begin contract negotiations with another proposer from the Pool.

The City retains full discretion to select the best qualified proposer from the Pool for a specific project – public or private – and shall provide notice of such selection to the Pool at large. Alternatively, the City may exercise its discretion to conduct requests for qualifications from within the Pool. And, in the context of private projects, the City may develop an alternative means of providing project sponsors with choice among a subset of qualified environmental consultants from the Pool.

No pre-qualified or selected Respondent is guaranteed a contract as a result of participation in this RFQ.

VI. Terms and Conditions for Receipt of Qualifications

A. Errors and Omissions in RFQ

Proposers are responsible for reviewing all portions of this RFQ. Proposers are to promptly notify the Department, in writing, if the proposer discovers any ambiguity, discrepancy, omission, or other error in the RFQ. Any such notification should be directed to the Department promptly after discovery, but in no event later than five working days prior to the date for receipt of qualifications. Modifications and clarifications will be made by addenda as provided below.

B. Inquiries Regarding RFQ

Inquiries regarding the RFQ and all oral notifications of an intent to request written modification or clarification of the RFQ, must be directed to the appropriate person listed below. E-mail is the preferred method of communication.

- For questions/clarifications regarding the specific services solicited through this RFQ: Bill Wycko, Planning; Tél: 415-575-9048; E-mail: bill.wycko@sfgov.org
- For questions/clarifications regarding the RFQ process and City contract requirements: Lisa Chau, Planning; Tel: 415-575-9042; E-mail: lisa.chau@sfgov.org
- For questions/clarifications regarding Human Rights Commission requirements and forms: Melinda Kainos, Tel: 415-252-2530; E-mail: melinda.kainos@sfgov.org

Inquiries should be sent by 5:00pm on July 23, 2010. Questions and Answers will be compiled and posted by 5:00 p.m. July 27, 2010, on the San Francisco Office of Contract Administration's Bids and Contracts Database at www.sfgov.org/oca.

C. Objections to RFQ Terms

Should a proposer object on any ground to any provision or legal requirement set forth in this RFQ, the proposer must, not more than ten calendar days after the RFQ is issued, provide written notice to the Department setting forth with specificity the grounds for the objection. The failure of a proposer to object in the manner set forth in this paragraph shall constitute a complete and irrevocable waiver of any such objection.

D. Change Notices

The Department may modify the RFQ, prior to the qualification due date, by issuing Change Notices, which will be posted on the Department's website at <http://www.sf-planning.org/index.aspx?page=1830>. The proposer shall be responsible for ensuring that its qualification reflects any and all Change Notices issued by the Department prior to the qualification due date regardless of when the qualification is submitted. Therefore, the City recommends that the proposer consult the website frequently, including shortly before the qualification due date, to determine if the proposer has downloaded all Change Notices.

E. Term of Qualification

Submission of a qualification signifies that the proposed services and prices are valid for 120 calendar days from the qualification due date and that the quoted prices are genuine and not the result of collusion or any other anti-competitive activity.

F. Revision of Qualification

A proposer may revise a qualification on the proposer's own initiative at any time before the deadline for submission of qualifications. The proposer must submit the revised qualification in the same manner as the original. A revised qualification must be received on or before the qualification due date.

In no case will a statement of intent to submit a revised qualification, or commencement of a revision process, extend the qualification due date for any proposer.

At any time during the qualification evaluation process, the Department may require a proposer to provide oral or written clarification of its qualification. The Department reserves the right to make an award without further clarifications of qualifications received.

G. Errors and Omissions in Qualification

Failure by the Department to object to an error, omission, or deviation in the qualification will in no way modify the RFQ or excuse the vendor from full compliance with the specifications of the RFQ or any contract awarded pursuant to the RFQ.

H. Financial Responsibility

The City accepts no financial responsibility for any costs incurred by a firm in responding to this RFQ. Submissions of the RFQ will become the property of the City and may be used by the City in any way deemed appropriate.

I. Proposer's Obligations under the Campaign Reform Ordinance

Proposers must comply with Section 1.126 of the S.F. Campaign and Governmental Conduct Code, which states:

No person who contracts with the City and County of San Francisco for the rendition of personal services, for the furnishing of any material, supplies or equipment to the City, or for selling any land or building to the City, whenever such transaction would require approval by a City elective officer, or the board on which that City elective officer serves, shall make any contribution to such an officer, or candidates for such an office, or committee controlled by such officer or candidate at any time between commencement of negotiations and the later of either (1) the termination of negotiations for such contract, or (2) three months have elapsed from the date the contract is approved by the City elective officer or the board on which that City elective officer serves.

RFQ for Environmental and Related Consultant Services

If a proposer is negotiating for a contract that must be approved by an elected local officer or the board on which that officer serves, during the negotiation period the proposer is prohibited from making contributions to:

- the officer's re-election campaign
- a candidate for that officer's office
- a committee controlled by the officer or candidate.

The negotiation period begins with the first point of contact, either by telephone, in person, or in writing, when a contractor approaches any city officer or employee about a particular contract, or a city officer or employee initiates communication with a potential contractor about a contract. The negotiation period ends when a contract is awarded or not awarded to the contractor. Examples of initial contacts include: (1) a vendor contacts a city officer or employee to promote himself or herself as a candidate for a contract; and (2) a city officer or employee contacts a contractor to propose that the contractor apply for a contract. Inquiries for information about a particular contract, requests for documents relating to a Request for Qualification, and requests to be placed on a mailing list do not constitute negotiations.

Violation of Section 1.126 may result in the following criminal, civil, or administrative penalties:

1. **Criminal.** Any person who knowingly or willfully violates section 1.126 is subject to a fine of up to \$5,000 and a jail term of not more than six months, or both.
2. **Civil.** Any person who intentionally or negligently violates section 1.126 may be held liable in a civil action brought by the civil prosecutor for an amount up to \$5,000.
3. **Administrative.** Any person who intentionally or negligently violates section 1.126 may be held liable in an administrative proceeding before the Ethics Commission held pursuant to the Charter for an amount up to \$5,000 for each violation.

For further information, proposers should contact the San Francisco Ethics Commission at (415) 581-2300.

J. Sunshine Ordinance

In accordance with S.F. Administrative Code Section 67.24(e), contractors' bids, responses to RFQs and all other records of communications between the City and persons or firms seeking contracts shall be open to inspection immediately after a contract has been awarded. Nothing in this provision requires the disclosure of a private person's or organization's net worth or other proprietary financial data submitted for qualification for a contract or other benefits until and unless that person or organization is awarded the contract or benefit. Information provided which is covered by this paragraph will be made available to the public upon request.

K. Public Access to Meetings and Records

RFQ for Environmental and Related Consultant Services

If a proposer is a non-profit entity that receives a cumulative total per year of at least \$250,000 in City funds or City-administered funds and is a non-profit organization as defined in Chapter 12L of the S.F. Administrative Code, the proposer must comply with Chapter 12L. The proposer must include in its qualification (1) a statement describing its efforts to comply with the Chapter 12L provisions regarding public access to proposer's meetings and records, and (2) a summary of all complaints concerning the proposer's compliance with Chapter 12L that were filed with the City in the last two years and deemed by the City to be substantiated. The summary shall also describe the disposition of each complaint. If no such complaints were filed, the proposer shall include a statement to that effect. Failure to comply with the reporting requirements of Chapter 12L or material misrepresentation in proposer's Chapter 12L submissions shall be grounds for rejection of the qualification and/or termination of any subsequent Agreement reached on the basis of the qualification.

L. Reservations of Rights by the City

The issuance of this RFQ does not constitute an agreement by the City that any contract will actually be entered into by the City. The City expressly reserves the right at any time to:

1. Waive or correct any defect or informality in any response, qualification, or qualification procedure;
2. Reject any or all qualifications;
3. Reissue a Request for Qualifications;
4. Prior to submission deadline for qualifications, modify all or any portion of the selection procedures, including deadlines for accepting responses, the specifications or requirements for any materials, equipment or services to be provided under this RFQ, or the requirements for contents or format of the qualifications;
5. Procure any materials, equipment or services specified in this RFQ by any other means; or
6. Determine that no project will be pursued.

M. No Waiver

No waiver by the City of any provision of this RFQ shall be implied from any failure by the City to recognize or take action on account of any failure by a proposer to observe any provision of this RFQ.

N. Local Business Enterprise Goals and Outreach

The requirements of the Local Business Enterprise and Non-Discrimination in Contracting Ordinance set forth in Chapter 14B of the San Francisco Administrative Code as it now exists or as it may be amended in the future (collectively the "LBE Ordinance") shall apply to this RFQ.

1. LBE Subconsultant Participation Goals

RFQ for Environmental and Related Consultant Services

For projects that the City estimates will exceed \$29,000, the City may issue Requests for Proposals or Requests for Quotes to pre-qualified consultants for specific project services. In any event, the Human Rights Commission will determine Local Business Enterprise ("LBE") subcontracting goals prior to contract negotiations. Pre-qualified consultants selected for contract negotiations will be required to complete Forms 2A and 2B prior to contract award and to comply with all LBE subcontracting requirements. Please refer to San Francisco Administrative Code Chapter 14B and Human Rights Commission Forms 2A and 2B for information concerning the City's LBE program.

Each firm responding to this solicitation shall demonstrate in its response a commitment to use of good-faith outreach to select LBE subcontractors as set forth in S.F. Administrative Code §§14B.8 and 14B.9. LBEs identified as subcontractors must be certified with the San Francisco Human Rights Commission at the time any future proposal is submitted, and must be contacted by the proposer (prime contractor) prior to listing them as subcontractors in the proposal. Any proposal that does not meet the requirements of this paragraph will be non-responsive.

In addition to demonstrating that it will achieve the level of subconsulting participation required by the contract, a proposer shall also undertake and document in its submittal the good faith efforts required by Chapter 14B.8(C)&(D) and HRC Attachment 2, Requirements for Architecture, Engineering and Professional Services Contracts.

Qualifications which fail to comply with the material requirements of S.F. Administrative Code §§14B.8 and 14B.9, HRC Attachment 2 and this RFQ will be deemed non-responsive and will be rejected. During the term of the contract, any failure to comply with the level of LBE subcontractor participation specified in the contract shall be deemed a material breach of contract. Subconsulting goals can only be met with HRC-certified LBEs located in San Francisco.

2. LBE Participation

The City strongly encourages qualifications from qualified LBEs. Pursuant to Chapter 14B, the following rating discount will be in effect for the award of this project for any proposers who are certified by HRC as a LBE, or joint ventures where the joint venture partners are in the same discipline and have the specific levels of participation as identified below. Certification applications may be obtained by calling HRC at (415) 252-2500. The rating discount applies at each phase of the selection process. The application of the rating discount is as follows:

- a. A 10% discount to an LBE; or a joint venture between or among LBEs; or
- b. A 5% discount to a joint venture with LBE participation that equals or exceeds 35%, but is under 40%; or
- c. A 7.5% discount to a joint venture with LBE participation that equals or exceeds 40%; or
- d. A 10% discount to a certified non-profit entity.

If applying for a rating discount as a joint venture: The LBE must be an active partner in the joint venture and perform work, manage the job and take financial risks in proportion to the

RFQ for Environmental and Related Consultant Services

required level of participation stated in the qualification, and must be responsible for a clearly defined portion of the work to be performed and share in the ownership, control, management responsibilities, risks, and profits of the joint venture. The portion of the LBE joint venture's work shall be set forth in detail separately from the work to be performed by the non-LBE joint venture partner. The LBE joint venture's portion of the contract must be assigned a commercially useful function.

3. HRC Forms to be Submitted with Qualification

a. All qualifications submitted must include the following Human Rights Commission (HRC) Forms contained in the HRC Attachment 2: 1) HRC Contract Participation Form, 2) HRC "Good Faith Outreach" Requirements Form, 3) HRC Non-Discrimination Affidavit, 4) HRC Joint Venture Form (if applicable), and 5) HRC Employment Form. If these forms are not returned with the qualification, the qualification may be determined to be non-responsive and may be rejected. **Forms 1 and 2 are not required at this time. Please see "LBE Subconsultant Participation Goal" above. However, they will be required to be completed prior to contract award by each pre-qualified consultant selected for contract negotiations for any future project.**

b. Please submit only two copies of the above forms with your qualification. The forms should be placed in a separate, sealed envelope labeled HRC Forms.

If you have any questions concerning the HRC Forms, you may call Melinda Kainos, the Human Rights Commission Contract Compliance Officer for the Planning Department at (415) 252-2530.

VII. Contract Requirements for Public Projects

A. Standard Contract Provisions

The successful proposer will be required to enter into a contract substantially in the form of the Agreement for Professional Services, attached hereto as Appendix C. Failure to timely execute the contract, or to furnish any and all insurance certificates and policy endorsement, surety bonds or other materials required in the contract, shall be deemed an abandonment of a contract offer. The City, in its sole discretion, may select another firm and may proceed against the original selectee for damages.

Proposers are urged to pay special attention to the requirements of Administrative Code Chapters 12B and 12C, Nondiscrimination in Contracts and Benefits, (§34 in the Agreement); the Minimum Compensation Ordinance (§43 in the Agreement); the Health Care Accountability Ordinance (§44 in the Agreement); the First Source Hiring Program (§45 in the Agreement); and applicable conflict of interest laws (§23 in the Agreement), as set forth in paragraphs B, C, D, E and F below.

B. Nondiscrimination in Contracts and Benefits

The successful proposer will be required to agree to comply fully with and be bound by the provisions of Chapters 12B and 12C of the San Francisco Administrative Code. Generally, Chapter 12B prohibits the City and County of San Francisco from entering into contracts or leases with any entity that discriminates in the provision of benefits between employees with domestic partners and employees with spouses, and/or between the domestic partners and spouses of employees. The Chapter 12C requires nondiscrimination in contracts in public accommodation. Additional information on Chapters 12B and 12C is available on the HRC's website at www.sfhrc.org.

C. Minimum Compensation Ordinance (MCO)

The successful proposer will be required to agree to comply fully with and be bound by the provisions of the Minimum Compensation Ordinance (MCO), as set forth in S.F. Administrative Code Chapter 12P. Generally, this Ordinance requires contractors to provide employees covered by the Ordinance who do work funded under the contract with hourly gross compensation and paid and unpaid time off that meet certain minimum requirements. For the contractual requirements of the MCO, see §43.

For the amount of hourly gross compensation currently required under the MCO, see www.sfgov.org/olse/mco. Note that this hourly rate may increase on January 1 of each year and that contractors will be required to pay any such increases to covered employees during the term of the contract.

Additional information regarding the MCO is available on the web at www.sfgov.org/olse/mco.

D. Health Care Accountability Ordinance (HCAO)

The successful proposer will be required to agree to comply fully with and be bound by the provisions of the Health Care Accountability Ordinance (HCAO), as set forth in S.F. Administrative Code Chapter 12Q. Contractors should consult the San Francisco Administrative Code to determine their compliance obligations under this chapter. Additional information regarding the HCAO is available on the web at www.sfgov.org/olse/hcao.

E. First Source Hiring Program (FSHP)

If the contract is for more than \$50,000, then the First Source Hiring Program (Admin. Code Chapter 83) may apply. Generally, this ordinance requires contractors to notify the First Source Hiring Program of available entry-level jobs and provide the Workforce Development System with the first opportunity to refer qualified individuals for employment.

Contractors should consult the San Francisco Administrative Code to determine their compliance obligations under this chapter. Additional information regarding the FSHP is available on the web at www.sfgov.org/moed/fshp.htm and from the First Source Hiring Administrator, (415) 401-4960.

F. Conflicts of Interest

The successful proposer will be required to agree to comply fully with and be bound by the applicable provisions of state and local laws related to conflicts of interest, including Section 15.103 of the City's Charter, Article III, Chapter 2 of City's Campaign and Governmental Conduct Code, and Section 87100 et seq. and Section 1090 et seq. of the Government Code of the State of California. The successful proposer will be required to acknowledge that it is familiar with these laws; certify that it does not know of any facts that constitute a violation of said provisions; and agree to immediately notify the City if it becomes aware of any such fact during the term of the Agreement.

Individuals who will perform work for the City on behalf of the successful proposer might be deemed consultants under state and local conflict of interest laws. If so, such individuals will be required to submit a Statement of Economic Interests, California Fair Political Practices Commission Form 700, to the City within ten calendar days of the City notifying the successful proposer that the City has selected the proposer.

VIII. Contract Requirements for Private Projects

As described above, eligibility for work on privately-sponsored projects or on projects sponsored by a public agency or City department other than the San Francisco Planning Department shall be conditioned on agreement by the qualified Consultant to include specific performance criteria in its performance contracts with private sponsors. The Planning Department requires that consultant contracts for private projects include the following provisions. Violation of this section shall be grounds for removal from the applicable Pool and/or reassignment of a new Contractor to the project at issue, or could affect the inclusion of the Consultant in a future PCL, at the discretion of the Planning Department.

A. Planning Department Minimum Performance Standards

Performance of this contract shall be subject to the following performance standards:

1. Preliminary drafts of deliverables, with the exception of preliminary project descriptions, sponsors' objectives, and descriptions of approvals needed, may not be distributed to project sponsors in advance of submittals to the Planning Department; drafts may be provided to project sponsor simultaneously with submittal to the Department.
2. Along with submission of any document or deliverable, Consultants shall provide a signed Consultant's Checklist with draft submittals, attesting to completeness of review, required content, and verification that requested changes have been incorporated.
3. Consultant must obtain Planning Department approval of the scope of work for consultant services, in writing, prior to signing of the contract by the consultant and project sponsor.
4. Initial preliminary draft documents shall be submitted within six months after work scopes are finalized and subsequent revisions shall be submitted within six months after receipt of Department review comments, subject to exceptions by (1) prior mutual agreement between Department and consultant for unusually complex projects, or (2) delays caused due to project redesign or other factors beyond the control of consultants, for which advance written notification by Consultants is provided.
5. Subject to exceptions in unusual circumstances and by prior written mutual agreement by the Department and Consultant, Consultant will require no more than two complete submittals of preliminary draft documents prior to finalization (not including screencheck version). Any circumstance requiring more than two complete preliminary drafts shall be described in writing by the consultant and/or Planning Department staff and included in the Planning Department's project case file.

IX. Protest Procedures

A. Protest of Non-Responsiveness Determination

Within five working days of the City's issuance of a notice of non-responsiveness, any firm that has submitted a qualification and believes that the City has incorrectly determined that its qualification is non-responsive may submit a written notice of protest. Such notice of protest must be received by the City on or before the fifth working day following the City's issuance of the notice of non-responsiveness. The notice of protest must include a written statement specifying in detail each and every one of the grounds asserted for the protest. The protest must be signed by an individual authorized to represent the proposer, and must cite the law, rule, local ordinance, procedure or RFQ provision on which the protest is based. In addition, the protestor must specify facts and evidence sufficient for the City to determine the validity of the protest.

B. Protest of Contract Award

Within five working days of the City's issuance of a notice of intent to award the contract, any firm that has submitted a responsive qualification and believes that the City has incorrectly selected another proposer for award may submit a written notice of protest. Such notice of protest must be received by the City on or before the fifth working day after the City's issuance of the notice of intent to award.

The notice of protest must include a written statement specifying in detail each and every one of the grounds asserted for the protest. The protest must be signed by an individual authorized to represent the proposer, and must cite the law, rule, local ordinance, procedure or RFQ provision on which the protest is based. In addition, the protestor must specify facts and evidence sufficient for the City to determine the validity of the protest.

C. Delivery of Protests

All protests must be received by the due date. If a protest is mailed, the protestor bears the risk of non-delivery within the deadlines specified herein. Protests should be transmitted by a means that will objectively establish the date the City received the protest. Protests or notice of protests made orally (e.g., by telephone) will not be considered. Protests must be delivered to:

San Francisco Planning Department
Attn. Lisa Chau
1650 Mission Street, Suite 400
San Francisco, California 94103-2479

RFQ for Environmental and Related Consultant Services

Appendix B

Standard Forms

The requirements described in this Appendix are separate from those described in Appendix A.

Before the City can award any contract to a contractor, that contractor must file three standard City forms (items 1-3 on the chart). Because many contractors have already completed these forms, and because some informational forms are rarely revised, the City has not included them in the RFQ package. Instead, this Appendix describes the forms, where to find them on the Internet (see bottom of page 2), and where to file them. If a contractor cannot get the documents off the Internet, the contractor should call (415) 554-6248 or e-mail Purchasing (purchasing@sfgov.org) and Purchasing will fax, mail or e-mail them to the contractor.

If a contractor has already filled out items 1-3 (see note under item 3) on the chart, **the contractor should not do so again unless the contractor's answers have changed.** To find out whether these forms have been submitted, the contractor should call Vendor File Support in the Controller's Office at (415) 554-6702.

If a contractor would like to apply to be certified as a local business enterprise, it must submit item 4. To find out about item 4 and certification, the contractor should call Human Rights Commission at (415) 252-2500.

Item	Form name and Internet location	Form	Description	Return the form to: For more info
1.	Request for Taxpayer Identification Number and Certification http://www.sfgov.org/site/oca_page.asp?id=26550 www.irs.gov/pub/irs-fill/fw9.pdf	W-9	The City needs the contractor's taxpayer ID number on this form. If a contractor has already done business with the City, this form is not necessary because the City already has the number.	Controller's Office Vendor File Support City Hall, Room 484 San Francisco, CA 94102 (415) 554-6702
2.	Business Tax Declaration http://www.sfgov.org/site/oca_page.asp?id=26550	P-25	All contractors must sign this form to determine if they must register with the Tax Collector, even if not located in San Francisco. All businesses that qualify as "conducting business	Controller's Office Vendor File Support City Hall, Room 484 San Francisco, CA 94102

RFQ for Environmental and Related Consultant Services

Item	Form name and Internet location	Form	Description	Return the form to; For more info
			in San Francisco" must register with the Tax Collector	(415) 554-6702
3.	S.F. Administrative Code Chapters 12B & 12C Declaration: Nondiscrimination in Contracts and Benefits http://www.sfgov.org/site/sfhumanrights_index.asp?id=4584 In Vendor Profile Application	HRC-12B-101	Contractors tell the City if their personnel policies meet the City's requirements for nondiscrimination against protected classes of people, and in the provision of benefits between employees with spouses and employees with domestic partners. Form submission is not complete if it does not include the additional documentation asked for on the form. Other forms may be required, depending on the answers on this form. Contract-by-Contract Compliance status vendors must fill out an additional form for each contract.	Human Rights Comm. 25 Van Ness, #800 San Francisco, CA 94102-6059 (415) 252-2500
4.	HRC LBE Certification Application http://www.sfgov.org/site/sfhumanrights_page.asp?id=45141 In Vendor Profile Application		Local businesses complete this form to be certified by HRC as LBEs. Certified LBEs receive a bid discount pursuant to Chapter 14B when bidding on City contracts. To receive the bid discount, you must be certified by HRC by the qualification due date.	Human Rights Comm. 25 Van Ness, #800 San Francisco, CA 94102-6059 (415) 252-2500

Where the forms are on the Internet

Office of Contract Administration

Homepage: www.sfgov.org/oca/
 Purchasing forms: Click on "Required Vendor Forms" under the "Information for Vendors and Contractors" banner.

Human Rights Commission

RFQ for **Environmental and Related Consultant Services**

HRC's homepage: www.sfhrc.org
Equal Benefits forms: Click on "Forms" under the "Equal Benefits" banner near the bottom.
LBE certification form: Click on "Forms" under the "LBE" banner near the bottom

PERSONAL SERVICES CONTRACT SUMMARY

DATE: June 23, 2008

DEPARTMENT NAME: PLANNING DEPARTMENT DEPARTMENT NUMBER: 29

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

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

TYPE OF SERVICE: As-Needed Pool of Qualified Environmental Impact and Transportation Study Consultants

FUNDING SOURCE: Various

PSC AMOUNT: \$2,000,000 PSC DURATION: July 21, 2008 - June 30, 2011

1. DESCRIPTION OF WORK

A. Concise description of proposed work:

The San Francisco Planning Department (the "Department") has determined the need to select a pool of pre-qualified environmental impact and transportation study consultants through a request-for-qualifications ("RFQ") process to use on an as-needed basis for detailed environmental and transportation impact studies on (Continued on Attachment)

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

The services are required to comply with the California Environmental Quality Act ("CEQA") in the provision of mandatory environmental and transportation impact studies by consultants with expertise in the various project areas. Denial would result in legal risk to the City related to the Housing Element and the inability to adopt area plans and programs that advance a better built environment in the City.

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):

These services have been provided through separate personal services contracts as approved by the Civil Service Commission on a case-by-case basis (e.g., 4029-07/08).

D. Will the contract(s) be renewed? Contracts will be awarded on an as-needed basis for various projects.

It is possible that one firm may be awarded more than one contract for different projects during the RFQ term.

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

[X] IFPTE Local 21 Union Name Signature of person mailing/faxing form Date 06/23/2008

[] Union Name Signature of person mailing/faxing form Date

RFP sent to IFPTE Local 21 Union Name, on 06/22/2008 Date Signature

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# _____ STAFF ANALYSIS/RECOMMENDATION:

[] CIVIL SERVICE COMMISSION ACTION:

3. DESCRIPTION OF REQUIRED SKILLS/EXPERTISE

A. Specify required skills and/or expertise:
The firms that would perform these services must have technical experts in the areas of environmental science/air quality, meteorology (including knowledge and experience with Urbemis software), graphic information systems, 3-D modeling, shadow, transportation and traffic engineering analysis, and related fields, and the ability to compile data and make projections pertaining to greenhouse gasses and related environmental impacts.

B. Which, if any, civil service class normally performs this work?
These services would be performed by a combination of experts and expertise as stated in 3.A above. These specialists are not represented in any civil service classes.

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If yes, explain:
Contractor's staff would perform the requested services at their company offices, with some on-site review of the development or plan area.

4. WHY CLASSIFIED CIVIL SERVICE CANNOT PERFORM

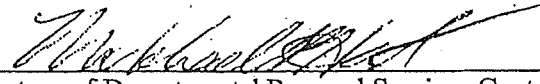
A. Explain why civil service classes are not applicable:
Due to the unique nature of California Environmental Quality Act (CEQA) requirements, no planning departments in California counties routinely prepare environmental or transportation-related impact studies because these studies require expertise in many topics including archeology, greenhouse gas emissions, (continued on attachment)

B. Would it be practical to adopt a new civil service class to perform this work? Explain.
Due to the various combinations of environmental and transportation impact knowledge and expertise required for each project or plan, it would not be desirable or practical to create various classifications, or classifications with various specialties, that may be called on to provide services for only a fraction of any project for a limited duration.

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

- | | <u>Yes</u> | <u>No</u> |
|---|--------------------------|-------------------------------------|
| A. Will the contractor directly supervise City and County employees? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| B. Will the contractor train City and County employees? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| • Describe the training and indicate approximate number of hours. | | |
| • Indicate occupational type of City and County employees to receive training (i.e., clerks, civil engineers, etc.) and approximate numbers to be trained. | | |
| C. Are there legal mandates requiring the use of contractual services? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| D. Are there federal or state grant requirements regarding the use of contractual services? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| E. Has a board or commission determined that contracting is the most effective way to provide this service? | <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? <i>Possibly; unknown at this time.</i> | <input 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

ECF

Mikhael P. Hart

415-575-6930

Print or Type Name

Telephone Number

1650 MISSION ST STE 400
SAN FRANCISCO CA 94103

Address

ATTACHMENT

DATE: June 23, 2008DEPARTMENT NAME: PLANNING DEPARTMENTDEPARTMENT NUMBER: 29TYPE OF SERVICE: As-Needed Pool of Qualified Environmental Impact and Transportation Study Consultants1.A Concise description of proposed work (Continued):

various private and public projects. Such projects include, but are not limited to: environmental review of the Housing Element; the Western South-of-Market (SoMa) Plan; Better Streets streetscape improvements; and the Community Safety Element.

Private development proposals will be required to use this as-needed pool to expand the number of firms conducting independent environmental analysis, maintain better quality control, and follow the model used in most other jurisdictions.

The Department has determined that the most effective way to provide these specialized studies is to emulate certain California counties and solicit consultants to create as large a pool as possible of pre-qualified firms with the knowledge and expertise in environmental and/or transportation impact studies. Inclusion in the pre-qualified pool will be mandatory for any consultant to either 1) enter into an independent contract with a private developer for environmental or transportation impact studies, which must be reviewed and finalized by Department staff; or 2) enter into contracts with the City and County of San Francisco on an as-needed basis for the provision of specialized studies. This request before the Commission would provide authority for the latter.

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

historic resource evaluations, shadow and wind analysis, and transportation analysis. Environmental and transportation impact study firms are able through subconsulting relationships to call on a range of expertise, modeling, and other state-of-the-art technologies.

In order for the Planning Department to complete environmental and transportation impact studies in-house, it would require substantial investment in additional staff and technologies, which would not be cost-effective or follow best practices of any other California jurisdiction.



CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

GAVIN NEWSOM
MAYOR

July 24, 2008

NOTICE OF CIVIL SERVICE COMMISSION ACTION

DONALD A. CASPER
PRESIDENT

MORGAN R. GORRONO
VICE PRESIDENT

MARY Y. JUNG
COMMISSIONER

YU-YEE WU SHERIDAN
COMMISSIONER

SUBJECT: REVIEW OF REQUEST FOR APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACT NUMBERS 1010-08/09 AND 4000-08/09 THROUGH 4005-08/09.

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

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

ANITA SANCHEZ
EXECUTIVE OFFICER

It was the decision of the Commission to:

- (1) Adopt the Human Resources Director's report on PSC #4000-08/09 on condition that City Planning meet with IFPTE Local 21 and the Municipal Transportation Agency to explore if existing classes can perform the work. Notify the offices of the Controller and the Purchaser.
- (2) Adopt the Human Resources Director's report on PSC #4005-08/09 as amended to "No" in 5A. Notify the offices of the Controller and the Purchaser.
- (3) Adopt the Human Resources Director's report on all remaining contracts. Notify the offices of the Controller and the Purchaser.

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

CIVIL SERVICE COMMISSION

ANITA SANCHEZ
Executive Officer

Attachment

- c:
- John Arntz, Department of Elections
 - Parveen Boparai, Municipal Transportation Agency
 - Micki Callahan, Human Resources Director
 - Kahala Drain, Department of Children, Youth & Their Families
 - Nancy Gonchar, Arts Commission
 - Mikhael Hart, Planning Department
 - Lavena Holmes-Williams, Port
 - Joan Lubamersky, Administrative Services
 - Jennifer Johnston, Department of Human Resources
 - Sean McFadden, Recreation & Parks Department
 - Brigette Rockett, Department of Human Resources
 - Commission File
 - Chron

POSTING FOR
July 21, 2008

RECOMMENDED APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACTS

PSC No.	Dept/No	Dept/Name	Approval Type	Contract Amount	Description of work	Duration
1010-08/09	42	Recreation and Park	Annual	\$240,000.00	Will conduct band concerts throughout the City for official civic events including Sunday concerts at the Music Concourse in Golden Gate Park.	30-Jun-11
4000-08/09	29	Planning Department	Regular	\$2,000,000.00	Will provide detailed environmental and transportation impact studies on various private and public projects.	30-Jun-11
4001-08/09	35	San Francisco Municipal Transportation Agency	Regular	\$100,000.00	Will train SFMTA personnel on the safe operation of the high voltage overhead catenary lines that are used to power the street cars and trolleys.	31-Aug-09
4002-08/09	39	Port of San Francisco	Regular	\$800,000.00	Will organize, implement, and administer a program to primarily provide economically disadvantaged and/or at-risk San Francisco youth ages 16 through 24 with paid work experience to help maintain the Port's property.	31-Jul-12
4003-08/09	64	Children and Families Commission	Regular	\$100,000.00	Will provide science curriculum enhancement services to Preschool for all sites throughout all neighborhoods of San Francisco.	30-Jun-09
4004-08/09	70	General Services Agency/Fleet Shops	Regular	\$150,000.00	Will provide a comprehensive evaluation of CCSF vehicle fleet practices and make recommendations for improvements.	31-Jan-09
4005-08/09	80	Department of Elections	Regular	\$303,800.00	Will provide all necessary translation typesetting and layout services for the Department of Elections' production of Voter Information Pamphlets and other election related materials to be distributed to SF registered voters prior to elections.	31-Oct-08

Meeting Information

Archive Center >> Civil Service Commission >> 2008

back to Civil Service Commission home page

Year: 2008 go

AMENDED**MINUTES**Regular Meeting
July 21, 20082:00 p.m.
ROOM 400, CITY HALL
1 Dr. Carlton B. Goodlett PlaceCALL TO ORDER

2:11 p.m.

ROLL CALL

President Donald A. Casper	Present
Vice President Morgan R. Gorrone	Not Present (Notified absence)
Commissioner Mary Y. Jung	Present
Commissioner Yu-Yee Wu Sheridan	Present

President Donald A. Casper presided

PUBLIC COMMENT ON MATTERS APPEARING ON THE AGENDA

Joe Brenner, IFFTE Local 21 requested to sever PSC #4185-07/08, PSC #4186-07/08 and PSC #4000-08/09

APPROVAL OF MINUTES

Regular Meeting of July 7, 2008

Action: Approve as amended. (Vote of 3 to 0)

COMMENDATION AGENDA

0323-08-1 Commendation for Robert Pritchard, Deputy Director-Recruitment and Assessment Services, Department of Human Resources, upon his retirement after 10 years of service to the City and County of San Francisco. (Item No. 5)

Speakers: Anita Sanchez, Executive Officer
Robert Pritchard, Deputy Director-RAS

Action: Adopt (Vote of 3 to 0)

0299-08-8 Review of request for approval of proposed personal services contracts.
(Item No. 6)

PSC#	Department	Amount	Type of Service	Type of Approval	Duration
4185-07/08	Human Rights Commission	\$85,000	Will provide strategic planning consulting services to facilitate an examination of the Human Rights Commission's (HRC) vision, mission, values and charges within today's civil rights climate	Regular	06/30/09
4186-07/08	Municipal Transportation Agency	\$192,536	Will conduct an executive search to identify, evaluate and recommend candidates for three (3) Sr level management positions in classification 9183	Regular	07/01/09

- July 7, 2008:
- (1) Adopt the Human Resources Director's Report on PSC #4185-07/08. Notify the offices of the Controller and the Purchaser. (Vote of 2 to 2; Commissioners Casper and Gorrone dissent.)
 - (1a) Three votes are needed for Commission action; therefore, PSC #4185-07/08 is continued to the meeting of July 21, 2008.
 - (2) Postpone PSC #4186-07/08 to the meeting of July 21, 2008. (Vote of 4 to 0)

Speakers: Chris Iglesias, Human Rights Commission, Peg Stevenson, Office of the Controller and Criss Romero, IFPTE Local 21 spoke on PSC #4185-07/08.
Debra Johnson and Mabel Sha, Municipal Transportation Agency and Pam Covington, IFPTE Local 21 spoke on PSC #4186-07/08.

- Action:
- (1) Adopt the Human Resources Director's report on PSC #4185-07/08 on the condition that the text of the PSC be provided to IFPTE Local 21 and that the Human Rights Commission makes every reasonable effort to respond to any requests from Local 21 to discuss the contract. Notify the offices of the Controller and the Purchaser. (Vote of 3 to 0)
 - (2) Adopt the Human Resources Director's report on PSC #4186-07/08. Notify the offices of the Controller and the Purchaser. (Vote of 3 to 0)

0324-08-8 Review of request for approval of proposed personal services contracts. (Item No. 7)

PSC#	Department	Amount	Type of Service	Type of Approval	Duration
1010-08/09	Recreation and Park	\$240,000	Will conduct band concerts throughout the City for official civic events including Sunday concerts at the Music Concourse in Golden Gate Park.	Annual	06/30/11
4000-08/09	Planning	2,000,000	Will provide detailed environmental and transportation impact studies on various private and public projects.	Regular	06/30/11
4001-08/09	Municipal Transportation Agency	\$100,000	Will train SFMTA personnel on the safe operation of the high voltage overhead catenary lines that are used to power the street cars and trolleys.	Regular	08/31/09
4002-08/09	Port	\$800,000	Will organize, implement, and administer a program to primarily provide economically disadvantaged and/or at-risk San Francisco youth ages 16 through 24 with paid work experience to help maintain the Port's property.	Regular	07/31/12
4003-08/09	Children and Families Commission	\$100,000	Will provide science curriculum enhancement services to Pre-school for all sites throughout all neighborhoods of San Francisco.	Regular	06/30/09
4004-08/09	General Services Agency/Fleet Shops	\$150,000	Will provide a comprehensive evaluation of CCSF vehicle fleet practices and make recommendations for improvement.	Regular	01/31/09
4005-08/09	Department of Elections	\$303,800	Will provide all necessary translation typesetting and layout services for the Department of Elections' production of Voter Information Pamphlets and other election related materials to be distributed to SF registered voters prior to elections.	Regular	10/31/08

Speakers: Elaine Forbes, City Planning and Kim Waldron, IFPTE Local 21 spoke on PSC #4000-08/09.
Tom Carter, Port spoke on PSC #4002-08/09.
Lisa Lee, Children and Families Commission spoke on PSC #4003-08/09.
Joan Lubamersky and Vitus Leung, General Services Administration and Criss Romero, IFPTE Local 21 spoke on PSC #4004-08/09.
John Arntz, Department of Elections spoke on PSC #4005-08/09.

- Action:
- (1) Adopt the Human Resources Director's report on PSC #4000-08/09 on condition that City Planning meet and confer with IFPTE Local 21 and the Municipal Transportation Agency to explore if existing classes can perform the work. Notify the offices of the Controller and the Purchaser. (Vote of 3 to 0)
 - (2) Adopt the Human Resources Director's report on PSC #4005-08/09 as amended to "No" in 5A. Notify the offices of the Controller and the Purchaser (Vote of 3 to 0)
 - (3) Adopt the Human Resources Director's report on all remaining contracts. Notify the offices of the Controller and the Purchaser. (Vote of 3 to 0)

EXECUTIVE OFFICER'S REPORT

0325-08-1 Report on the Goals and Objectives of the Civil Service Commission as of June 30, 2008; including summaries of Fiscal Year 2007-08 Inspection Service Requests and Merit System Audits. (Item No. 8)

Speakers: Anita Sanchez, Executive Officer
Jennifer Johnston, Department of Human Resources

Note: The Commission had a discussion of topics it would like to address for its upcoming retreat: update Rule 007 ERO, appeal procedures and Rule 105, meeting procedures, oath and subpoena procedures, format of presentations before the Commission, periodic summaries of inspection and service requests, and audits

Action: Accept the report (Vote of 3 to 0)

REQUEST TO SPEAK ON ANY MATTER WITHIN THE JURISDICTION OF THE CIVIL SERVICE COMMISSION (Item No. 9)

Criss Romero, IFPTE Local 21 spoke of his concerns and the experience of employee organizations with the lack of consistency of departments' use of procedures for contracting out, classifications, appeal process, probationary period release, and seniority. He also inquired when the Commission retreat will be held as Local 21 has participated in the past.

COMMISSIONERS' ANNOUNCEMENTS/REQUESTS (Item No. 10)

None

ADJOURNMENT (Item No. 11)
4:25 p.m.




Lisa Chau/CTYPLN/SFGOV

07/07/2010 03:33 PM

To Kyra Byrne <kbyrne@ifpte21.org>

cc

bcc

Subject PSC for an RFQ, as-needed pool of Qualified Environmental, transportation, historic resources, and archeology review 

Hi Kyra,

I have just left you a message regarding this PSC.

Attached for your review is a PDF of the above referenced PSC form and the RFQ. Please let me know ASAP if you have any questions or concerns about this.

Thank you very much for all of your help in advance.

Regards,

Lisa Chau

San Francisco Planning Department

1650 Mission Street, Suite 400

San Francisco, CA 94103

Tel: 415 575 9042

Fax: 415 558 6409

E-mail: Lisa.Chau@sfgov.org



RFQ for as needed EIR pool.pdf EIRs as needed rfq-psc.PDF

PERSONAL SERVICES CONTRACT SUMMARY

DATE: 7/07/10

DEPARTMENT NAME: Environment DEPARTMENT NUMBER 22

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

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

TYPE OF SERVICE: Software development

FUNDING SOURCE: Departmental funds

PSC AMOUNT: \$100,000 PSC DURATION: 7/1/10 - 9/30/14

1. DESCRIPTION OF WORK

A. Concise description of proposed work: Vendor will design and develop a web-based platform to allow multiple agencies to jointly manage and share recycling/reuse/disposal information with residents and businesses through the Bay Area.

B. Explain why this service is necessary and the consequences of denial: This service is needed to overhaul outdated software that limits the ability of the Department of the Environment to effectively communicate with residents and business in San Francisco. Without this service, San Francisco will falter in its effort to reach the mandated goal of 75% waste diversion by 2010 and zero waste by 2020.

C. Explain how this service has been provided in the past (if this service was previously approved by the Civil Service Commission, indicate most recent personal services contract approval number): This service was initially provided via a software purchase from another local agency (San Mateo County RecycleWorks) 4 years ago. Minor work has been done on this tool in the interim, but the age of the software limits the ability to further upgrade the features of this tool.

D. Will the contract(s) be renewed: Not known

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

Local 21 Union Name Rachel C. Bauer Signature of person mailing/faxing form 7/2/10 Date
Local 1021 Union Name Rachel C. Bauer Signature of person mailing/faxing form 7/2/10 Date

RFP sent to Union Name, on Date Signature

***** FOR DEPARTMENT OF HUMAN RESOURCES USE PSC# 4019-10/11 STAFF ANALYSIS/RECOMMENDATION: CIVIL SERVICE COMMISSION ACTION: JG 7/12/2010

DESCRIPTION OF REQUIRED SKILLS/EXPERTISE

A. Specify required skills and/or expertise:

Experience developing robust, enterprise-level, web-based applications, from start to finish; Extremely strong skills translating functional requirements into effective user interface (UI) design to communicate large amounts of disparate data; Experience working on open-source, open community development projects with multiple stakeholders; Capacity to complete project on tight timetable and willingness to establish ongoing relationship to provide maintenance and feature upgrades as necessary.

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

051, 1052, 1053, 1054 Business Analyst

062, 1063, 1064 Programmer Analyst

DT is unable to provide the web content management services required.

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

No.

WHY CLASSIFIED CIVIL SERVICE CANNOT PERFORM

A. Explain why civil service classes are not applicable:

This work requires a multiple member team, with a unique combination of experience, skills and familiarity with latest web development languages and technologies, including user interface design experience. The City does not have the technical expertise in house for crafting effective user interface for web software. A UI Designer, however, is a central position for software development firms in the private sector.

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

No. This is a development project which will use most of the funds in the initial development with small amounts used for upgrades in the future. The funding is not sufficient to support a staff position.

ADDITIONAL INFORMATION (if "yes," attach explanation)

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

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

B. Will the contractor train City and County employees?

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

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

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

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

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

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

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

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

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

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

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

Rachel C. Buerkle

Signature of Departmental Personal Services Contract Coordinator

Rachel Buerkle

355-3704

Print or Type Name

Telephone Number

Department of the Environment

11 Grove St. San Francisco, CA 94102

Hi Marco,

Thanks for the phone call and your email. I really appreciate your time.

I want to make sure that I am clear on what services your division can offer. Do I understand correctly that the scope of our RFP for updating the EcoFinder web application falls outside of the services provided by your division?

Thanks again,

Lawrence S. Grodeska
Internet Communications Coordinator
SF Environment
City & County of San Francisco
11 Grove St. SF, CA 94102
Direct: (415) 355-3791
Twitter: @sfenvironment

Rachel Buerkle/ENV/SFGOV
07/07/2010 03:09 PM

To daz.lamparas@seiu1021.org, pattie.tamura@seiu1021.org,
Cromero@ifpte21.org
cc
bcc

Subject PSC form for Software Development - revised

Attached is the revised PSC1 form for our proposed software development contract. Pasted below is the confirmation from DTIS that they are unable to provide the service needed.

Please let me know if you need anything else on this. Thanks.

Rachel C. Buerkle
SF Environment
(415)355-3704
rachel.buerkle@sfgov.org



1st-Floor-004.PDF

Lawrence S. Grodeska
Internet Communications Coordinator
SF Environment
City & County of San Francisco
11 Grove St. SF, CA 94102
Direct: (415) 355-3791
Twitter: @sfenvironment

Use the EcoFinder at <http://www.SFEnvironment.org/EcoFinder>
to find out how to recycle and safely dispose of just about everything!
---- Forwarded by Lawrence Grodeska/ENV/SFGOV on 07/06/2010 05:31 PM ----

From: Marco Bruno/DTIS/SFGOV
To: Lawrence Grodeska/ENV/SFGOV@SFGOV
Date: 07/06/2010 05:29 PM
Subject: Re: questions about DT capacity for web application development

Lawrence that is correct because the RFP you are working asks for custom development services beyond the web content management services my group provides.

thanks
marco
581-3972

To: Marco Bruno/DTIS/SFGOV
From: Lawrence Grodeska/ENV/SFGOV
Date: 07/06/2010 05:17PM
Subject: Re: questions about DT capacity for web application development

PERSONAL SERVICES CONTRACT SUMMARY

DATE: July 1, 2010

DEPARTMENT NAME: Treasurer/Tax Collector DEPARTMENT NUMBER 08

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

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

TYPE OF SERVICE: Investment Advisory Services

FUNDING SOURCE: General Fund

PSC AMOUNT: \$300,000 PSC DURATION: August 1, 2010 - July 31, 2015

1. DESCRIPTION OF WORK

A. Concise description of proposed work:

Provide financial advisory services to the Treasurer/Tax Collector in the following areas: economic data analysis; fed funds rate and yield curve analysis; horizon analysis, sector and credit distribution; callable structures and maturity distribution; performance summary and attribution analysis; portfolio characteristics and cash flow analysis; review of investment sectors; portfolio recommendations; target maturity structure recommendations; Investment Pool core and liquidity balances analysis; and credit analysis for corporate issuers.

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

Highly specialized expertise in investment advisory services is needed to supplement investment knowledge of staff in the Treasurer's office. Consequences of denial would be the Treasurer/Tax Collector not being positioned to make effective, accurate and strategic investments in the City's best interest.

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

This service has not been provided to our department by a contractor in the last five years, but the Retirement Board does make use of contractors for this purpose.

D. Will the contract(s) be renewed: To be determined based on contractor performance.

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

Table with 3 columns: Union Name, Signature of person mailing/faxing form, Date. Rows include IFPTE Local 21, SEIU Local 1021, and MEA.

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

FOR DEPARTMENT OF HUMAN RESOURCES USE

STAFF ANALYSIS/RECOMMENDATION: CIVIL SERVICE COMMISSION ACTION:

Handwritten signature and date: Jpc 7/12/2010

3. DESCRIPTION OF REQUIRED SKILLS/EXPERTISE

A. Specify required skills and/or expertise:

Must have specialized skills in investment advisory services with experience working on economic data analysis; funds rate and yield curve analysis; horizon analysis, sector and credit distribution; callable structures and maturity distribution; performance summary and attribution analysis; portfolio characteristics and cash flow analysis; review of investment sectors; portfolio recommendations; target maturity structure recommendations; Investment Pool core and liquidity balances analysis; and credit analysis for corporate issuers. Must have successfully completed a minimum of two California-based financial advisory projects within the last five years, at least one of which was similar in size and scope to that proposed to the City. Lead staff must have had a similar role in at least one of the prior projects submitted. Must submit a certification statement that it holds all licenses and registrations required by applicable federal and state laws for businesses offering financial advisory services. All required licenses and registrations must be current and in good standing.

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

0952 Deputy Director II

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

No.

4. WHY CLASSIFIED CIVIL SERVICE CANNOT PERFORM

A. Explain why civil service classes are not applicable:

Existing Civil Service classifications generally do not possess the independence, specialized experience and expertise required, including working with multiple public agency portfolios. Specialized expertise will allow the City to obtain the investment strategy for its funds while maintaining safety and liquidity.

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

No, due to the highly specialized and intermittent nature of the work.

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

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

Yes No

B. Will the contractor train City and County employees?

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

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

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

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

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

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

Pauline Marx
Signature of Departmental Personal Services Contract Coordinator

Pauline Marx

(415) 554-5260

Print or Type Name

Telephone Number


City Hall, Room 140
San Francisco, CA 94102

Address

Transmission Report

Date/Time: 07-01-2010 11:24:40 a.m. Transmt Header Text
 Local ID 1: 1111 Local Name 1: CITY AND COUNTY CON CSA.
 Local ID 2: Local Name 2:

This document : Confirmed
 (reduced sample and details below)
 Document size : 8.5"x11"

FAX Transmission		 City and County of San Francisco OFFICE OF THE CONTROLLER
TO: IFPTE Local 21 <hr/> <hr/> <hr/> <hr/> Phone 415-864-2100 Fax Number 415-864-2166	FROM: Richard Kurylo, Contracts and Operations Analyst <hr/> Office of the Controller Room 388 City Hall - 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102-4694 Phone 415-554-7536 Fax Number 415-554-7872	
DATE 7/1/10	NUMBER OF PAGES (including cover) 3	
<input type="checkbox"/> Original to follow in mail		
REMARKS: <input type="checkbox"/> Urgent <input checked="" type="checkbox"/> For your review <input type="checkbox"/> Reply ASAP <input type="checkbox"/> Please comment		

Total Pages Scanned : 3

Total Pages Confirmed : 3

No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
07	193	415 864 2166	11:22:20 a.m. 07-01-2010	00:01:33	3/3	1	EC	HS	CP14400


Abbreviations:

HS: Host send	PL: Polled local	MP: Mailbox print	TU: Terminated by user
HR: Host receive	PR: Polled remote	CP: Completed	TS: Terminated by system
WS: Waiting send	MS: Mailbox save	FA: Fall	RP: Report
			G3: Group 3
			EC: Error Correct

Transmission Report

Date/Time: 07-01-2010 11:25:54 a.m. Transmt Header Text
 Local ID 1: 1111 Local Name 1: CITY AND COUNTY CON CSA.
 Local ID 2: Local Name 2:

This document : Confirmed
 (reduced sample and details below)
 Document size : 8.5"x11"

FAX Transmission		 City and County of San Francisco OFFICE OF THE CONTROLLER
TO: SEIU Local 1021 <hr/> <div style="text-align: center;">Daz Lamparas</div> <hr/> <div style="text-align: center;">cc: Pattie Tamura</div> <hr/> Phone 610-350-4527 Fax Number 415-431-6241	FROM: Richard Kurylo, Contracts and Operations Analyst <hr/> Office of the Controller Room 388 City Hall – 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102-4604 Phone 415-554-7536 Fax Number 415-554-7872	
DATE 7/1/10	NUMBER OF PAGES (including cover) 3	
<input type="checkbox"/> Original to follow in mail		
REMARKS: <input type="checkbox"/> Urgent <input checked="" type="checkbox"/> For your review <input type="checkbox"/> Reply ASAP <input type="checkbox"/> Please comment		

Total Pages Scanned : 3

Total Pages Confirmed : 3

No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
001	194	4154316241	11:22:47 a.m. 07-01-2010	00:00:43	3/3	1	EC	HS	CP28800

Abbreviations:

HS: Host send	PL: Polled local	MP: Mailbox print	TU: Terminated by user
HR: Host receive	PR: Polled remote	CP: Completed	TS: Terminated by system
WS: Waiting send	MS: Mailbox save	FA: Fall	RP: Report
			G3: Group 3
			EC: Error Correct

Transmission Report

Date/Time
Local ID 1
Local ID 2


07-01-2010
1111

11:27:10 a.m.

Transmit Header Text
Local Name 1
Local Name 2

CITY AND COUNTY CON CSA.

This document : Confirmed
(reduced sample and details below)
Document size : 8.5"x11"

FAX Transmission		 City and County of San Francisco OFFICE OF THE CONTROLLER
TO: MEA <hr/> <hr/> <hr/> <hr/>	FROM: Richard Kurylo, Contracts and Operations Analyst <hr/> Office of the Controller Room 388 City Hall – 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102-4694 <hr/> Phone 415-554- 7536 Fax Number 415-554- 7872	
Phone Fax Number 415-989-7077	DATE 7/1/10 NUMBER OF PAGES (including cover) 3	
<input type="checkbox"/> Original to follow in mail		
REMARKS: <input type="checkbox"/> Urgent <input checked="" type="checkbox"/> For your review <input type="checkbox"/> Reply ASAP <input type="checkbox"/> Please comment		

Total Pages Scanned : 3

Total Pages Confirmed : 3

No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
001	195	415 989 7077	11:23:28 a.m. 07-01-2010	00:00:43	3/3	1	EC	HS	CP31200

Abbreviations:

HS: Host send
HR: Host receive
WS: Waiting send

PL: Polled local
PR: Polled remote
MS: Mailbox save

MP: Mailbox print
CP: Completed
FA: Fall

TU: Terminated by user
TS: Terminated by system
RP: Report

G3: Group 3
EC: Error Correct

PERSONAL SERVICES CONTRACT SUMMARY

ATE 7.6.10

DEPARTMENT NAME: Risk Management/GSA City Administrator

DEPARTMENT NUMBER: 70

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

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

TYPE OF SERVICE: Insurance broker, premium payments and risk management consulting services -

FUNDING SOURCE: Work Order Funds

PSC AMOUNT: \$60,000,000

PSC DURATION: 9.1.10 - 11.30.16

1. DESCRIPTION OF WORK

A. Concise description of proposed work: The Risk Management Division of the Office of the City Administrator seeks to reestablish a pool of as-needed insurance brokers and to place insurance and provide specialized support and independent analysis...

The pool will be utilized by multiple departments including the Airport, SFMTA, SFPUC, and Port. During the six year period, approximately \$53 million will be for insurance premiums and approximately \$7 million for risk management consultant services.

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

Insurance coverage and accurate and professionally produced risk management and insurance services are essential to the successful management of the City's risk management program. Denial will result in the inability of the Risk Management Division and multiple City departments to perform their statutory duties...

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 4146-07/08

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

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

L 1021, L 21, MEA Union Name Signature of person mailing / faxing form Date 7/6/10 RFP sent to Union Name, on Date Signature

FOR DEPARTMENT OF HUMAN RESOURCES USE PSC# 4021-10/11 STAFF ANALYSIS/RECOMMENDATION: jpc 7/07/2010

CIVIL SERVICE COMMISSION ACTION:

3. DESCRIPTION OF REQUIRED SKILLS/EXPERTISE

A. Specify required skills and/or expertise: Placement of insurance must be performed by a licensed insurance broker. Consultant services require a broad range of highly specialized insurance services and risk management analysis and interpretation.

B. Which, if any, civil service class normally performs this work? No civil service classes are licensed insurance brokers; The Risk Manager (Class 0933) and the Deputy Risk Manager (Class 0931) perform some of the risk management services, though not at the highest level and not in specialized areas. Risk services are also provided at the Airport by an individual in Class 0932. Training is performed by individuals in Classes 1232 Training Officer and 1237 Training Coordinator.

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

4. WHY CLASSIFIED CIVIL SERVICE CANNOT PERFORM

A. Explain why civil service classes are not applicable: City employees are not licensed insurance brokers and do not have the high level specialized knowledge required to perform the consulting services to be provided by successful contractors.

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

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

Yes No

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

B. Will the contractor train City and County employees? Yes X
- Describe training and indicate approximate number of hours. 20 hrs
Training will be provided as needed to ensure the professional standards of City Risk Management meet industry best practices in the field of Risk Management.
- Indicate occupational type of City and County employees to receive training (e.g., clerks, civil engineers, etc.) and approximate number to be trained. Approximately 5 Managers (class 0933, 0932, 0931& Analysts (class 1822, 1825 and department heads/deputies upon request.

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? Unknown

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

Signature of Departmental Personal Services Contract Coordinator

Joan Lubamersky

554-4859

Print or Type Name

Telephone

One Carlton B Goodlett Place, Room 362

San Francisco, CA 94102

RE: PSC Form 1

Lubamersky, Joan

07/06/2010 01:00 PM

Joan:

This topic is definitely not our expertise. We could not provide the service.

Nancy Chin
Nancy.chin@sfdpw.org
Training Manager
General Services Agency
(415) 558-4511
Fax (415) 558-4444

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

From: Joan Lubamersky [mailto:Joan.Lubamersky@sfgov.org]
Sent: Tuesday, July 06, 2010 11:58 AM
To: Chin, Nancy
Subject: PSC Form 1

Hello Nancy.

I have attached a PSC Form 1 to purchase \$53 million in insurance premiums, and provide specialized consultant services.

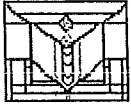
The vendors will provide about 20 hours per year of training to high level managers and department heads on current best practices in risk management, especially Enterprise Risk Management.

I am writing to request your review of this training aspect of our contracts.

Thank you.

(See attached file: Final PSC Form 1 Risk Insurance and Broker Services \$60 million 7.10.doc)

Joan Lubamersky
General Services Agency/City Administrator City Hall, Room 362 One Carlton
Goodlett Place San Francisco, CA 94102
Phone: 415-554-4859
Fax: 415-554-4849
e mail address: Joan.Lubamersky@sfgov.org



Margot.Reed@seiu1021.org, cromero@ifpte21.org, staff@sfmea.com,

PSC Form 1
Joan Lubamersky/ADMSVC/SFGOV - Tuesday 07/06/2010 03:30 PM

Please see attached.

PSC Form 1 Fax Insurance Brokers Psc 601 m on 2010-2010.pdf

Joan Lubamersky
General Services Agency/City Administrator
City Hall, Room 362
One Carlton Goodlett Place
San Francisco, CA 94102
Phone: 415-554-4859
Fax: 415-554-4849
e mail address: Joan.Lubamersky@sfgov.org



CIVIL SERVICE COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

GAVIN NEWSOM
 MAYOR

April 23, 2008

NOTICE OF CIVIL SERVICE COMMISSION ACTION

ALICIA D. BECERRIL
 PRESIDENT

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

DONALD A. CASPER
 VICE PRESIDENT

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

MORGAN R. GORRANO
 COMMISSIONER

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.*

MARY Y. JUNG
 COMMISSIONER

It was the decision of the Commission to:

YU-YEE WU
 COMMISSIONER

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

ANITA SANCHEZ
 EXECUTIVE OFFICER

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

PERSONAL SERVICES CONTRACT SUMMARY

DATE: 3.20.08
DEPARTMENT NAME Risk Management/GSA-City Administrator DEPARTMENT NUMBER 70

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

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

TYPE OF SERVICE: Insurance broker and risk management consulting services
FUNDING SOURCE: Work Order Funds.

PSC AMOUNT: 9,500,000 PSC DURATION: 08/01/08 - 06/30/15

1. DESCRIPTION OF WORK

A. Concise description of proposed work: The Risk Management Division of the Office of the City Administrator seeks to create a pre-qualified list of insurance brokers and risk management services firms for as needed support in the areas of broker services (e.g., act as independent insurance advisor, proactively analyze the City's insurance programs and identify risk transfers and risk financing options), risk analysis and Enterprise-Risk Management consultant services (e.g., assess risks and propose an enterprise solution to mitigate/measure/improve the City's risk profile), insurance services (e.g., design policies and programs most advantageous to the City for coverages of exposures), and claims support services (e.g., represent the City in policy interpretation and negotiations with carriers.) We intend to create a list of pre-qualified firms who will be engaged on an as-needed basis. Pool members will be required to enter into a personal services contract at the time of engagement.

B. Explain why this service is necessary and the consequences of denial: Accurate and professionally produced risk management and insurance services are essential to the successful management of the City's risk management program. Denial will result in the inability of the Risk Management Division to perform its statutory duties and may cause the City to lose millions of dollars in the claims paid or lost opportunities to manage and mitigate exposure. Additionally, insurance brokerage requires professional licensing in the state of California and cannot be completed by City 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): Some of these services (e.g. Insurance Brokerage) have been accomplished directly with brokers and without professional services contracts in place. In the past, this office understood that direct relationships were allowed and the purchased insurance policies served as the contracts with all related parties. This RFQ is the first step to mitigate this situation and create the appropriate service contract arrangements for all brokerage and risk management related services.

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

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

L 1021, L 21, MEA
Union Name

[Signature]
Signature of person mailing / faxing form

3/21/08
Date

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

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 4196-0710K
STAFF ANALYSIS/RECOMMENDATION:

Approved [Signature]

CIVIL SERVICE COMMISSION ACTION:

[Stamp: 69]
PSC FORM 1 (9/96)

PERSONAL SERVICES CONTRACT SUMMARY

DATE: July 7, 2010

DEPARTMENT NAME GSA/Real Estate Division

DEPARTMENT NUMBER 70

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

[] CONTINUING [] ANNUAL

TYPE OF REQUEST:

x INITIAL REQUEST [] MODIFICATION (PSC# [])

TYPE OF SERVICE: Parking Garage Management

FUNDING SOURCE: General Fund

PSC AMOUNT: \$500,000

PSC DURATION: 8.1.10 - 7.31.16

1. DESCRIPTION OF WORK

A. Concise description of proposed work: Parking Garage operation and management at the One South Van Ness Garage consisting of transient and monthly parking for approximately 142 vehicles.

B. Explain why this service is necessary and the consequences of denial: The garage houses approximately 142 vehicles on a fee basis. The service will provide for maintenance of the facility, collection of monthly rents and transient fees and remittance of taxes and proceeds to the City. Denial will result in an inability to maintain garage operations and create a breach of contract between the City and a major private tenant of the property, the Bank of America's operating branch.

C. Explain how this service has been provided in the past (if this service was previously approved by the Civil Service Commission, indicate most recent personal services contract approval number): This service has been provided by a contractor. The City purchased the property in May 2007 and assumed the existing vendor's contract which is now expiring. Parking Garage Management for another City lot, 1650 Van Ness, is provided under PSC 4024-08/09

D. Will the contract(s) be renewed: Yes, a new solicitation for qualified companies will be issued at the end of the extension periods.

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

1021 Union Name

[Signature] Signature of person mailing / faxing form

7/8/10 Date

Union Name

Signature of person mailing / faxing form

Date

RFP sent to 1021 Union Name

on 7/8/10 Date

[Signature] Signature

PSC# 4022-10/11

FOR DEPARTMENT OF HUMAN RESOURCES USE

[Signature] 7/9/2010

STAFF ANALYSIS/RECOMMENDATION:

CIVIL SERVICE COMMISSION ACTION:

3. DESCRIPTION OF REQUIRED SKILLS/EXPERTISE

A. Specify required skills and/or expertise:

1. Three (3) years continuous experience as an operator of a commercial Parking Garage or lot with a capacity of at least 100 spaces with a valet attended parking operation.
2. Experience in the use of automated parking access, revenue control equipment, roll-up gates, and software for the preparation of spreadsheets, presentations, and reports.
3. Supervisory experience
4. Financial resources to support the operations of the garage, estimated to be \$150,000 annually

B. Which, if any, civil service class normally performs this work? None

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

4. WHY CLASSIFIED CIVIL SERVICE CANNOT PERFORM


A. Explain why civil service classes are not applicable: There is no Civil Service classification that performs the duties required for parking garage management including financial management, maintenance and repairs, valet parking of cars, rent collections and revenue dispersal.

B. Would it be practical to adopt a new civil service class to perform this work? Explain. No. The services require more than one individual to perform a variety of tasks with varied skills and abilities.

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"/> | X |
| B. Will the contractor train City and County employees?
- Describe training and indicate approximate number of hours.
- Indicate occupational type of City and County employees to receive training (e.g., clerks, civil engineers, etc.) and approximate number to be trained. | <input type="checkbox"/> | X |
| C. Are there legal mandates requiring the use of contractual services? | <input type="checkbox"/> | X |
| D. Are there federal or state grant requirements regarding the use of contractual services? | <input type="checkbox"/> | X |
| E. Has a board or commission determined that contracting is the most effective way to provide this service? | <input type="checkbox"/> | X |
| F. Will the proposed work be completed by a contractor that has a current personal services contract with your department? | <input type="checkbox"/> | X |

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



Signature of Departmental Personal Services Contract Coordinator

Joan Lubamersky

Print or Type Name

554-4859

Telephone Number

One Carlton Goodlett Rm 362, San Francisco 94102

Address



RFP for PSC for One South Van Ness Parking Garage Management

Margot.Reed

07/08/2010 07:51 PM

It is attached for your information.



One SVN Parking Garage Management RFP.doc

Joan Lubamersky
General Services Agency/City Administrator
City Hall, Room 362
One Carlton Goodlett Place
San Francisco, CA 94102
Phone: 415-554-4859
Fax: 415-554-4849
e mail address: Joan.Lubamersky@sfgov.org



CIVIL SERVICE COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

GAVIN NEWSOM
MAYOR

DONALD A. CASPER
PRESIDENT

MORGAN R. GORRANO
VICE PRESIDENT

MARY Y. JUNG
COMMISSIONER

YU-YEE WU SHERIDAN
COMMISSIONER

ANITA SANCHEZ
EXECUTIVE OFFICER

September 18, 2008

NOTICE OF CIVIL SERVICE COMMISSION ACTION

SUBJECT: REVIEW OF REQUEST FOR APPROVAL OF PROPOSED
PERSONAL SERVICES CONTRACT NUMBERS 4022-08/09
THROUGH 4029-08/9 AND 4052-06/07.

At its meeting of September 15, 2008 the Civil Service Commission had for its consideration the above matter.

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

It was the decision of the Commission to adopt the Human Resources Director's report. 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: Parveen Boparai, Municipal Transportation Agency
- Micki Callahan, Human Resources Director
- Eugene Clendinen, District Attorney
- Jennifer Johnston, Department of Human Resources
- Naomi Kelly, Office of Contract Administration
- William Lee, Department of Emergency Management/Division of Emergency Services
- Joan Lubamersky, Administrative Services & Mayor's Office of Public Finance
- Brigette Rockett, Department of Human Resources
- Ben Rosenfield, Controller
- Neal Tanaguchi, Department of Building Inspection
- Commission File
- Chron

POSTIN FOR
September 15, 2008

RECOMMENDED APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACTS

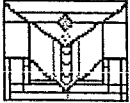
PSC No.	DeptNo	DeptName	Approval Type	Contract Amount	Description of work	Duration
4023-08/09	4	District Attorney's Office	Regular	\$200,000.00	Will provide independent evaluation of programs developed by the District Attorney's Office, including Back on Track program, Re-entry Center and other Programs serving victims, at-risk youth and former offenders.	30-Jun-09
4023-08/09	35	San Francisco Municipal Transportation Agency	Regular	\$900,000.00	Will provide an off-site facility to collect pre-employment, post-accident, return to duty, reasonable suspicion breath and urine samples for SFMTA employees and contractors in compliance with DOT/FTA testing regulations.	30-Nov-11
4024-08/09	70	General Services Agency, Real Estate Division	Regular	\$900,000.00	Will provide parking garage operation and management at the 1650 Mission Street Garage consisting of transient and monthly parking for 105 vehicles.	30-Jun-14
4025-08/09	70	GSA/Medical Examiner	Regular	\$100,000.00	Will design, implement and support a Laboratory Information Management System (LIMS) that incorporates all of the instruments and testing equipment in the Forensic Laboratory of the Medical Examiner's Office.	30-Sep-09
4026-08/09	70	GSA/Medical Examiner	Regular	\$500,000.00	Will provide specialized toxicological analyses performed by an accredited laboratory.	14-Mar-11
4027-08/09	77	Department of Emergency Management	Regular	\$148,600.00	Will provide the Bay Area UASI with a Comprehensive, Strategic Plan for the 700 Mhz public safety communications system.	01-Nov-08
4028-08/09	77	Department of Emergency Management	Regular	\$498,440.00	Will plan, coordinate, produce, and the conduct of 30 State Fire Marshall Incident Management Team Courses to class sizes of approx. 30 in geographically diverse locations throughout the ten county Urban Area Security Initiative region.	31-Dec-09
4029-08/09	77	Department of Emergency Management	Regular	\$1,087,651.00	Will provide strategic planning for the Bay Area UASI's exercise program. The services provided will include: planning, coordination, production, and the conduct of the Bay Area SUASI's participation in Silver Sentinel 2008.	31-Dec-09

POSTING FOR
September 15, 2008

RECOMMENDED APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACTS
MODIFICATION TO INCREASE CONTRACT AMOUNT/DURATION

PSC No.	Dept No	Dept Name	Approval Type	Increase Amount	New Amount	Description of work	Duration
4052-06/07	19	Building Inspection	Modification	\$28,716.00	\$928,716.00	Will provide a wide ranging program of studies and recommendations that will provide a basis for earthquake risk reduction and response policy development by the City staff, citizens, and experts that will extend over the next few years for the CCSF.	30-Sep-10

0087



Margot.Reed@seiu1021.org,

PSC Form 1 - Parking Garage Management

Joan Lubamersky/ADMSVC/SFGOV - Thursday 07/08/2010 01:43 PM

Attached PSC Form 1 is for the Real Estate Division of GSA for parking garage management at One South Van Ness.

PSC Form 1 Parking Management One S Van Ness 07/08/2010

Joan Lubamersky

General Services Agency/City Administrator

City Hall, Room 362

One Carlton Goodlett Place

San Francisco, CA 94102

Phone: 415-554-4859

Fax: 415-554-4849

e mail address: Joan.Lubamersky@sfgov.org