



London Breed  
Mayor

Micki Callahan  
Human Resources Director

Date: July 17, 2020

To: The Honorable Civil Service Commission

Through: Micki Callahan  
Human Resources Director

From: Melissa Ng, CON  
Alexander Burns, DPW  
Amy Nuque, MTA  
Bill Irwin / Daniel Kwon, PUC  
Genie Wong, POL  
Sean McFadden, REC  
Jacquie Hale, DPH

Subject: **Personal Services Contracts Approval Request**

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This report contains nine (9) personal services contracts (PSCs) in accordance with the revised Civil Service Commission (CSC) procedures for processing PSCs that became effective on November 5, 2014.

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

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

DHR has prepared the following cost summary for personal services contracts that have been processed through the Department of Human Resources Fiscal Year 20/21 to date:

Total of this Report	YTD Expedited Approvals FY2020-2021	Total for FY2020-2021
\$170,498,074	\$34,227,166	\$354,616,240

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**POSTING FOR****August 03, 2020****PROPOSED PERSONAL SERVICES CONTRACTS – REGULAR****Commission Hearing Date**

2020-08-03

**APPLY**

<b>PSC No</b>	<b>Dept Designation</b>	<b>PSC Amount</b>	<b>Description of Work</b>	<b>PSC Estimated Start Date</b>	<b>PSC Estimated End Date</b>	<b>Type of Approval</b>
<a href="#">45846 - 19/20</a>	CONTROLLER	\$2,500,000.00	Identify and correct sales and use tax allocation errors, identify businesses from which the City has not been receiving sales/use tax revenue, conduct local sales and use tax audits of the State Board of Equalization records and provide legislative impact analyses, identify and correct improperly registered permits; develop and maintain a database of sales tax information for use by City employees, provide as-needed tax revenue enhancement services, develop a website for sales and use tax data.	July 1, 2020	June 30, 2025	REGULAR
<a href="#">48671 - 19/20</a>	GENERAL SERVICES AGENCY - PUBLIC WORKS	\$2,000,000.00	Provide specialized services in Landscape Architecture to support Public Work's design staff on an as-needed basis. Work shall include full design consultation services for landscape architectural projects, constructability reviews of landscape projects, construction administration, and related support services.	June 1, 2020	December 31, 2026	REGULAR
<a href="#">49114 - 19/20</a>	GENERAL SERVICES AGENCY - PUBLIC WORKS	\$750,000.00	Public Works is interested in replacing it's existing Envista/Accela Project Coordination software with an out-of-box cloud based solution that will integrate project information from existing applications across multiple stakeholder organizations into a map-based environment where up-to-date information on multiple activities is displayed graphically for each stakeholder. Proposed solution will enhance the capacity to identify opportunities to coordinate joint excavation projects and to minimize street moratorium conflicts. A public facing web page or "constituent portal" will allow constituents to locate ongoing and planned excavation projects in a map-based tool. Vendor will also provide services related to implementation, training and support for software.	June 1, 2020	June 1, 2026	REGULAR



PSC No	Dept Designation	PSC Amount	Description of Work	PSC Estimated Start Date	PSC Estimated End Date	Type of Approval
40839 - 19/20	MUNICIPAL TRANSPORTATION AGENCY	\$1,500,000.00	<p>In 2018 SFMTA obtained an Advanced Transportation and Congestion Management Technologies Deployment (ATCMTD) grant from Federal Highway Administration (FHWA). The cooperative agreement aims to model deployment sites for large scale installation and operation of advanced transportation technologies to improve safety, efficiency, system performance, and infrastructure return on investment.</p> <p>The Connected Vision Zero Corridor Proof of Concept for which we seek approval is part of this overall pilot and aims to increase safety for all modes, reduce public transit travel times, reduce signal delays, and reduce idling and greenhouse gas (GHG) emissions by deploying new advanced technologies and innovative solutions. The expected duration is less than 9 months.</p> <p>In support of the Connected Vision Zero Corridor Proof of Concept, Arcadis as a primary contractor shall provide SFMTA the following services:</p> <ul style="list-style-type: none"> <li>• Operational Readiness &amp; Process Documentation,</li> <li>• Sensor Deployment &amp; Sensor Communication,</li> <li>• Data Architecture Setup and Database Deployment,</li> <li>• Business Intelligence (BI) Reporting &amp; Dashboards,</li> <li>• Intelligent Transportation System (ITS) Workshop,</li> <li>• Traffic Simulation &amp; Research,</li> <li>• Project Management, and</li> <li>• Third-Party Subcontract Management</li> </ul>	August 31, 2020	June 30, 2021	REGULAR
47852 - 19/20	PUBLIC UTILITIES COMMISSION	\$7,500,000.00	<p>The consultant will be requested to provide architectural, civil, structural, electrical, mechanical, and other specialized engineering services in the planning and design, and support during construction of a new administration and laboratory buildings, maintenance shop, materials and equipment storage structures, and as-needed improvements of the existing facilities within the Millbrae Yard campus for the Millbrae Yard Lab and Shop project. The work will address shortage of program space for Water Enterprise staff, increase efficiency of operations, improve employee working environment, improve employee health and safety, and enhance site and building security.</p> <p>The specialized engineering services include geotechnical, campus utility, lighting, acoustical, laboratory, vertical, system integration, communications, Leadership in Energy and Environmental Design (LEED), interior and furniture, furnishings and equipment (FF&amp;E), fire protection, and other services.</p>	November 1, 2020	October 30, 2028	REGULAR

**TOTAL AMOUNT \$14,250,000**

CSV

## Posting For August 03, 2020

### Proposed Modifications to Personal Services Contracts

Commission Hearing Date

2020-08-03

APPLY

PSC Number	Commission Hearing Date	Department	Additional Amount	Cumulative Total	Description	Start Date	End Date	Approval Type
45402 - 17/18 - MODIFICATIONS	August 3, 2020	POLICE -- POL	\$0	\$5,000,000	<p>The Contractor will provide hardware and software maintenance and scheduled equipment replacement/upgrades for the San Francisco Police Department's (SFPD) Automated Biometric Identification System (ABIS). The ABIS includes investigative workstations, livescan machines, fingerprinting, palm print recognition and facial recognition systems.</p> <p><b>Scope Change:</b> The San Francisco Police Department will not purchase or use any of the contractor's facial recognition equipment or services.</p>	05/01/2019	10/31/2028	REGULAR
45873 - 14/15 - MODIFICATIONS	August 3, 2020	RECREATION AND PARK COMMISSION -- REC	\$1,300,000	\$2,500,000	<p>Provide full Architectural and Engineering (A/E) services for the Garfield Pool Renovation. This includes all services necessary for schematic design phase, design development, participation in presentations to stakeholders. In addition, complete construction documents for permitting, all services required for the construction administration phase and project closeout. A/E firm shall also provide cost estimating services during the course of the project.</p>	06/26/2020	12/31/2021	REGULAR

PSC Number	Commission Hearing Date	Department	Additional Amount	Cumulative Total	Description	Start Date	End Date	Approval Type
46987 - 16/17 - MODIFICATIONS	August 3, 2020	PUBLIC HEALTH -- DPH	\$123,200,000	\$233,200,000	Culturally appropriate mental health services for children, youth and their families will be provided by multiple contractors, which together form a System of Care to address the broad continuum of needs and illnesses presented by these clients. Services will include outpatient mental health services; educationally related mental health services, success, opportunity, achievement resiliency classrooms, classroom educational enrichment program, intensive supervision and clinical services, residential based mental health outpatient, mental health assessment therapy, collateral and community based wraparound services, specialty Mental Health services, community-based violence and trauma recovery services, community-based day treatment services, short term residential therapeutic programs, intensive treatment foster care and treatment foster care, day treatment services, intensive/day rehabilitative services, therapeutic behavioral services, therapeutic visitation services, and targeted case management.	07/01/2022	06/30/2027	REGULAR
49137 - 14/15 - MODIFICATIONS	August 3, 2020	PUBLIC HEALTH -- DPH	\$31,748,074	\$119,748,074	Contractors will provide San Francisco General Hospital (SFGH) and Laguna Honda Hospital (LHH) a continuous, reliable source of intermittent, supplemental, and travel nursing personnel during high patient census, high acuity, unexpected staff illnesses and/or vacations, and to meet State nurse-to-patient staffing ratio requirements. In addition, SFGH is scheduled to transition to a new acute care facility in December of 2015. In order for that transition to be successful, the current staff will require training on the new equipment, technology, patient flow and workflow processes. Supplemental contract nurses and ancillary personnel will be necessary to provide surge capacity in order to backfill SFGH staff while they attend training sessions and scheduled "day-in-the-life" training simulations.	08/01/2020	06/30/2024	REGULAR

**TOTAL AMOUNT \$156,248,074**

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

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: CONTROLLER -- CON

Dept. Code: CON

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

Type of Approval: ☐ Expedited ☒ Regular ☐ Annual ☐ Continuing ☐ (Omit Posting)

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

Funding Source: Percentage of sales tax income

PSC Amount: \$2,500,000

PSC Est. Start Date: 07/01/2020

PSC Est. End Date 06/30/2025

**1. Description of Work**

**A. Scope of Work/Services to be Contracted Out:**

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

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

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

**C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.**

Services have been provided by contract since 1994 and most recently through PSC#40778-14/15  
Modification 2 approved on 4/4/2016 and PSC 41135-18/19 approved on 2/4/2019.

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

Yes, to extend the contract by up to 2 years.

**E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why.**

Controller's Office issued a Request for Proposal identifying the anticipated contract term of up to 5 years.  
This PSC will align with the term duration stated in the RFP.

**2. Reason(s) for the Request**

**A. Indicate all that apply (be specific and attach any relevant supporting documents):**

☒ Circumstances where there is a demonstrable potential conflict of interest (e.g., independent appraisals, audits, inspections, third party reviews and evaluations).

**B. Explain the qualifying circumstances:**

Sales taxes are collected and allocated by the State Board of Equalization (BOE), and the specialized work is more effectively performed by contractors with expertise and access to State level sales tax data, covering confidential tax payer information for jurisdictions throughout California. To our knowledge of the more than 1,800 cities and counties receiving sales and use taxes, none use internal staff to perform this specialized sales tax and audit function.

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

- A. Specify required skills and/or expertise: Selected contractor is required to have experience conducting sales tax audit services for counties in California, including knowledge of State Board of Equalization regulations and requirements, as well as proof of successfully providing revenue to local governments as a direct outcome of its services. The Contractor must work closely with various City departments, businesses, taxpayers, as well as the State Board of Equalization, and to monitor changes in sales and use tax distribution practices and sales and use tax law. In order to develop the website for Sales and Use Tax Data, the contractor must have expert knowledge in of confidential State Board of Equalization restrictions and requirements in designing the public interface to data through the website.
- B. Which, if any, civil service class(es) normally perform(s) this work? 1012, IS Technical-Journey; 1021, IS Administrator 1; 1022, IS Administrator 2; 1023, IS Administrator 3; 1052, IS Business Analyst; 1053, IS Business Analyst-Senior; 1054, IS Business Analyst-Principal; 1062, IS Programmer Analyst; 1063, IS Programmer Analyst-Senior; 1064, IS Prg Analyst-Principal; 1684, Auditor II; 1824, Pr Administrative Analyst; 4306, Collections Officer; 4308, Senior Collections Officer; 4366, Collection Supervisor;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: City employees do not have the specialized expertise to audit sales tax distribution errors such as 'points of sale,' 'use tax,' allocation, or other errors successfully. Such expertise includes providing and maintaining a specialized database, keeping current on the latest State Board of Equalization sales and use tax distribution instructions, providing quarterly legislative impact analyses, and understanding and monitoring claims processes to maximize success in obtaining approval for increased revenue collection. In order to develop the website for Sales and Use Tax Data, the contractor must have expert knowledge in of confidential State Board of Equalization restrictions and requirements in designing the public interface to data through the website.

### **4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

No civil service class has performed this specific function for more than 17 years, as the City has received services through a contractor. Classes previously identified are: 1684 Auditor II, 4306 Collections Officer, 4308 Senior Collections Officer, 4366 Collection Supervisor and 1824 Principal Administrative Analyst.

### **5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

- A. Explain why civil service classes are not applicable.  
No. Independent appraisals and audits are required for this work, otherwise there would be a conflict of interest.
- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. No. Independent appraisals and audits are required for this work, otherwise there would be a conflict of interest.

### **6. Additional Information**

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.  
No.
- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.  
No. No training for employees is needed. Independent appraisals and audits from consultants are required for this work, otherwise there would be a conflict of interest if employees did this work.
- C. Are there legal mandates requiring the use of contractual services?  
No.

D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
No.

E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
No.

F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.  
No.

7. **Union Notification:** On 05/08/2020, the Department notified the following employee organizations of this PSC/RFP request:  
Management & Superv Local 21; Municipal Executive Association; Prof & Tech Eng, Local 21; Professional & Tech Engrs, Local 21; SEIU 1021 Miscellaneous; SEIU Local 1021

☒ I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Melissa Ng Phone: 415-554-5109 Email: melissa.ng@sfgov.org

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

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 45846 - 19/20

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 08/03/2020

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



**From:** [dhr-psccordinator@sfgov.org](mailto:dhr-psccordinator@sfgov.org) on behalf of [melissa.ng@sfgov.org](mailto:melissa.ng@sfgov.org)  
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**Subject:** Receipt of Notice for new PCS over \$100K PSC # 45846 - 19/20  
**Date:** Friday, May 08, 2020 1:42:02 PM

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RECEIPT for Union Notification for PSC 45846 - 19/20 more than \$100k

The CONTROLLER -- CON has submitted a request for a Personal Services Contract (PSC) 45846 - 19/20 for \$2,500,000 for Initial Request services for the period 07/01/2020 – 06/30/2025. Notification of 30 days (60 days for SEIU) is required.

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

<http://apps.sfgov.org/dhrdrupal/node/14941> For union notification, please see the TO: field of the email to verify receipt. If you do not see all the unions you intended to contact, the PSC Coordinator must change the state back to NOT READY, make sure the classes and unions you want to notify are selected and SAVE. Then VIEW the record and verify the list of unions and emails. EDIT the document again , change the state back START UNION NOTIFICATION and SAVE. You should receive the email with all unions to the TO: field as intended

## **Additional Attachment(s)**



# City and County of San Francisco

## Office of the Controller

### REQUEST FOR PROPOSALS FOR SALES AND USE TAX AUDIT, ANALYSIS AND SYSTEM SERVICES CON|RFP2020-01

**CONTACT: Melissa Ng, [CentralContracts@sfgov.org](mailto:CentralContracts@sfgov.org)**

#### Background

San Francisco is the fourth largest city in California and serves as a center for business, commerce and culture for the West Coast. The City and County of San Francisco ("the City"), established by Charter in 1850, is a legal subdivision of the State of California with the governmental powers of both a city and a county under California law. The City's powers are exercised through a Board of Supervisors serving as the legislative authority, and a Mayor and other independent elected officials serving as the executive authority.

The City Controller's Office seeks Proposers to provide sales and use tax audit, analysis and database system services, and the maintenance of a website for non-confidential sales and use tax data to be available to the public.

#### Anticipated Contract Term

The anticipated contract term for contracts resulting from this RFP may last up to five (5) years. Actual contract term may vary but in no case longer than nine (9) years, depending upon service and project needs at the City's sole, absolute discretion. Proposer selected for resulting contract must be available to commence work on or before July 1, 2020.

#### Anticipated Contract Budget

For the contract resulting from this RFP, the anticipated not-to-exceed contract budget is \$2,500,000 over 5 years. Contractor's compensation is a percent contingency fee of new sales and use tax income actually received by the City as the result of Contractor's services.

#### Schedule\*

RFP Issued	01-06-2020
Deadline for RFP Questions	01-13-2020
CMD Informational Conference Call (via tel 888-363-4735, code 357099)	01-16-2020 (10am PST)
RFP Answers available online	01-22-2020
Deadline for Courtesy e-mail for Intent to Respond	02-10-2020
CMD Technical Assistance Period (via <a href="mailto:alysabeth.alexander-tut@sfgov.org">alysabeth.alexander-tut@sfgov.org</a> , tel. 415-581-2310)	01-06-2020 to 02-14-2020
<b>Deadline for RFP Proposals</b>	<b>02-14-2020 (1pm PST)</b>
Notice of Intent to Award A Contract	03-20-2020

#### Important City's Supplier and Bidder Resources

City Supplier and Bidder Portal:

<https://sfcitypartner.sfgov.org/>

Bid Opportunities:

<https://sfcitypartner.sfgov.org/pages/Events-BS3/event-search.aspx>

Frequently Asked Questions:

<https://sfcitypartner.sfgov.org/pages/faq.aspx>

User Support:

<https://sfcitypartner.sfgov.org/pages/contact.aspx>

User Support tel. (415) 944-2442

#### Subcontracting Requirement

The Local Business Enterprise ("LBE") subconsulting goal for this Request For Proposals (RFP) and resulting contract has been waived. However, the City strongly encourages proposals from qualified LBEs. Pursuant to Admin Code Chapter 14B, rating bonuses will be in effect for any Proposers who are certified as a Small- or Micro-LBE. See the RFP Attachment II for more information. If your Firm fails to submit the correct Contract Monitoring Division (CMD) documentation by Deadline for RFP Proposals, the Proposal may be determined to be non-responsive, rejected, not evaluated, and Proposers will not be eligible to be selected to be on the Prequalified Consultant List for RFP. If you have any questions regarding CMD requirements, please contact the Contract Compliance Officer for the Controller's Office, Alysabeth Alexander-Tut, [alysabeth.alexander-tut@sfgov.org](mailto:alysabeth.alexander-tut@sfgov.org), 415-581-2310.

#### Submission of Proposals Requirements

Proposals and all related materials, including all CMD forms, must be received by Deadline for RFP Proposals. You must be a registered Bidder to apply to this RFP so it is important to follow the instructions at the above links. Proposals must be submitted electronically:

- (1) Via the City's Supplier Portal listed under Opportunities, "CON|RFP2020-01 Sales/Use Tax Audit, Analysis & Sys":

<https://sfcitypartner.sfgov.org/pages/Events-BS3/event-search.aspx>

AND

- (2) Via e-mail to [CentralContracts@sfgov.org](mailto:CentralContracts@sfgov.org)

It is the responsibility of all proposers to check this link for updates to the RFQ:

<https://sfcitypartner.sfgov.org/pages/Events-BS3/event-search.aspx>

\*Each date subject to change. All hours are Pacific time zone. Check website for latest schedule.

# 1. Introduction

## 1.1 General terms used in this Request for Proposals (RFP)

Terms and abbreviations used throughout this RFP include:

- **Assembly Bill No. 147 (AB147)** – Effective April 1, 2019, the State of California requires out-of-state retailers with total annual combined statewide sales of tangible personal property of \$500,000 or more delivered into California, to collect and remit the state sales and use taxes. Effective October 1, 2019, California requires Marketplace Facilitators to assume the obligation for collecting and remitting the sales and use taxes for third party retailers who contract with the facilitator to provide sales related services. The same \$500,000 threshold applies to the sum total of all third party transactions that the Marketplace Facilitator processes for its clients.
- **Bradley-Burns Uniform Sales and Use Tax Law** – A tax law in which a percentage may be added to a state-wide sales tax and that percentage will benefit counties and cities of that state. Commonly referred to as Uniform Local Tax. Generally the revenue obtained from the Uniform Local Tax goes to funding various county and city needs such as transportation and operation funds.
- **CCSF or The City** – The City and County of San Francisco.
- **CDTFA** – The California Department of Tax and Fee Administration administers California's sales and use, fuel, alcohol, tobacco, and other taxes and collects fees that fund specific state programs and local agencies.
- **Contract Monitoring Division (CMD)** – San Francisco Contract Monitoring Division, a department of the City and County of San Francisco.
- **Contractor** – The Proposer(s) awarded a contract for services subsequent to RFP.
- **Firm** – Any business entity including, but not limited to, companies, nonprofit organizations, educational institutions, and individuals.
- **Local Business Enterprise (LBE)** – A business that is certified as an LBE under S.F. Administrative Code §14B.3. Only certified Small and Micro-LBEs can be used to satisfy the LBE subcontracting participation goal.
- **NAICS** – North American Industry Classification System. The standard used by Federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy.
- **Proposal** – A Proposer's written response submitted for this Request for Proposals
- **Proposer** – Any entity submitting a proposal to this Request for Proposals
- **Proposition 172** – Local Public Safety Protection and Improvement Act of 1993 imposed a ½ cent sales tax that is collected by the California Department of Tax and Fee Administration (CDTFA) and apportioned to each county based on its proportionate share of statewide taxable sales. Each county is required to deposit this revenue in a Public Safety Augmentation Fund to be allocated by the County Auditor to the county and cities within the county.
- **Substantial Nexus** – A retailer engages business in the City, including any retailer, in the preceding calendar year or the current calendar year, has total combined sales of tangible personal property for delivery in the City by the retailer and all persons related to the retailer that exceed \$500,000.

- **VLF** – Vehicle License Fee.

## **1.2 Statement of Need and Intent**

### What Does the City Seek?

The City and County of San Francisco's ("City's") Controller's Office is requesting Proposals to select a Contractor to perform sales tax auditing, reporting, forecasting and consulting services.

The City seeks the services of one firm to serve as the Contractor as outlined in Scope of Work below.

Proposers must have experience working with municipalities (or similar government agencies) on sales tax auditing, reporting, forecasting and consulting services.

### With Whom Will Consultants Work?

Consultants will work with division, other Controller's Office staff, boards and/or commissions, outside counsel and consultants, as appropriate, among others.

## **1.3 Background of the City and County of San Francisco**

### What is the City?

San Francisco is the fourth largest city in California and serves as a center for business, commerce and culture for the West Coast. The City and County of San Francisco, known as the "City", was established by Charter in 1850. It is a legal subdivision of the State of California with the governmental powers of both a city and a county under California law. The City's powers are exercised through a Board of Supervisors serving as the legislative authority, and a Mayor and other independent elected officials serving as the executive authority. The services provided by the City include public protection, public transportation, construction and maintenance of all public facilities, water, parks, public health systems, social services, planning, tax collection, and many others.

The Controller serves as the chief accounting officer and auditor for the City and is responsible for governance and conduct of key aspects of the City's financial operations, including operating the City's financial systems and procedures, maintaining the City's internal control environment, processing payroll for City employees, managing the City's bonds and debt portfolio, and processing and monitoring the City's budget. The department produces regular reports and audits on the City's financial and economic condition and the operations and performance of City government.

## **1.4 Companies Headquartered in Certain States**

Subject to certain exceptions, Proposers are hereby advised that this Contract is subject to the requirements of Administrative Code Chapter 12X, which prohibits the City from entering into contracts with a contractor that has its headquarters in states that has enacted a law or laws that perpetuate discrimination against LGBT people and/or has enacted a law that prohibits abortion prior to the viability of the fetus, or a contractor that will perform any or all of the work on the contract in such a state. Chapter 12X requires the City Administrator to maintain a list of such states, defined as "Covered States" under Administrative Code Sections 12X.2 and

12X.12. The list of Covered States is available at this link: <http://sfgov.org/oca/qualify-do-business>. Proposers will be required to certify compliance with Chapter 12X as part of its Proposal, unless the City determines that a statutory exception applies.

## **2. Scope of Work**

This scope of work is a general guide to the work the City expects to be performed, and is not a complete listing of all services that may be required or desired.

To minimize duplication of effort and to allow the City to coordinate data requests and data available for the services requested within this RFP, as well as for previous and future projects, the selected Contractor's findings and data may be shared by the City with other City Contractors, as deemed appropriate by the City.

Each Proposer should demonstrate its capabilities by providing responses to RFP Attachment V, Proposal Template. Demonstrated expertise is requested, but is not limited to, the following services:

### **2.1 Contractor Tasks**

Through a negotiated Agreement between the City and Contractor, the City seeks to engage the selected Proposer for the following services:

#### **TASK 1: CONDUCT AUDITS**

Contractor shall examine all sales and use tax records of the CDTFA pertaining to sales and use tax collected by the CDTFA on behalf of the City and perform ongoing sales tax audits in order to identify and correct sales and use tax distribution errors and thereby generate previously unrealized sales and use tax revenue for the City.

Contractor shall examine district tax, sales tax and use tax records of the CDTFA provided to City pursuant to Contract under the Bradley-Burns Uniform Sales and Use Tax Law and California Revenue & Taxation Code applicable to transactions and use taxes.

Contractor's sales and use tax audit services shall, at minimum, include five distinct types of audits and services, as follows:

##### **A. NEXUS FIELD AUDITS**

Contractor's initial and periodic taxable nexus field audits shall include a physical canvassing and evaluation of sales/use tax generating businesses located in the City to detect misallocations. Contractor's field audits shall focus on those businesses located in the City from which the City has not been receiving sales/use tax revenue.

##### **B. PERMITIZATION AUDITS**

Contractor's field audits shall facilitate the identification and correction of improperly registered permits for companies including, but not limited to, wholesalers, contractors, processors, manufacturers and other non-retail businesses having potential substantial nexus with the City.

### **C. DEFICIENCY ASSESSMENT AUDITS**

Contractor shall detect and correct CDTFA deficiency assessment misallocations and shall maximize the benefits produced by Contractor's allocation audit service for the City.

### **D. ACCOUNTS PAYABLE AUDITS**

Contractor's accounts payable audits shall include a review of the City's purchases to identify opportunities for the City to capture the current local allocation on purchases subject to use tax and the local district tax where applicable. In this regard, Contractor shall prepare the documentation to facilitate the City's election of such taxes, including assistance in preparing and filing the City's tax returns.

### **E. QUARTERLY DISTRIBUTION REPORT AUDITS**

Beginning July 1, 2020 and every three months thereafter, the Contractor shall provide the City with a Quarterly Distribution Report (QDR) with the local allocation amount reflected by sales tax permit number. Contractor's QDR audits shall detect and correct taxpayer reporting errors and thereby generate new, previously unrealized sales/use tax revenue for the City.

## **TASK 2: CORRECT REPORTING ERRORS**

Contractor shall contact personnel in sales, operations and/or tax accounting at each target business to determine whether a reporting error exists per the substantial nexus definition in California Assembly Bill No. 147 (AB 147). Contractor shall provide information requested by the taxpayers that may assist the taxpayer in completing and filing corrected tax returns.

## **TASK 3: PROVIDE DATA ON REPORTING ERRORS**

Contractor shall provide the City and CDTFA with reports addressing each taxpayer reporting error. Contractor shall respond to negative findings by CDTFA with timely reconfirmation documentation in order to preserve the City's original Dates of Knowledge (defined as the quarters during which Contractor notifies the CDTFA of the existence of a misallocation). Contractor shall also coordinate corrective action with taxpayers and CDTFA and represent the City before state officials, boards, commissions and committees for the purpose of correcting sales tax distribution errors that have deprived the City of revenue to which it is entitled. This includes representing the City at hearings before the CDTFA related to incorrect allocations of tax.

## **TASK 4: TRACK AUDIT FINDING REVENUE ALLOCATION**

Contractor shall provide quarterly invoices to the City which shall include the business name, audit period start date, permit number, cumulative local allocation amount received by City and the amount due to Contractor. Contractor shall also track all eligible quarters to be invoiced based on the actual tax return quarter (not payment distribution quarter, which can contain multiple quarters) and reconciled with the QDR from the CDTFA, which will be provided with Contractor's invoice.

## **TASK 5: PROVIDE SALES AND USE TAX TRAINING AND ASSISTANCE**

Contractor shall provide City employees with training and assistance when requested by City on the fundamentals of sales and use tax and on programs to maximize these revenues

through the encouragement of taxpayer options to take out direct payment permits, or self-accrue use tax to the City.

Contractor shall identify opportunities for the City to recover local allocation on purchase transactions subject to AB 147 and use tax. Contractor shall prepare the necessary documentation to facilitate recovery, including assistance in preparing and filing the returns. Contractor shall also assist the City in analyzing City vendors for potential sales tax per AB 147 and/or use tax opportunities and shall identify businesses having a substantial nexus with the City.

#### **TASK 6: PROVIDE SALES AND USE TAX DATA**

Contractor shall provide current and historical sales tax data on sales tax remittances at the payor level and with the following data types: fiscal year and quarter of remittance (to understand trends in cash received); fiscal year and quarter of revenue earned (to understand trends in economic activity); high level economic sector (e.g. general retail) and more detailed subsector identifier (e.g. apparel stores) and/or four-digit NAICS code and CDTFA category if possible to facilitate comparisons; address, organized into geocode or other neighborhood designation; and name of owner or permit holder. Data may be provided in a proprietary software system maintained by the Contractor or through a non-proprietary system. In either case, data shall be provided in a format allowing the City to export data into a Microsoft Access and/or Excel-compatible format allowing for integration of various databases, i.e. business license and property tax. Contractor shall provide City staff with training on the use of any proprietary system. Contractor shall also provide comparable aggregate quarterly sales and use tax data by economic segment for the state as a whole and for as many California counties and Bay Area cities as possible.

Data shall be updated quarterly as soon as possible following receipt from the CDTFA while maintaining an option to retrieve historical sales tax remittances data for all payers regardless of their current tax payment status. Contractor shall either provide geographical data mapping capability in its proprietary system or else provide City staff with address data in a format which would allow staff to export and map data.

Contractor shall continue providing and updating sales tax remittance and address data in a format, as defined by the City, which easily integrates and refreshes onto the website while respecting CDTFA confidentiality guidelines for publicly accessible data.

#### **TASK 7: PROVIDE SALES AND USE TAX ANALYSES AND REPORTS**

Beginning July 1, 2020 and every three months thereafter, Contractor shall provide quarterly analyses and reports on San Francisco's sales and use tax trends in relationship to the surrounding market region as well as by individual businesses, business type and geographic areas specified by the City. Contractor shall provide sales and use tax revenue forecasting, as well as forecasts or data that would assist City staff in projecting Proposition 172 public safety sales tax and Health and Welfare Realignment sales tax and VLF revenues. These data could include, but are not limited to, projected statewide sales tax receipts; San Francisco's Proposition 172 pro rata share of sales tax receipts; statewide vehicle sales tax receipts.

Contractor shall provide the City with specialized charts and data tables, presentation data and presenters for public meetings and events, and provide the City with business specific revenue estimates, and economic development consulting. Contractor shall provide a quarterly



summary of economic news that is one quarter more current than the most current sales tax data availability for the City's use in making projections.

#### **TASK 8: PROVIDE SALES AND USE TAX PROJECTIONS AND LEGISLATIVE SUPPORT**

Contractor shall serve as the City's resource and provide assistance, resolution, and follow-up services on sales and use tax related questions including budget projections, legislative and regulation issues and economic development.

With regard to legislative and regulatory issues, Contractor shall, on behalf of the City:

- Remain attentive in its action on any future proposed changes to regulatory language in CDTFA regulations related to the situs-based allocation of sales tax revenues and the formal practicing rules, which govern how Contractor pursues the collection of revenues.
- Coordinate with State to ensure timely and accurate sales tax payments to the City. Monitor new and existing federal and State legislation, regulations, and administrative actions that could threaten or delay the City's sales tax revenue. Attend legislative hearings and explain fiscal impact of proposals to City stakeholders.
- Advocate and provide problem-solving and resolution assistance to City on issues as needed and as requested by City. Contractor will work with City staff to develop language for review and approval by the City that would preserve, protect and enhance City revenues.

With regard to budget projections, Contractor shall provide the City with a forecast of:

- five fiscal years in the fall of each year, and
- three fiscal years every quarter (for the current year and two budget years).

#### **TASK 9: MAINTAIN THE WEBSITE FOR SALES AND USE TAX DATA**

Contractor shall continue maintaining and updating the website using the Geographic Information System (GIS) software, which: (1) provide sales tax data for any geographic area or areas within the City as selected by website users from an interactive map of the City; (2) provide historical sales tax data for any geographic area or areas within the City; (3) provide a sortable breakdown of sales tax data by business type; (4) adhere to California Department of Tax and Fee Administration data usage restrictions; and (5) provide statistics on the user data of the website, including, but not limited to, the number of visitors to the website

It is the policy of the City and County of San Francisco that websites be designated to be accessible to people with disabilities. Contractor has a responsibility to become familiar with the guidelines for achieving universal accessibility and to apply these principles in designing and creating the website required under this solicitation. The website should be in full compliance with applicable federal and state disability access laws, including but not limited to the requirements of the Americans with Disabilities Act of 1990 (ADA, as amended (42 U.S.C. Sec. 1201 et seq.) and Section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. Sec. 794d).

Title 36 of the Federal Code of Regulations, Section 1194.22, which implements the Rehabilitation Act of 1973, outlines 16 standards, concerning web-based intranet and Internet information and applications. A website will be in compliance with the 508 standards if it meets the requirements of paragraphs (a) through (p) of Section 1194.22. A copy of Section 1194.22

may be found at the US government Printing Office website at <http://ecfr.gpoaccess.gov/cgi/t/text/textidx?c=ecfr&sid=3ae7c83dcb33f43e87ea99d1f735a30c&rgn=div&view=text&node=36:3.0.9.1.9.2.5.2&idno=36>.

## **2.2 Data Transmission Requirements**

**Data Transmission.** Contractor shall ensure that all physical or electronic transmission or exchange of data with the City and/or any other parties expressly designated by the City shall take place via secure means (for electronic transmissions using HTTPS or SFTP or the most recent version used in the industry). Contractor shall also ensure that all data exchanged shall be used expressly and solely for the purposes enumerated in the Agreement. Data shall not be distributed, repurposed or shared across other applications, environments, or business units of Contractor. Contractor shall ensure that no City data of any kind shall be transmitted, exchanged or otherwise passed to other vendors or interested parties. City's data, and Contractor's data center storing such data, must be located and remain within the United States.

## **3. City-Proposer Communications**

*There will not be a Pre-Proposal Conference for this RFP. Proposers are specifically directed NOT to contact any employees or officials of the City other than those specifically designated in this RFP and its Attachments. Unauthorized contact may be cause for rejection of Proposals at the City's sole and absolute discretion.*

### **3.1 Deadline for RFP Questions**

Please e-mail any questions to [CentralContracts@sfgov.org](mailto:CentralContracts@sfgov.org). No oral questions will be accepted. Questions, in accordance with the below schedule, must be in writing and received before the **Deadline for RFP Questions**. No questions will be accepted after this time with the exception of those concerning City vendor compliance. All inquiries should include the number and title of the RFP. Substantive replies will be memorialized in written addenda to be made part of this RFP. This RFP will only be governed by information provided through written addenda.

### **3.2 Summary of Information Requested and Presented**

A summary of all addenda, questions and answers pertaining to this RFP will be posted on the City's website at the following link listed under Opportunities, "CON|RFP2020-01 Sales/Use Tax Audit, Analysis & Sys": <https://sfcitypartner.sfgov.org/pages/Events-BS3/event-search.aspx>

It is the Proposers' responsibility to check this Website for any updates. The City recommends that Proposers check the Website for updates on a daily basis at a minimum.

### **3.3 City Communication Following Receipt of Proposals**

The City may contact the Proposers for clarification or correction of minor errors or deficiencies in their Proposals prior to deeming a Proposal as non-responsive. Clarifications are "limited exchanges" between the City and a Proposer for the purpose of clarifying certain aspects of

the Proposals, and do not give a Proposer the opportunity to revise or modify its Proposal. Minor errors or deficiencies are defined as those that do not materially impact the City's evaluation of the Proposal. For information regarding the City's Evaluation Process, see RFP Section 5 - Evaluation Criteria.

## **4. Proposal Submission Requirements**

### **4.1 Time and Place for Submission of Proposals**

Late submissions will not be considered.

Proposals and all related materials, including all CMD forms, must be received by **Deadline for RFP Proposals**.

Proposals must be submitted electronically:

1. Via the City's Supplier Portal listed under Opportunities, "CON|RFP2020-01 Sales/Use Tax Audit, Analysis & Sys": <https://sfcitypartner.sfgov.org/pages/Events-BS3/event-search.aspx>, and
2. Via e-mail to [CentralContracts@sfgov.org](mailto:CentralContracts@sfgov.org)

### **4.2 Proposal Checklist**

Complete, but concise Proposals, are recommended for ease of review by the Evaluation Team. Proposals should provide a straightforward, concise description of the Proposer's capabilities to satisfy the requirements of the RFP. Marketing and sales type information should be excluded. All parts, pages, figures, and tables should be numbered and clearly labeled.

For word processing documents, the department prefers that text be unjustified (i.e., with a ragged-right margin) and use a clear font (e.g., Arial), and that pages have margins of at least 1" on all sides (excluding headers and footers). Please include a Table of Contents.

Please note that there is a page limit of **50 pages** for Attachment V.

## Proposal Item Checklist

**RFP Attachment I** – Acknowledgement of RFP Terms and Conditions

**RFP Attachment II** – Contract Monitoring Division's (CMD) Local Business Enterprise Forms

1. Form 2A – CMD Contract Participation Form (if requesting a rating bonus)
2. Form 3 – CMD Compliance Affidavit
3. Form 4 – CMD Joint Venture Form (if applicable)
4. Form 5 – CMD Employment Form

**RFP Attachment III** – City's Administrative Requirements

**RFP Attachment IV** – City's Agreement Terms and Conditions

**RFP Attachment V** – Proposal Template

Each Attachment must include all documents submitted for that Attachment in one separate, complete electronic file. Each of these separate electronic files must be titled with Proposer's name and Attachment number (**e.g. ABC Company Attachment I, ABC Company Attachment II**), in that **specific** order. Each file should include signatures, where applicable.

Proposers are advised to review RFP Attachments I through IV before beginning work on Proposal Template in RFP Attachment V to ensure that City's requirements can be met.

### 4.3 Content

Firms interested in responding to this RFP must submit the information required in Section 5, in the order specified in Attachment V: Proposal Template. Even if using an alternative format for your Proposal, the information in Attachment V must be included in the order specified to be scored appropriately.

Proposals received under this RFP that fail to address each of the requested items in sufficient and complete detail to substantiate that the Proposer can meet the City's minimum qualifications, will be deemed non-responsive and will not be evaluated. Note that Proposals stating, "to be provided upon request" or "to be determined" or the like, or that do not otherwise provide the information requested (left blank) are not acceptable and shall be deemed non-responsive.

### 4.4 Redact Confidential or Proprietary Information

All documents under this solicitation process are subject to public disclosure per Section 67.24 of the San Francisco Administrative Code, "The San Francisco Sunshine Ordinance of 1999."

**4.4.1** Proposals to RFPs, contracts, and all other records of communications between the City and Proposers shall be open to inspection immediately after a contract has been awarded. Nothing in this Administrative Code 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 benefit *until and unless that person or organization is awarded the contract or benefit*.

**4.4.2** Proposers may mark for redaction any confidential or proprietary information, as appropriate, prior to submitting a Proposal to this RFP.

**4.4.3** Proposers should clearly indicate net worth or other proprietary financial data that the City should redact should the RFP Proposal be publicly disclosed, in accordance to Section 67.24 of the San Francisco Administrative Code.

## **5. Evaluation Criteria**

This section describes the guidelines used for analyzing and evaluating the Proposals. Any Consultant firms selected from this RFP are not guaranteed a contract. This RFP does not in any way limit the City's right to solicit contracts for similar or identical services if, in the City's sole and absolute discretion, it determines the RFP does not meet its needs. As in all professional services contracts, the City reserves the right to accept other than the lowest price offer and reject all proposals that are not responsive to this request.

There are two phases to the evaluation process. City and CMD staff first perform an Initial Screening as described in Section 5.1. Proposals that pass the Initial Screening process (5.1) including Minimum Qualifications (5.2) will proceed to the Evaluation of Firms (that met Minimum Qualifications) described in Section 5.3.

City representatives will serve as the Evaluation Team responsible for evaluating Proposers. Specifically, the team will be responsible for the evaluation and scoring of the Proposals, and for interviews, if desired by the City.

### **5.1 Initial Screening**

The City will review each Proposal for initial determination on responsiveness and acceptability in an Initial Screening process. Elements reviewed during the Initial Screening include, without limitation: compliance with CMD submission requirements; compliance with Minimum Qualification requirements (Section 5.2), compliance with format requirements, Proposal completeness, and verifiable references.

Proposals are not scored during the Initial Screening process. Initial Screening is a pass/fail determination as to whether a Proposal meets the threshold requirements described above. By **Deadline for RFP Proposals**, any Proposal that does not demonstrate that Proposer meets requirements in Section 5.1 will not be eligible for consideration in the Evaluation of Firms (that met Minimum Qualifications) described below in Section 5.3. The City reserves the right to request clarification from the Proposer prior to rejecting a Proposal for failure to meet the Initial Screening requirements. Clarifications are "limited exchanges" between the City and a Proposer for the purpose of clarifying certain aspects of the Proposal, and will not give a Proposer the opportunity to revise or modify its Proposal.

#### **5.1.1 Local Business Enterprise Goals and Outreach**

The CMD Attachment 2 forms will be reviewed during the Initial Screening, which is prior to the Evaluation of Firms (that met Minimum Qualifications). **Each solicitation process under this**

**RFP and any resulting solicitation process requires a new submittal of CMD Attachment 2 forms** that can be downloaded at the following link:

<http://sfgov.org/cmd/sites/default/files/Documents/CMD%20Attachment%20%20-%2008.01.16.pdf>

#### **5.1.1.1 CMD documents due by Deadline for RFP Proposals**

There is no Contract Monitoring Division Local Business Enterprise subcontracting requirements for this RFP of resulting contract(s). However, at the RFP stage, firms shall submit the following documents by the **Deadline for RFP Proposals**:

1. Form 2A – CMD Contract Participation Form
2. Form 3 – CMD Compliance Affidavit
3. Form 4 – CMD Joint Venture Form (if applicable)
4. Form 5 – CMD Employment Form

If your firm fails to submit the correct 5.1.1.1 CMD documentation by **Deadline for RFP Proposals**, the Proposal may be determined to be non-responsive, rejected, not evaluated. If you have any questions regarding the CMD LBE requirements, please contact Alysabeth Alexander-Tut, the CMD Contract Compliance Officer for the Controller's Office at [alysabeth.alexander-tut@sfgov.org](mailto:alysabeth.alexander-tut@sfgov.org) or 415-581-2310.

## **5.2 Minimum Qualifications**

Any Proposal that does not demonstrate that the Proposer meets these minimum qualifications by the Proposal deadline will be considered non-responsive and will not be evaluated or eligible for award of any subsequent contract. Use RFP Attachment V to indicate for each Project Description.

### **A) EXPERIENCE:**

- a. Has submitted two (2) Prior Project Descriptions as part of the RFP Attachment V Proposal for which it would like to be considered, which meet all of the following criteria:
  1. The services/experiences described in **each** of the Prior Project Descriptions must be comparable to the services the City is requesting, described in RFP Section 2, Scope of Work.
  2. The services described in **both** of the Prior Project Descriptions must have been provided to two (2) of the twenty largest counties in California.
  3. **Both** Prior Project Descriptions must demonstrate successful completion within five (5) years from the issuance date of this RFP (successful completion means project deliverables have been completed as required).

### **B) STAFFING:**

- a. The lead staff proposed to be assigned to the City's project(s) must individually have had a similar lead role in **both** of the Prior Project Descriptions submitted.

### **5.3 Proposal Evaluation Criteria (100 points)**

#### **Evaluation Team**

City representatives will serve as the Evaluation Team responsible for evaluating Proposers. Specifically, the team will be responsible for the evaluation and rating of the Proposals, for conducting reference checks, and for interviews, if desired by the City.

Each RFP Proposal that meets the Minimum Qualifications will be evaluated in accordance with the criteria below.

#### **5.3.1 Firm Qualifications – 25 points**

- 1) Proposer's firm history and structure, including total staff size and composition, to services under this RFP.
- 2) Proposers experience providing services comparable to those requested to large, complex public sector clients.
- 3) Proposer's familiarity with San Francisco's sales and use tax base.
- 4) Proposer's general capacity and local resources to provide the services under this RFP.
- 5) Firm's demonstrated ability to provide dynamic sales tax data in a reliable, easy to analyze format in versions that are both accessible to the public and confidential for approved City staff.

#### **5.3.2 Staff Qualifications – 25 points**

- 1) Clarity and appropriateness of proposed staffing structure, roles and responsibilities.
- 2) Applicability of proposed staff qualifications, including partners and sub-contractors.
- 3) Commitment to provide continuity of qualified staff through completion of contract.

#### **5.3.3 Work Plan/Approach – 30 points**

- 1) Work plan/approach for indicated tasks, including the ability to provide data of the type and format described in Task 6 (Provide Sales and Use Tax Data), the number of years of historical data that can be provided, and the number of days after receipt of data from CDTFA that database updates will be provided.
- 2) Firm's expectations of City's involvement or level of effort are appropriate, and questions demonstrate experience with providing services to comparable client.
- 3) Sufficient expertise or methodology to create competitive differences that will be beneficial to the City is demonstrated.
- 4) Proposer demonstrates that taxpayer data confidentiality will be maintained and that such data will only be used to benefit the City.

#### **5.3.4 Cost Proposal – 20 points**

Cost Proposal is sufficiently detailed, reasonable and appropriate. Contractor's compensation is a percent contingency fee of new Bradley Burns sales and use tax income actually received by the City as the result of Contractor's services. The maximum number of quarters to which the percent contingency fee is to be applied is set as below:

- 1) BACK QUARTER REALLOCATIONS: The fee applies to revenue received for all eligible quarters prior to the quarter in which the Date of Correction (defined as the quarter in which the taxpayer has correctly reported the sales and use tax and CDTFA distributes the sales and use tax properly to the City based on the taxpayer's reporting) falls, back to and including the three quarters prior to the Date of Knowledge quarter (defined as the quarter during which the CDTFA got notified of the existence of a misallocation.)
- 2) FORTHCOMING QUARTER ALLOCATION: The fee applies to revenue received for four quarters beginning with the quarter in which the Date of Correction falls.
- 3) QDR MISALLOCATIONS DETECTED AND CORRECTED: The fee applies only to the quarters in which the misallocation actually occurred.

Fee Proposals must state the percent of new revenue.

#### Reference Checks

Reference checks, including, but not limited to, prior clients as indicated in Attachment V Prior Project Description(s), may be used to determine the applicability of Proposer experience to the services the City is requesting and the quality of services and staffing provided to prior clients, as well as adherence to schedules/budgets and Proposer's problem-solving, project management and communication abilities, as well as performance on deliverables and outcomes, and effectiveness in meeting or exceeding project objectives. If reference checks deem that information included in a Prior Project Description or elsewhere in the Proposal is untruthful, then the City will reject the Proposal.

#### Oral Interviews

If interviews are conducted, then following the Proposal Evaluation process, staff from firms may be invited to Oral Interviews with the Evaluation Team. Oral Interviews, if pursued by the City, will consist of standard questions asked of selected Proposers, and specific questions regarding individual Proposals. If Interviews are conducted, they will be worth 100 points based on a set of criteria established following review of written Proposals. The 100 points possible awarded for interviews will be added to the 100 possible points awarded during the Proposal Evaluation process for a total of 200 points. Pursuant to Admin Code Chapter 14B, rating bonuses will be in effect for any Proposers who are certified as a Small- or Micro-LBE. The City has sole and absolute discretion over whether interviews will be conducted or not to select Proposers.

#### Release and Waiver Agreement

To effectuate the candid completion of the reference check above, Proposer is required to sign the RFP Attachment I, Section 14, Release of Liability.

### **5.4 Other Terms and Conditions**

The selection of any prequalified Proposer for contract negotiations shall not imply acceptance by the City of all terms of the Proposal, which may be subject to further negotiation and approvals before the City may be legally bound thereby.

The City will select the most qualified and responsive Proposer with whom City staff will commence contract negotiations. If a satisfactory contract cannot be negotiated in a reasonable time with the selected Proposer, then the City, in its sole discretion, may terminate negotiations and begin contract negotiations with the next highest scoring Proposer it deems qualified.



The City, in its sole discretion, has the right to approve or disapprove any staff person assigned to a firm's projects before and throughout the contract term. The City reserves the right at any time to approve, disapprove or modify proposed project plans, timelines and deliverables. Such approvals will not be unreasonably withheld.

## **6. Protest Procedures**

### **6.1 Protest of RFP Terms**

Failure of a Proposer to comply with the protest procedures set forth in this section will render a protest inadequate and non-responsive, and will result in rejection of the protest.

Should a prospective Proposer object on any ground to any provision or legal requirement set forth in the RFP (including all Appendices and all Addenda), including but not limited to Protests based on allegations that: (i) the RFP is unlawful in whole or in part, (ii) one or more of the requirements of the RFP is onerous, unfair, or unclear; (iii) the structure of the RFP does not provide a correct or optimal process for the solicitation of the Services; (iv) the RFP contains one or more ambiguity, conflict, discrepancy or other error; or (v) the RFP unnecessarily precludes alternative solutions to the Services or project at issue, the prospective Proposer must provide timely written notice of Protest as set forth below.

By 5:00 p.m. P.S.T on the third (3<sup>rd</sup>) working day of the issuance of the RFP, any Proposer may submit a written notice of Protest via e-mail to [centralcontracts@sfgov.org](mailto:centralcontracts@sfgov.org) as directed by Section 6.1. Protests or notices of Protests delivered orally (e.g., by telephone) will not be considered.

The Protest shall state the basis for the Protest, refer to the specific requirement or portion of the RFP at issue, and shall describe the modification to the RFP sought by the prospective Proposer. The Protest shall also include the name, address, telephone number, and email address of the person representing the prospective Proposer.

If required, the City may extend the Proposal submittal deadline to allow sufficient time to review and investigate the Protest, and issue Addenda to incorporate any necessary changes to the RFP.

### **6.2 Protest of Non-Responsiveness Determination**

By 5:00 p.m. PST on the fifth (5<sup>th</sup>) working day of the City's issuance of a notice of non-responsiveness, any Proposer that has submitted a Proposal and believes that the City has incorrectly determined that its Proposal is non-responsive, may submit a written notice of protest by e-mail (fax is not acceptable) as directed in Section 6.4. Such notice of protest must be received by the City on or before 5 p.m. PST of the fifth (5<sup>th</sup>) 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 reason 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 RFP 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.

### **6.3 Protest of Contract Award**

By 5:00 p.m. PST on the fifth (5<sup>th</sup>) working day of the City's issuance of a Notice of Intent to Award A Contract, any proposer that has submitted a responsive Proposal and believes that the City has incorrectly selected another Proposer for award may submit a written notice of protest as directed in Section 6.4. Such notice of protest must be received by the City on or before 5 p.m. PST of the fifth (5<sup>th</sup>) working day after the City's issuance of the Notice of Intent to Establish a Prequalified Consultant List.

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 RFP 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.

### **6.4 Delivery of Protests**

All protests must be received by the specified dates and time deadlines specified in Section 6.1, 6.2 and 6.3. Protests or notice of protests made orally (e.g., by telephone) or by fax will not be considered.

Protests must be delivered via:

E-mail: [CentralContracts@sfgov.org](mailto:CentralContracts@sfgov.org)

### **6.5 Protest Review**

The Controller's Office will confirm receipt of notice of protest by Proposer which must be submitted in accordance to Section 6.1, 6.2, 6.3, and 6.4.

If a Proposer submits a complete and timely protest, the Controller's Office will review notice of protest soon after receipt of the protest to determine validity of notice, including, but not limited to: (1) receipt by due date; (2) inclusion of a written statement specifying in detail each and every one of the grounds asserted for the protest; (3) signed by an individual authorized to represent the Proposer; (4) citation of the law, rule, local ordinance, procedure or RFP provision on which the protest is based; and (5) specification of facts and evidence sufficient for the City to determine the validity of the protest.

A Proposer may not rely on a Protest submitted by another Proposer, but must timely pursue its own Protest.

The City, at its discretion, may make a determination regarding a protest without requesting further documents or information from the Proposer who submitted the protest. Accordingly, the initial protest must include all grounds of protest and all supporting documentation or evidence reasonably available to the prospective Proposer at the time the protest is submitted. If the Proposer later raises new grounds or evidence that were not included in the initial protest, but which could have been raised at that time, then the City may not consider such new grounds or new evidence.

If the notice of protest is determined to be valid, the Controller's Office shall review facts and evidence to determine the outcome of the protest, citing any applicable laws, rules, ordinances, procedures, and/or provisions. The review shall be an informal process conducted by the

Controller's Office or its designee and will be based upon the information submitted by the Proposer in its protest letter. The Controller's Office may seek input from the City Attorney's Office, Office of Contract Administration, Contract Monitoring Division, and/or other City departments as needed or appropriate. The Controller's Office will notify the Proposer in writing of its decision at the conclusion of the review. The Controller or his/her designee shall make the final determination regarding the outcome of the protest. The decision of the Controller's Office is final.

## **7. Supplier Compliance**

Proposer Team must fulfill the City's administrative requirements for doing business with the City and become a compliant supplier prior to contract award. Fulfillment is defined as completion, submission and approval by applicable City agencies of the forms and requirements referenced in RFP Attachment III.

## PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: CONTROLLER -- CON Dept. Code: CONType of Request: ☒ Initial ☐ Modification of an existing PSC (PSC # \_\_\_\_\_)Type of Approval: ☐ Expedited ☒ Regular (☐ Omit Posting)Type of Service: Sales and Use Tax Audit, Analysis & System ServicesFunding Source: Percentage of sales tax income PSC Duration: 4 years  
PSC Amount: \$1,000,000 PSC Est. Start Date: 01/01/2019 PSC Est. End Date: 12/31/2022**1. Description of Work****A. Scope of Work:**

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

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

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

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

Services have been provided by contract since 1994 and most recently through PSC#40778-14/15 Modification 2 approved on 4/4/2016.

**D. Will the contract(s) be renewed? Yes, to extend the contract by a year. And then maybe there will be a new**

**2. Union Notification:** On 11/09/2018, the Department notified the following employee organizations of this PSC/RFP request: Management & Superv Local 21; Municipal Executive Association; Prof & Tech Eng, Local 21; Professional & Tech Eng

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**PSC# 41135 - 18/19

DHR Analysis/Recommendation:

02/04/2019

Commission Approval Required

DHR Approved for 02/04/2019

Approved by Civil Service Commission

**3. Description of Required Skills/Expertise****A. Specify required skills and/or expertise:**

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

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

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

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

No.

**4. Why Classified Civil Service Cannot Perform****A. Explain why civil service classes are not applicable:**

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

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

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

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

**YES NO**

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

☒ THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE AND ACCURATE ON BEHALF OF THE DEPARTMENT HEAD  
ON 12/19/2018 BY:

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

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

## PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: CONTROLLERDept. Code: CON

Type of Request: ☐ Initial ☒ Modification of an existing PSC (PSC # 40778 - 14/15)

Type of Approval: ☐ Expedited ☒ Regular ☐ Annual ☐ Continuing ☐ (Omit Posting)

Type of Service: Sales and Use Tax Audit, Analysis & System ServicesFunding Source: Percentage of sales tax incomePSC Original Approved Amount: \$1,500,000PSC Original Approved Duration: 07/01/15 - 06/30/20 (5 years 1 day)PSC Mod#1 Amount: \$1,000,000PSC Mod#1 Duration: no duration addedPSC Mod#2 Amount: \$6,500,000PSC Mod#2 Duration: no duration addedPSC Cumulative Amount Proposed: \$9,000,000PSC Cumulative Duration Proposed: 5 years 1 day**1. Description of Work****A. Scope of Work/Services to be Contracted Out:**

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

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

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

**C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.**

Yes

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

Maybe there will be a new solicitation in 2020.

**E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why:**

The work requires highly specialized knowledge and expertise on sales tax audit, sales tax county allocations, state legislation around sales and use tax, and overall sales tax revenue statewide. Having a longer term relationship with the selected contractor will benefit the City by allowing the City to utilize the relationship, especially in terms of the City's sales tax revenue projection,

development of sales tax data website, and the accommodation of complicated sales tax data. A historical PSC 4110-11.11 is attached for the prior RFP#CON2011-02 for Sales and Use Tax Audit.

## **2. Reason(s) for the Request**

A. Display all that apply

☒ Circumstances where there is a demonstrable potential conflict of interest (e.g., independent appraisals, audits, inspections, third party reviews and evaluations).

Explain the qualifying circumstances:

Sales taxes are collected and allocated by the State Board of Equalization (BOE), and the specialized work is more effectively performed by contractors with expertise and access to State level sales tax data, covering confidential tax payer information for jurisdictions throughout California. To our knowledge of the more than 1,800 cities and counties receiving sales and use taxes, none use internal staff to perform this specialized sales tax and audit function.

B. Reason for the request for modification:

Amount increase due to contractor having potential one-time over \$5 million Sales Tax & Use Audit case that will generate more revenue for the City & County of SF. Contractor's compensation is a percent contingency fee of new sales and use tax income actually received by the City as a result of Contractor's services.

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

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

B. Which, if any, civil service class(es) normally perform(s) this work? 1012, IS Technical-Journey; 1021, IS Administrator 1; 1022, IS Administrator 2; 1023, IS Administrator 3; 1052, IS Business Analyst; 1053, IS Business Analyst-Senior; 1054, IS Business Analyst-Principal; 1062, IS Programmer Analyst; 1063, IS Programmer Analyst-Senior; 1064, IS Prg Analyst-Principal; 1684, Auditor II; 1824, Pr Administrative Analyst; 4306, Collections Officer; 4308, Senior Collections Officer; 4366, Collection Supervisor;

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

## **4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

Not Applicable

## **5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

A. Explain why civil service classes are not applicable.

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

- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain: No. Independent appraisals and audits are required for this work, otherwise there would be a conflict of interest.

## 6. Additional Information

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.  
No.
- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.  
None
- C. Are there legal mandates requiring the use of contractual services?  
No.
- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
No.
- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
No.
- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.  
MuniServices LLC, HdL

## 7. Union Notification: On 01/08/16, the Department notified the following employee organizations of this PSC/RFP request:

SEIU Local 1021; SEIU 1021 Miscellaneous; Professional & Tech Engrs, Local 21; Prof & Tech Eng, Local 21; Municipal Executive Association; Management & Superv Local 21;

☒ I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

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

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

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 40778 - 14/15

DHR Analysis/Recommendation:

04/04/2016

Commission Approval Required

Approved by Civil Service Commission

04/04/2016 DHR Approved for 04/04/2016

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: GENERAL SERVICES AGENCY - PUBLIC WORKS -- DPW

Dept. Code: DPW

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

Type of Approval: ☐ Expedited ☒ Regular ☐ Annual ☐ Continuing ☐ (Omit Posting)

Type of Service: As-Needed Landscape Architectural Services

Funding Source: Departmental Work Orders

PSC Amount: \$2,000,000

PSC Est. Start Date: 06/01/2020

PSC Est. End Date 12/31/2026

**1. Description of Work**

**A. Scope of Work/Services to be Contracted Out:**

Provide specialized services in Landscape Architecture to support Public Work's design staff on an as-needed basis. Work shall include full design consultation services for landscape architectural projects, constructability reviews of landscape projects, construction administration, and related support services.

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

The as-needed contracts will only be utilized when Public Works cannot provide the services in a timely manner due to unavailability of staff or when specialty services are required. If services cannot be provided in a timely manner, the City's ongoing operations will be impacted and thereby cause added cost or delay to the provision of services necessary for the public interest.

**C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.**

Previous contracts for As-Needed Landscape Architectural Services were awarded to: Merrill Morris Partners and Cliff Lowe Associates under PSC# 43977-1617.

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

No

**E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why.**

The additional time in the PSC Duration is to allow for any delays in processing and awarding the contracts. The contracts will have duration of no more than 5 years.

**2. Reason(s) for the Request**

**A. Indicate all that apply (be specific and attach any relevant supporting documents):**

☒ Services required on an as-needed, intermittent, or periodic basis (e.g., peaks in workload).

**B. Explain the qualifying circumstances:**

This service will only be utilized on an as-needed basis when the City staff don't have the capacity to fulfill all project requests, causing delays, or if specialized services are required.

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

**A. Specify required skills and/or expertise:** Consultant must be experienced in landscape architecture design and constructability reviews. Consultants must have a minimum of 10 years experience that demonstrate the capability to provide landscape architecture designs and constructability reviews. Consultant must have staff who have current license in California as Landscape Architect.

- B. Which, if any, civil service class(es) normally perform(s) this work? 5262, Landscape Architect Assoc 1; 5272, Landscape Architect Assoc 2; 5274, Landscape Architect;

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

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

The City does not have resources available to perform all required work. The Department has recruited and hired more people for above civil service classes. As-needed contracts will only be utilized when and if the work cannot be prudently performed by internal staff.

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

- A. Explain why civil service classes are not applicable.  
Civil service classes mentioned above are applicable. These consultant services will only be utilized when a project requires a third-party reviewer, or when current staff is at full capacity.
- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. No, Civil Service Classes already exist. The as-needed services are required to augment City staff during peak workload periods, for those projects that require specialized expertise and knowledge.

**6. Additional Information**

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.  
No.
- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.  
No. No training is anticipated. Zero hours. Since these services are only going to be utilized on an as-needed basis and we already have City classifications to perform this work, there is no need to provide training to existing staff.
- C. Are there legal mandates requiring the use of contractual services?  
No.
- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
No.
- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
No.
- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.  
No.

**7. Union Notification:** On 05/15/2020, the Department notified the following employee organizations of this PSC/RFP request:  
Prof & Tech Eng, Local 21; Professional & Tech Engrs, Local 21

☒ I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Alexander Burns Phone: 415-554-6411 Email: alexander.burns@sfdpw.org

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

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 48671 - 19/20

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 08/03/2020

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

## Sy, Don (DPW)

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**From:** dhr-psccordinator@sfgov.org on behalf of alexander.burns@sfdpw.org  
**Sent:** Friday, May 15, 2020 3:34 PM  
**To:** Burns, Alexander (DPW); WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; kschumacher@ifpte21.org; pkim@ifpte21.org; amakayan@ifpte21.org; L21PSCReview@ifpte21.org; Sy, Don (DPW); DHR-PSCCoordinator, DHR (HRD)  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 48671 - 19/20

RECEIPT for Union Notification for PSC 48671 - 19/20 more than \$100k

The GENERAL SERVICES AGENCY - PUBLIC WORKS -- DPW has submitted a request for a Personal Services Contract (PSC) 48671 - 19/20 for \$2,000,000 for Initial Request services for the period 06/01/2020 – 12/31/2026. Notification of 30 days (60 days for SEIU) is required.

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

<http://apps.sfgov.org/dhrdrupal/node/14955> For union notification, please see the TO: field of the email to verify receipt. If you do not see all the unions you intended to contact, the PSC Coordinator must change the state back to NOT READY, make sure the classes and unions you want to notify are selected and SAVE. Then VIEW the record and verify the list of unions and emails. EDIT the document again , change the state back START UNION NOTIFICATION and SAVE. You should receive the email with all unions to the TO: field as intended

## **Additional Attachment(s)**

## PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: GENERAL SERVICES AGENCY - PUBLIC WORKS -- DPWDept. Code: DPWType of Request: ☒ Initial ☐ Modification of an existing PSC (PSC # \_\_\_\_\_)Type of Approval: ☐ Expedited ☒ Regular ☐ Annual ☐ Continuing ☐ (Omit Posting)Type of Service: As Needed Landscape Architectural ServicesFunding Source: Departmental Work OrdersPSC Amount: \$1,200,000PSC Est. Start Date: 07/01/2017PSC Est. End Date 10/31/2023**1. Description of Work****A. Scope of Work/Services to be Contracted Out:**

Provide specialized services in Landscape Architecture to support Public Work's design staff on an as-needed basis. Work shall include full design consultation services for landscape architectural projects, constructability reviews of landscape projects, construction administration, and related support services.

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

When consultant services are needed, we utilize subcontractors under the As-Needed Civil and As-Needed Architecture contracts. This contract will provide a direct contract with a Prime Consultant for Landscape Architecture services. If these services are denied, Public Works will continue to rely on subcontractors from our "As-Needed" prime contracts, which will result in additional administrative fees (i.e. subcontracting markup).

**C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.**

Landscape Architectural services have been provided by in-house staff. However, during peak work loads, consultant services are utilized through subconsultants under the as-needed Civil Engineering contracts (PSC 4102-10/11) and as-needed Architectural Design contracts (PSC 4095-09/10). This proposed contract will allow Public Works to have dedicated prime consultants to provide Landscape Architecture design and constructability review services.

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

No, there are no plans to renew this contract at this time.

**E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why.**

PSC duration exceeds 5 years to account for time needed to advertise and award contracts. The contracts will have a duration of no more than 5 years.

**2. Reason(s) for the Request****A. Indicate all that apply (be specific and attach any relevant supporting documents):**

☒ Services required on an as-needed, intermittent, or periodic basis (e.g., peaks in workload).

**B. Explain the qualifying circumstances:**

This service will only be required on an as-needed basis when staff is at full capacity or when a project requires a third party reviewer.

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



- A. Specify required skills and/or expertise: Consultant must be experienced in landscape architecture design and constructability reviews. Consultants must have a minimum of 10 years experience that demonstrate the capability to provide landscape architecture designs and constructability reviews. Consultant must have staff who have current license in California as a Landscape Architect.
- B. Which, if any, civil service class(es) normally perform(s) this work? 5262, Landscape Architect Assoc 1; 5272, Landscape Architect Assoc 2; 5274, Landscape Architect;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: No.

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

These services are currently provided by existing staff. However, these consultants will be utilized when a project requires a third party reviewer, or when current staff is at full capacity.

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

- A. Explain why civil service classes are not applicable.  
These are as-needed contract services only. They will only be utilized when a project requires a third party reviewer, or current staff is at full capacity.
- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. No. The services are only going to be utilized on an as-needed basis and there is no ongoing demand that justifies the hiring of permanent City staff with the necessary expertise.

**6. Additional Information**

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.  
No.
- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.  
No. Current staff are already performing this work. However, this contract is needed when staff is at capacity and when projects require a third-party independent reviewer.
- C. Are there legal mandates requiring the use of contractual services?  
No.
- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
No.
- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
No.
- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.  
No.

- 7. Union Notification:** On 06/08/2017, the Department notified the following employee organizations of this PSC/RFP request:  
Prof & Tech Eng, Local 21

☒ I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: David Bui Phone: 415-554-6417 Email: david.bui@sfdpw.org

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

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 43977 - 16/17

DHR Analysis/Recommendation:

action date: 08/07/2017

Commission Approval Required

Approved by Civil Service Commission

08/07/2017 DHR Approved for 08/07/2017

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: GENERAL SERVICES AGENCY - PUBLIC WORKS -- DPW

Dept. Code: DPW

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

Type of Approval: ☐ Expedited ☒ Regular ☐ Annual ☐ Continuing ☐ (Omit Posting)

Type of Service: Right of Way Coordination Software

Funding Source: To be determined

PSC Duration: 6 years 1 day

PSC Amount: \$750,000

**1. Description of Work**

**A. Scope of Work/Services to be Contracted Out:**

Public Works is interested in replacing it's existing Envista/Accela Project Coordination software with an out-of-box cloud based solution that will integrate project information from existing applications across multiple stakeholder organizations into a map-based environment where up-to-date information on multiple activities is displayed graphically for each stakeholder. Proposed solution will enhance the capacity to identify opportunities to coordinate joint excavation projects and to minimize street moratorium conflicts. A public facing web page or "constituent portal" will allow constituents to locate ongoing and planned excavation projects in a map-based tool. Vendor will also provide services related to implementation, training and support for software.

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

The current Envista/Accela Project Coordination software is inadequate and license has already been extended multiple times. The City must offer a solution in order to mitigate project coordination failures among utility companies which would violate paving moratoriums. If denied, unnecessary paving cuts will likely result and cause unneeded additional construction in the right-of-way, as well as duplicated costs. A successful implementation of the software requires experience and understanding of proposed system.

**C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.**

Service has been provided by a software vendor with out-of-box Project Coordination solution (Envista/Accela) with PSC 3063-10/11 authority.

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

Yes

**E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why.**

Anticipated contract duration is 5 years with 5 one-year extensions, to allow Public Works the option of renewing if the selected product is adequate, and delay the additional expenses related to new product acquisition. PSC Duration requested also include processing time.

**2. Reason(s) for the Request**

**A. Indicate all that apply (be specific and attach any relevant supporting documents):**

☒ Immediately needed services to address unanticipated or transitional situations, or services needed to address emergency situations.

- ☒ Short-term or capital projects requiring diverse skills, expertise and/or knowledge.

B. Explain the qualifying circumstances:

Current Envista/Accela system is inadequate and contract is expiring.

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

- A. Specify required skills and/or expertise: Vendor or contractor must have knowledge of Right-of-way utility project coordination requirements and experience implementing solutions in municipalities with similar construction activity as City & County of San Francisco.
- B. Which, if any, civil service class(es) normally perform(s) this work? none
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes, the contractor will use specialized industry-specific computer software programs not possessed by Public Works.

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

Public Works does not have internally the available expertise or resources to provide the services required for this engagement.

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

- A. Explain why civil service classes are not applicable.  
We are not aware of any City civil service staff that have the expertise and resources to provide the services required for this engagement.
- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. We are not aware of any civil service class that could perform the work required under this engagement. Nor do we think it would be feasible to adopt a new civil service class to perform this work. As mentioned, this type of debt-related financial advisory work is very unique and is only offered by firms that have such specific expertise, experience and resources.

**6. Additional Information**

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.  
No.
- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.  
Yes. Training will relate to use of contractor's software and specifics of employees to receive training and training hours will be determined during contract negotiation.
- C. Are there legal mandates requiring the use of contractual services?  
No.

- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
No.
- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
No.
- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.  
No.

**7. Union Notification:** On 05/27/2020, the Department notified the following employee organizations of this PSC/RFP request:  
all unions were notified

☒ I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Alexander Burns Phone: 415-554-6411 Email: alexander.burns@sfdpw.org

Address: 1155 Market St. 4th floor San Francisco, CA 94103

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 49114 - 19/20

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 08/03/2020

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

## Macaranas, Belle (DPW)

---

**From:** dhr-psccordinator@sfgov.org on behalf of alexander.burns@sfdpw.org  
**Sent:** Wednesday, May 27, 2020 3:41 PM  
**To:** Burns, Alexander (DPW); Criss@SFMEA.com; Meyers, Julie (HSA); seichenberger@local39.org; camaguey@sfmea.com (contact); ablood@cirseiu.org; kcartermartinez@cirseiu.org; ecassidy@ifpte21.com; WendyWong26@yahoo.com; wendywong26@yahoo.com; sarah.wilson@seiu1021.org; kschumacher@ifpte21.org; kpage@ifpte21.org; tjenkins@uapd.com; eerbach@ifpte21.org; tmathews@ifpte21.org; amakayan@ifpte21.org; jb@local16.org; Ricardo.lopez@sfgov.org; Basconcillo, Katherine (PUC); Sandeep.lal@seiu1021.me; pcamarillo\_seiu@sbcglobal.net; MRainsford@local39.org; Wendy.Frigillana@seiu1021.org; pscreview@seiu1021.org; pkim@ifpte21.org; agonzalez@iam1414.org; ted.zarzecki@seiu1021.net; leah.berlanga@seiu1021.org; gail@sfflocal798.org; cityworker@sfcwu.org; davidmkersten@gmail.com; djohnson@opcmialocal300.org; ramonliuna261@gmail.com; ablood@cirseiu.org; pkarinen@nccrc.org; tony@dc16.us; stevek@bac3-ca.org; xiumin.li@seiu1021.org; Poon, Sin Yee (HSA); smcgarry@nccrc.org; rmitchell@twusf.org; grojo@local39.org; jduritz@uapd.com; staff@SFMEA.com; mike@dc16.us; khughes@ibew6.org; L21PSCReview@ifpte21.org; sfsmsa@gmail.com; mshelley@dc16.us; david.canham@seiu1021.org; jtanner940@aol.com; oashworth@ibew6.org; L21PSCReview@ifpte21.org; LiUNA.local261@gmail.com; local200twu@sbcglobal.net; speedy4864@aol.com; Christina@SFMEA.com; ecdemvoter@aol.com; thomas.vitale@seiu1021.org; Macaranas, Belle (DPW); DHR-PSCCoordinator, DHR (HRD)  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 49114 - 19/20

RECEIPT for Union Notification for PSC 49114 - 19/20 more than \$100k

The GENERAL SERVICES AGENCY - PUBLIC WORKS -- DPW has submitted a request for a Personal Services Contract (PSC) 49114 - 19/20 for \$750,000 for Initial Request services for the period 06/01/2020 – 06/01/2026. Notification of 30 days (60 days for SEIU) is required.

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

<http://apps.sfgov.org/dhrdrupal/node/14985> For union notification, please see the TO: field of the email to verify receipt. If you do not see all the unions you intended to contact, the PSC Coordinator must change the state back to NOT READY, make sure the classes and unions you want to notify are selected and SAVE. Then VIEW the record and verify the list of unions and emails. EDIT the document again , change the state back START UNION NOTIFICATION and SAVE. You should receive the email with all unions to the TO: field as intended

## **Additional Attachment(s)**



## PERSONAL SERVICES CONTRACT SUMMARY

DATE: 02/24/2011DEPARTMENT NAME: PUBLIC WORKS DEPARTMENT NUMBER 90TYPE OF APPROVAL: ☒ EXPEDITED ☐ REGULAR (OMIT POSTING \_\_\_\_\_)  
☐ CONTINUING ☐ ANNUALTYPE OF REQUEST:  
☒ INITIAL REQUEST ☐ MODIFICATION (PSC# \_\_\_\_\_)TYPE OF SERVICE: Utility Excavation Coordination Software DeveloperFUNDING SOURCE: Excavation FundsPSC AMOUNT: \$45,000 PSC DURATION: 06/01/2011- 06/30/2016

## 1. DESCRIPTION OF WORK

## A. Concise description of proposed work:

DPW is seeking a software solution to achieve the following goals; coordination of construction activities within the Public Right-of-Way (PROW) in order to reduce construction impacts upon neighborhoods, reduce excavations in newly paved streets, and leverage capital investments by consolidating projects.

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

It is our intent to ultimately establish a citywide standard for the input of all permitted activities within the PROW. Without this software these activities will not be coordinated, leading to unsafe public access and inefficient traffic flows.

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

This is new proposal that will improve the use of the city's streets and lead to fewer conflicts, chaos and traffic congestion.

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):

<u>Local 21</u>	<u>Carina Carlos</u>	<u>3/03/11</u>
Union Name	Signature of person mailing/faxing form	Date

_____	_____	_____
Union Name	Signature of person mailing/faxing form	Date

RFP sent to Professional and Technical Engineers, on \_\_\_\_\_

Union Name

Date

Signature

\*\*\*\*\*

## FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 3063-10/11

MAR 08 2011

Approval Date: 3/11/11By: [Signature]

FOR Micki Callahan, Human Resources Director

3. DESCRIPTION OF REQUIRED SKILLS/EXPERTISE

A. Specify required skills and/or expertise:

*Consultants must be able to develop software with Geographic Information System (GIS) interface to coordinate activities within the Public Right-of-Way.*

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

*1053 IS Senior Business Analyst can perform the work, but current City staff do not have the expertise to develop a PC or Windows-based database with GIS interface.*

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

*Yes, the Consultant will supply the servers and database that the City will access.*

4. WHY CLASSIFIED CIVIL SERVICE CANNOT PERFORM

A. Explain why civil service classes are not applicable:

*Current City staff do not have the expertise to develop a PC or Windows-based database with GIS interface to coordinate activities within the Public Right-of-Way.*

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

*No, this is a unique task for the development of specialized of-the-shelf software.*

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 checked="" type="checkbox"/>	<input type="checkbox"/>
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- Describe the training and indicate approximate number of hours.

*Vendor will provide DPW and approved users with training and user manuals, as well as training aids that are used by instructors, such as reference cards showing tips, commonly used key strokes, and shortcuts, in editable digital formats. In addition, and as requested, the vendor will provide annual training to the City and approved agency staff for up to 50 individuals in San Francisco, CA.*

*Vendor will provide a (short) high level training session for DPW as well as other City senior managers that cover an overview of core functions to build an understanding of how the software meets the organizational goals.*

- Indicate occupational type of City and County employees to receive training (i.e., clerks, civil engineers, etc.) and approximate number to be trained. *Approximately 50 Civil Engineers, clerks, IT Classifications and Plan Checkers.*

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

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

<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"/>
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**THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE AND ACCURATE ON BEHALF OF THE DEPARTMENT HEAD:**

*Gordon Choy*  
Signature of Departmental Personal Services Contract Coordinator

Gordon Choy

(415) 554-6230

Print or Type Name

Telephone Number

875 Stevenson Street, Room 420

San Francisco, CA 94103

Address

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: MUNICIPAL TRANSPORTATION AGENCY -- MTA

Dept. Code: MTA

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

Type of Approval: ☐ Expedited ☒ Regular ☐ Annual ☐ Continuing ☐ (Omit Posting)

Type of Service: As-Needed Specialized Information Technology Services

Funding Source: Local Funds and Grants: Federal

PSC Duration: 43 weeks 2 days

PSC Amount: \$1,500,000

**1. Description of Work**

**A. Scope of Work/Services to be Contracted Out:**

In 2018 SFMTA obtained an Advanced Transportation and Congestion Management Technologies Deployment (ATCMTD) grant from Federal Highway Administration (FHWA). The cooperative agreement aims to model deployment sites for large scale installation and operation of advanced transportation technologies to improve safety, efficiency, system performance, and infrastructure return on investment.

The Connected Vision Zero Corridor Proof of Concept for which we seek approval is part of this overall pilot and aims to increase safety for all modes, reduce public transit travel times, reduce signal delays, and reduce idling and greenhouse gas (GHG) emissions by deploying new advanced technologies and innovative solutions. The expected duration is less than 9 months.

In support of the Connected Vision Zero Corridor Proof of Concept, Arcadis as a primary contractor shall provide SFMTA the following services:

- Operational Readiness & Process Documentation,
- Sensor Deployment & Sensor Communication,
- Data Architecture Setup and Database Deployment,
- Business Intelligence (BI) Reporting & Dashboards,
- Intelligent Transportation System (ITS) Workshop,
- Traffic Simulation & Research,
- Project Management, and
- Third-Party Subcontract Management

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

The PoC (Proof of Concept) is critical to the determination of the extent technologies can support the reduction of fatalities and incidents, reduce transit travel times, optimize traffic flow, reduce Green House Gas (GHG) emission and idling, the desired outcomes of the pilot the grant was received for. The consequence of denial will be a severe delay in PoC execution due to lacking access to specialized skills provided by vendors for proprietary technical solutions.

C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.

This service has not been provided in the past.

D. Will the contract(s) be renewed?

No. The contract will be for a maximum duration of 9 month period after which an RFP will be issued if SFMTA decides to proceed with the pilot.

E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why.  
not applicable

## **2. Reason(s) for the Request**

A. Indicate all that apply (be specific and attach any relevant supporting documents):

☒ Services that require resources that the City lacks (e.g., office space, facilities or equipment with an operator).

B. Explain the qualifying circumstances:

Due to the proprietary nature of the technical solution, City personnel does not have access to the trade-secret software source code or design of specialized technical solutions. Installation, configuration, integration, testing, and deployment of the system must be contracted through the provider of the applications.

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

A. Specify required skills and/or expertise: Knowledge of proprietary traffic flow engine, system integration, sensor calibration and configuration, GPS cellular device configuration, cellular data transport and handling, traffic controller integration, ITS, which are exclusive to the contractor. The general expertise of supplier's technical specialists includes electrical engineering, systems engineering, computer programming, safety validation and verification, relevant regulatory requirements, complex performance simulation, tests, and commissioning experience.

B. Which, if any, civil service class(es) normally perform(s) this work? 1044, IS Engineer-Principal; 1070, IS Project Director;

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain:  
Yes. The contractor will procure on behalf of SFMTA network switches, sensors, and LRV Location devices.

## **4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

Due to the proprietary nature of these software systems, City personnel does not have access to the trade-secret software source code or design of specialized technical solutions. There are no applicable civil service classes that can perform this work.

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

- A. Explain why civil service classes are not applicable.

Due to the proprietary nature of the software system, City personnel does not have access to the trade-secret software source code or design of specialized technical solutions.

- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. Due to the temporary need for services to assist with the completion of this short-term proof of concept, it is not practical to adopt a new civil service class to perform the highly specialized nature of the work.

**6. Additional Information**

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.  
No.

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

No. The contractor will not deliver formal training as part of the PoC. Documentation to be provided will include operational, installation, and maintenance processes and procedures. his deliverable will be used for training at a later stage if SFMTA decided to implement in either pilot or production.

- C. Are there legal mandates requiring the use of contractual services?  
No.

- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
No.

- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
No.

- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.  
No.

**7. Union Notification:** On 06/08/2020, the Department notified the following employee organizations of this PSC/RFP request:

Prof & Tech Eng, Local 21; Professional & Tech Engrs, Local 21

☒ I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Amy NUQUE Phone: 415-646-2802 Email: amy.nuque@sfmta.com

Address: 1 S Van Ness Ave HR ELR, 6th Fl, 6029

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 40839 - 19/20

DHR Analysis/Recommendation:

Commission Approval Required

DHR Approved for 08/03/2020

Civil Service Commission Action:

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

## Nuque, Amy

---

**From:** dhr-psccordinator@sfgov.org on behalf of amy.nuque@sfmta.com  
**Sent:** Monday, June 8, 2020 9:40 AM  
**To:** Nuque, Amy; WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; kschumacher@ifpte21.org; pkim@ifpte21.org; amakayan@ifpte21.org; L21PSCReview@ifpte21.org; Nuque, Amy; DHR-PSCCoordinator, DHR (HRD)  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 40839 - 19/20

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

RECEIPT for Union Notification for PSC 40839 - 19/20 more than \$100k

The MUNICIPAL TRANSPORTATION AGENCY -- MTA has submitted a request for a Personal Services Contract (PSC) 40839 - 19/20 for \$1,500,000 for Initial Request services for the period 08/31/2020 – 06/30/2021. Notification of 30 days (60 days for SEIU) is required.

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

<http://apps.sfgov.org/dhrdrupal/node/15019> For union notification, please see the TO: field of the email to verify receipt. If you do not see all the unions you intended to contact, the PSC Coordinator must change the state back to NOT READY, make sure the classes and unions you want to notify are selected and SAVE. Then VIEW the record and verify the list of unions and emails. EDIT the document again , change the state back START UNION NOTIFICATION and SAVE. You should receive the email with all unions to the TO: field as intended



PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC UTILITIES COMMISSION -- PUC

Dept. Code: PUC

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

Type of Approval: ☐ Expedited ☒ Regular ☐ Annual ☐ Continuing ☐ (Omit Posting)

Type of Service: Engineering Services for Millbrae Yard Laboratory and Shop Improvements(PRO.0186)

Funding Source: Water Enterprise Capital Budget

PSC Duration: 8 years

PSC Amount: \$7,500,000

**1. Description of Work**

**A. Scope of Work/Services to be Contracted Out:**

The consultant will be requested to provide architectural, civil, structural, electrical, mechanical, and other specialized engineering services in the planning and design, and support during construction of a new administration and laboratory buildings, maintenance shop, materials and equipment storage structures, and as-needed improvements of the existing facilities within the Millbrae Yard campus for the Millbrae Yard Lab and Shop project. The work will address shortage of program space for Water Enterprise staff, increase efficiency of operations, improve employee working environment, improve employee health and safety, and enhance site and building security.

The specialized engineering services include geotechnical, campus utility, lighting, acoustical, laboratory, vertical, system integration, communications, Leadership in Energy and Environmental Design (LEED), interior and furniture, furnishings and equipment (FF&E), fire protection, and other services.

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

The San Francisco Public Utilities Commission (SFPUC) is working on the Water System Improvement Program (WSIP), Sewer System Improvement Program (SSIP) and Capital Improvement Program (CIP). The engineering workload has substantially increased and consultants are needed to meet peak workload demands for planning, engineering design and construction support services on projects. Also, this project requires special expertise in design and in particular, the administration and laboratory buildings, which is not available from City employees. Therefore, disapproval of this contract will deny the SFPUC staff to work in facilities that will provide with state of the art safety and security features that will result in an improved and efficient working environment. City staff will be utilized to lead, manage, and provide engineering and construction management support from planning to project completion of through a project manager, project engineer, engineers, architects, construction inspectors, office engineer and resident engineer.

**C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.**

Previous similar contract PSC# 47941 18/19 - Agreement No. PRO.0120 for Engineering Services for Sunol Valley Water Treatment Plant (SVWTP) Ozonation and Improvements

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

No.

- E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why.

A project of this magnitude and complexity requires an eight year contract. The planning phase will be 1.5 years and includes a Conceptual Engineering Report. The design phase will be 1.5 years and includes 35, 65, 95 and 100% design milestones with presentations at each milestone, preparation of Civic Design Review documents, engineer's estimates and construction schedules and documents needed for the California Environmental Quality Act (CEQA) process. The bid and award phase will be 0.5 year and includes addendum preparation, review of Question of Bid Documents (QBD's), review of bids and participation in pre-construction meetings and activities. The construction phase will be 2.5 years and includes construction support services, review of Requests for Information (RFI), Submittals and Requests for Substitutions, attend weekly construction meetings, attend site visits, prepare designs related to change orders or RFI's, and preparation of an Operations and Maintenance (O&M) plan for the facility. The closeout phase will be 0.5 year and will include review of closeout documents, preparation of as-built drawings and closeout reports.

## **2. Reason(s) for the Request**

- A. Indicate all that apply (be specific and attach any relevant supporting documents):

- ☒ Short-term or capital projects requiring diverse skills, expertise and/or knowledge.
- ☒ Services required on an as-needed, intermittent, or periodic basis (e.g., peaks in workload).

- B. Explain the qualifying circumstances:

As stated above, this project requires special expertise in design and in particular, the administration and laboratory buildings, which is not available from City employees.

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

- A. Specify required skills and/or expertise: Experienced professional architects and engineers in the architectural, civil, structural, electrical, mechanical, and other specialized engineering services for a new administration and laboratory buildings, and maintenance shop. The specialized engineering services include geotechnical, campus utility, lighting, acoustical, laboratory, vertical, system integration, communications, Leadership in Energy and Environmental Design (LEED), interior and furniture, furnishings and equipment (FF&E), fire protection, and other services. Design support services during the construction phase are needed to review RFI's, RFS' and submittals, address design changes and prepare operations and maintenance plans and as-built CAD drawings.
- B. Which, if any, civil service class(es) normally perform(s) this work? 5203, Asst Engr; 5207, Assoc Engineer; 5241, Engineer; 5265, Architectural Associate 1; 5266, Architectural Associate 2; 5268, Architect;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: No.

## **4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

The department has contacted the architectural, engineering and construction management bureaus within the SF Public Utilities Commission and SF Public Works, and requested for support needed for the project. The managers have responded that City resources possess limited knowledge and experience needed to provide the specialized design and professional support services for work in laboratories. Also, the managers have responded that their current resources are not available to perform the work. City resources will be utilized for

various scope based on availability and the project schedule. City staff will fill the roles of project management and project engineering, architectural design, landscape design, civil design, structural design, mechanical design, and electrical design team based on availability and the project schedule.

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

- A. Explain why civil service classes are not applicable.

The project requires special expertise particularly in administration and laboratory buildings design, which is not available from City employees.

- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. No. The specialized engineering expertise required for the project is not normally needed for projects and the level of resources needed is not long term. Adopting a new class for these specialized areas is not feasible.

**6. Additional Information**

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.  
No.

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

Yes. Yes. In-house architectural and engineering staff will gain valuable knowledge and experience on this project. In addition to the knowledge transfer that will be provided as a result of working closely with the award firm, the consultant will also provide brown bag lunch presentations (one hour each) throughout the term of the project. The target audience will be Water Enterprise, EMB, PMB and SFPW-Architectural staff. Planned topics will include in depth presentations on administration, laboratory, campus utility, vertical transportation, furniture, furnishings and equipment (FF&E), Leadership in Energy and Environmental Design (LEED), resilience, facility operation and startup, and system integration design. These topics will benefit both the team directly assigned to the project, as well as additional staff across multiple departments.

- C. Are there legal mandates requiring the use of contractual services?  
No.

- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
No.

- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
No.

- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.  
No.

**7. Union Notification:** On 06/05/2020, the Department notified the following employee organizations of this PSC/RFP request:

Architect & Engineers, Local 21; Prof & Tech Eng, Local 21; Professional & Tech Engrs, Local 21

☐ I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Bill Irwin Phone: 415-934-3975 Email: wirwin@sfgwater.org

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

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 47852 - 19/20

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 08/03/2020

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

**From:** [dhr-psccordinator@sfgov.org](mailto:dhr-psccordinator@sfgov.org) on behalf of [wirwin@sfgwater.org](mailto:wirwin@sfgwater.org)  
**To:** [Irwin, William](mailto:Irwin.William@sfpte21.org); [amakayan@sfpte21.org](mailto:amakayan@sfpte21.org); [ecassidy@sfpte21.org](mailto:ecassidy@sfpte21.org); [WendyWong26@yahoo.com](mailto:WendyWong26@yahoo.com); [wendywong26@yahoo.com](mailto:wendywong26@yahoo.com); [tmathews@sfpte21.org](mailto:tmathews@sfpte21.org); [kschumacher@sfpte21.org](mailto:kschumacher@sfpte21.org); [kpage@sfpte21.org](mailto:kpage@sfpte21.org); [eerbach@sfpte21.org](mailto:eerbach@sfpte21.org); [pkim@sfpte21.org](mailto:pkim@sfpte21.org); [L21PSCReview@sfpte21.org](mailto:L21PSCReview@sfpte21.org); [Irwin, William](mailto:Irwin.William@sfpte21.org); [DHR-PSCCoordinator, DHR \(HRD\)](mailto:DHR-PSCCoordinator@sfpte21.org)  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 47852 - 19/20  
**Date:** Friday, June 5, 2020 2:29:50 PM

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CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

RECEIPT for Union Notification for PSC 47852 - 19/20 more than \$100k

The PUBLIC UTILITIES COMMISSION -- PUC has submitted a request for a Personal Services Contract (PSC) 47852 - 19/20 for \$7,500,000 for Initial Request services for the period 11/01/2020 – 10/31/2028. Notification of 30 days (60 days for SEIU) is required.

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

<http://apps.sfgov.org/dhrdrupal/node/15008> For union notification, please see the TO: field of the email to verify receipt. If you do not see all the unions you intended to contact, the PSC Coordinator must change the state back to NOT

READY, make sure the classes and unions you want to notify are selected and SAVE. Then VIEW the record and verify the list of unions and emails. EDIT the document again , change the state back START UNION NOTIFICATION and SAVE. You should receive the email with all unions to the TO: field as intended

## **Additional Attachment(s)**

## PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC UTILITIES COMMISSION -- PUCDept. Code: PUCType of Request: ☒ Initial ☐ Modification of an existing PSC (PSC # \_\_\_\_\_)Type of Approval: ☐ Expedited ☒ Regular ☐ Annual ☐ Continuing ☐ (Omit Posting)Type of Service: Engineering Services for Sunol Valley Water Treatment Plant Long Term Taste & Odor (PRO.0120)Funding Source: SFPUC Water Enterprise CIPPSC Amount: \$19,000,000PSC Est. Start Date: 10/01/2019PSC Est. End Date 10/01/2026**1. Description of Work****A. Scope of Work/Services to be Contracted Out:**

SFPUC civil, structural, electrical; process, mechanical, and other specialized engineering services in the design and support during construction of a new raw water ozonation system, flocculant aid polymer system, and various needed upgrades at SFPUC's Sunol Valley Water Treatment Plant (SVWTP) to address long-term taste and odor issues and plant reliability. Major plant upgrades include new cryogenic oxygen tanks, liquid oxygen vaporizers, ozone generators, ozone injectors, an ozone contactor, an ozone building, an ozone destruct system, electrical power facilities, backup power facilities, polymer mixing skids, polymer aging tanks, transfer pumps, polymer building, associated piping/appurtenances, and associated automatic controls (I&C), modifications to various existing facilities and systems, and power generation consisting of solar panels atop the Treated Water Reservoir and nearby SVWTP facilities to offset the increased power load.

The scope also includes an upgrade to the Calaveras high voltage substation to accommodate increasing power needs brought on by the new ozonation system and various facility upgrades within the Sunol Valley and services of Technical Advisory Panels to review and provide expert opinion and recommendations during design and construction.

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

SFPUC is working on the Water System Improvement Program (WSIP), Sewer System Improvement Program (SSIP) and Capital Improvement Program (CIP). The engineering workload has substantially increased and consultants are needed to meet peak workload demands for planning, engineering design and construction support services on projects. This project requires special expertise in water treatment plant design and in particular, the raw water ozonation system, which is not available from City employees. The project is also on a tight schedule for completion due to the Hetch Hetchy shutdowns and the need to have a long-term taste and odor system in place. If these services are not available, the project will not be completed to the highest quality and meet the project schedule. There is substantially more work than can be completed with in-house engineers within the planned schedule. Also, some of the services require expertise which is not available from City employees.

**C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.**

Previous similar contracts include Agreement No. CS-879 (Engineering Project Design Services) for the Water System Improvement Program projects. The PSC No. for this Agreement is 4004-07/08.

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

No.



- E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why.

A project of this magnitude and complexity requires a seven-year contract. The planning phase will be 1.5 years and includes a Conceptual Engineering Report. The design phase will be 2 years and includes 35, 65, 95 and 100% design milestones with presentations at each milestone, preparation of Civic Design Review documents, engineer's estimates and construction schedules and documents needed for the California Environmental Quality Act (CEQA) process. The bid and award phase will be .5 years and includes addendum preparation, review of Question of Bid Documents (QBD's), review of bids and participation in preconstruction meetings and activities. The construction phase will be 2.5 years and includes construction support services, review of Requests for Information (RFI), Submittals and Requests for Substitutions, attend weekly construction meetings, attend site visits, prepare designs related to change orders or RFI's, and preparation of an Operations and Maintenance (O&M) plan for the facility. The closeout phase will be .5 years and will include review of closeout documents, preparation of as-built Computer-Aided Design (CAD) drawings and closeout reports. In the event there are design or construction delays and/or follow-up sub projects, consultant services will be needed for design and construction support work, pushing the duration past the 6-year mark.

## 2. Reason(s) for the Request

- A. Indicate all that apply (be specific and attach any relevant supporting documents):

- ☒ Short-term or capital projects requiring diverse skills, expertise and/or knowledge.
- ☒ Services required on an as-needed, intermittent, or periodic basis (e.g., peaks in workload).

- B. Explain the qualifying circumstances:

As stated in Section 1B, this project requires special expertise in water treatment plant design and the ozonation process, which is not available from City employees. The project is also on a tight schedule for completion due to the Hetch Hetchy shutdowns and need to have taste and odor control systems installed prior to the shutdowns.

## 3. Description of Required Skills/Expertise

- A. Specify required skills and/or expertise: Experienced professional engineers in the structural, electrical, power, process, mechanical and civil disciplines during the design and construction phases of the new raw water ozonation system, substation upgrades and SVWTP improvements are needed. Areas of specialized engineering experience are needed for the ozonation and high voltage systems. In addition, process modifications downstream of the raw water ozonation process requires expertise in water treatment design. Design support services during the construction phase are needed to review RFI's, RFS' and submittals, address design changes and prepare operations and maintenance plans and as-built CAD drawings.
- B. Which, if any, civil service class(es) normally perform(s) this work? 5203, Asst Engr; 5207, Assoc Engineer; 5241, Engineer;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: No.

## 4. If applicable, what efforts has the department made to obtain these services through available resources within the City?

City resources will be utilized for various scope based on availability and the project schedule.

## 5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out

- A. Explain why civil service classes are not applicable.
- The project requires special expertise in Ozonation and water treatment design, which is not available from City employees.

- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. No. The specialized engineering expertise required for the project is not normally needed for projects and the level of resources needed is not long term. Adopting a new class for these specialized areas is not feasible.

**6. Additional Information**

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.  
No.
- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.  
Yes. In-house engineering staff will gain valuable knowledge and experience on this project. In addition to the knowledge transfer that will be provided as a result of working closely with the award firm, the consultant will also provide brown bag lunch presentations (one-hour each) throughout the term of the project. The target audience will be Water Enterprise, EMB and PMB staff. Planned topics will include in depth presentations on treatment technologies, facility operation and start-up, BIM, and/or lessons learned. These topics will benefit both the team directly assigned to the project, as well as additional staff across multiple departments.
- C. Are there legal mandates requiring the use of contractual services?  
No.
- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
No.
- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
No.
- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.  
No.

**7. Union Notification:** On 03/22/2019, the Department notified the following employee organizations of this PSC/RFP request:

Architect & Engineers, Local 21; Prof & Tech Eng, Local 21; Professional & Tech Engrs, Local 21

☐ I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Bill Irwin Phone: 415-934-3975 Email: wirwin@sfgwater.org

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

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 47941 - 18/19

DHR Analysis/Recommendation:

action date: 05/20/2019

Commission Approval Required

Approved by Civil Service Commission

05/20/2019 DHR Approved for 05/20/2019

# **Modification**

## **Personal Services Contracts**

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: POLICE

Dept. Code: POL

Type of Request: ☐ Initial ☒ Modification of an existing PSC (PSC # 45402 - 17/18)

Type of Approval: ☐ Expedited ☒ Regular ☐ Annual ☐ Continuing ☐ (Omit Posting)

Type of Service: Automated Biometric Identification System Maintenance and Upgrades

Funding Source: Automated Fingerprinting ID Funds

PSC Original Approved Amount: \$5,000,000

PSC Original Approved Duration: 05/01/18 - 10/31/27 (9 years 26 weeks)

PSC Mod#1 Amount: no amount added

PSC Mod#1 Duration: 05/01/19-10/31/28 (1 year 1 day)

PSC Cumulative Amount Proposed: \$5,000,000

PSC Cumulative Duration Proposed: 10 years 26 weeks

**1. Description of Work**

**A. Scope of Work/Services to be Contracted Out:**

The Contractor will provide hardware and software maintenance and scheduled equipment replacement/upgrades for the San Francisco Police Department's (SFPD) Automated Biometric Identification System (ABIS). The ABIS includes investigative workstations, livescan machines, fingerprinting, palm print recognition and facial recognition systems.

**Scope Change**

The San Francisco Police Department will not purchase or use any of the contractor's facial recognition equipment or services.

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

An Automated Biometric Identification System (ABIS) is critical to solving crime for the SFPD. If maintenance and upgrades are denied, the ABIS will not be reliable to operate on a necessary 24/7/365 schedule.

**C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.**

Services have been provided in the past through earlier PSC request. See 45402 - 17/18

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

Unknown at this time.

**E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why:**

This contractor will provide maintenance and scheduled replacement/upgrades of the San Francisco Police Department's Automated Biometric Identification System (ABIS) used for fingerprinting and palm print recognition. This system replaced the City's Automated

Fingerprinting Identification System in 2010. It is anticipated the current system will have a useful life of at least an additional ten years.

**2. Reason(s) for the Request**

A. Display all that apply

☒ Services that require resources that the City lacks (e.g., office space, facilities or equipment with an operator).

Explain the qualifying circumstances:

The contractor will provide proprietary equipment that needs to be maintained by contractor in order to be valid.

B. Reason for the request for modification:  
scope change

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

A. Specify required skills and/or expertise: Specialized training, knowledge and skill of the vendor's proprietary ABIS.

B. Which, if any, civil service class(es) normally perform(s) this work? 1043, IS Engineer-Senior;

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes. Proprietary replacement equipment is only available by contractor.

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

Not Applicable

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

A. Explain why civil service classes are not applicable.

This is a proprietary system. If is not maintained and upgraded by the vendor that manufactures it, then all warranties would be void. SFPD Technology staff will work closely with the vendor to support the system.

B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain: No. This is a proprietary system. If is not maintained and upgraded by the vendor that manufactures it, then all warranties would be void. SFPD Technology staff will work closely with the vendor to support the system.

**6. Additional Information**

A. Will the contractor directly supervise City and County employee? If so, please include an explanation.

No.

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

The contractor will provide system support training to technology staff.

- C. Are there legal mandates requiring the use of contractual services?  
No.
- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
No.
- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
No.
- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.  
No.

**7. Union Notification:** On 06/29/20, the Department notified the following employee organizations of this PSC/RFP request:

Architect & Engineers, Local 21;

☒ I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Genie Wong Phone: (415) 837-7208 Email: Genie.Wong@sfgov.org

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

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 45402 - 17/18

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 08/03/2020

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

**From:** [dhr-psccordinator@sfgov.org](mailto:dhr-psccordinator@sfgov.org) on behalf of [Genie.Wong@sfgov.org](mailto:Genie.Wong@sfgov.org)  
**To:** [Wong, Genie \(POL\); ecassidy@ifpte21.com; WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; kschumacher@ifpte21.org; kpage@ifpte21.org; eerbach@ifpte21.org; pkim@ifpte21.org; L21PSCReview@ifpte21.org; DHR-PSCCoordinator, DHR \(HRD\)](mailto:Wong, Genie (POL); ecassidy@ifpte21.com; WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; kschumacher@ifpte21.org; kpage@ifpte21.org; eerbach@ifpte21.org; pkim@ifpte21.org; L21PSCReview@ifpte21.org; DHR-PSCCoordinator, DHR (HRD))  
**Subject:** Receipt of Modification Request to PSC # 45402 - 17/18 - MODIFICATIONS  
**Date:** Monday, June 29, 2020 2:58:43 PM

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PSC RECEIPT of Modification notification sent to Unions and DHR

The POLICE -- POL has submitted a modification request for a Personal Services Contract (PSC) for \$0 for services for the period May 1, 2019 – October 31, 2028. For all Modification requests, there is a 7-Day noticed to the union(s) prior to DHR Review.

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

After logging into the system please select link below:

<http://apps.sfgov.org/dhrdrupal/node/15184>

Email sent to the following addresses: [L21PSCReview@ifpte21.org](mailto:L21PSCReview@ifpte21.org)  
[pkim@ifpte21.org](mailto:pkim@ifpte21.org)  
[eerbach@ifpte21.org](mailto:eerbach@ifpte21.org) [kpage@ifpte21.org](mailto:kpage@ifpte21.org) [kschumacher@ifpte21.org](mailto:kschumacher@ifpte21.org)  
[tmathews@ifpte21.org](mailto:tmathews@ifpte21.org) [wendywong26@yahoo.com](mailto:wendywong26@yahoo.com) [WendyWong26@yahoo.com](mailto:WendyWong26@yahoo.com)  
[ecassidy@ifpte21.com](mailto:ecassidy@ifpte21.com)



## **Additional Attachment(s)**

## PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: POLICE -- POLDept. Code: POLType of Request: ☒ Initial ☐ Modification of an existing PSC (PSC # \_\_\_\_\_)Type of Approval: ☐ Expedited ☒ Regular ☐ Annual ☐ Continuing ☐ (Omit Posting)Type of Service: Automated Biometric Identification System Maintenance and UpgradesFunding Source: Automated Fingerprinting ID FundsPSC Duration: 9 years 26 weeksPSC Amount: \$5,000,000**1. Description of Work****A. Scope of Work/Services to be Contracted Out:**

The Contractor will provide hardware and software maintenance and scheduled equipment replacement/upgrades for the San Francisco Police Department's (SFPD) Automated Biometric Identification System (ABIS). The ABIS includes investigative workstations, livescan machines, fingerprinting, palm print recognition and facial recognition systems.

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

An Automated Biometric Identification System (ABIS) is critical to solving crime for the SFPD. If maintenance and upgrades are denied, the ABIS will not be reliable to operate on a necessary 24/7/365 schedule.

**C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.**

This service was provided by approved PSC 4125-09/10.

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

Unknown at this time.

**E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why.**

This contractor will provide maintenance and scheduled replacement/upgrades of the San Francisco Police Department's Automated Biometric Identification System (ABIS) used for fingerprinting and palm print recognition. This system replaced the City's Automated Fingerprinting Identification System in 2010. It is anticipated the current system will have a useful life of at least an additional ten years.

**2. Reason(s) for the Request****A. Indicate all that apply (be specific and attach any relevant supporting documents):**

☒ Services that require resources that the City lacks (e.g., office space, facilities or equipment with an operator).

**B. Explain the qualifying circumstances:**

The contractor will provide proprietary equipment that needs to be maintained by contractor in order to be valid.

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

- A. Specify required skills and/or expertise: Specialized training, knowledge and skill of the vendor's proprietary ABIS.
- B. Which, if any, civil service class(es) normally perform(s) this work? 1043, IS Engineer-Senior;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain:  
Yes. Proprietary replacement equipment is only available by contractor.

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

Current technology staff work with the vendor to support the ABIS system. However, due to the proprietary nature of the system, all warranties and maintenance would be void unless specialized maintenance and upgrades are performed by the vendor.

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

- A. Explain why civil service classes are not applicable.  
This is a proprietary system. If is not maintained and upgraded by the vendor that manufactures it, then all warranties would be void. SFPD Technology staff will work closely with the vendor to support the system.
- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. No. This is a proprietary system. If is not maintained and upgraded by the vendor that manufactures it, then all warranties would be void. SFPD Technology staff will work closely with the vendor to support the system.

**6. Additional Information**

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.  
No.
- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contact? If so, please explain what that will entail; if not, explain why not.  
Yes. The contractor will provide system support training to technology staff.
- C. Are there legal mandates requiring the use of contractual services?  
No.
- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
No.
- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
No.
- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.  
No.

**7. Union Notification:** On 03/26/2018, the Department notified the following employee organizations of this PSC/RFP request:  
Architect & Engineers, Local 21

☒ I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Genie Wong Phone: (415) 837-7208 Email: Genie.Wong@sfgov.org

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

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 45402 - 17/18

DHR Analysis/Recommendation:

action date: 05/21/2018

Commission Approval Required

Approved by Civil Service Commission with conditions

05/21/2018 DHR Approved for 05/21/2018

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: RECREATION AND PARK COMMISSION

Dept. Code: REC

Type of Request: ☐ Initial ☒ Modification of an existing PSC (PSC # 45873 - 14/15)

Type of Approval: ☐ Expedited ☒ Regular ☐ Annual ☐ Continuing ☐ (Omit Posting)

Type of Service: Architecture and Engineering Services

Funding Source: Capital Funds

PSC Original Approved Amount: \$1,200,000

PSC Original Approved Duration: 01/01/15 - 01/01/20 (5 years 1 day)

PSC Mod#1 Amount: \$1,300,000

PSC Mod#1 Duration: 06/26/20-12/31/21 (2 years)

PSC Cumulative Amount Proposed: \$2,500,000

PSC Cumulative Duration Proposed: 7 years 1 day

**1. Description of Work**

**A. Scope of Work/Services to be Contracted Out:**

Provide full Architectural and Engineering (A/E) services for the Garfield Pool Renovation. This includes all services necessary for schematic design phase, design development, participation in presentations to stakeholders. In addition, complete construction documents for permitting, all services required for the construction administration phase and project closeout. A/E firm shall also provide cost estimating services during the course of the project.

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

This service is a necessary part of the voter approved implementation of the 2012 Clean & Safe Neighborhood Parks Bond. Failure to approve will put a halt to the project as DPW staff do not have aquatic facility design experience required.

**C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.**

The City owns 9 pools and renovations are rarely needed - not sure of any other approved work other than this original PSC

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

No.

**E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why:**

Pool renovation projects are historically long in planning, design and construction. This effort will continue through construction phase, but should not be longer than 5 years.

**2. Reason(s) for the Request**

**A. Display all that apply**

☒ Short-term or capital projects requiring diverse skills, expertise and/or knowledge.

- ☒ Services required on an as-needed, intermittent, or periodic basis (e.g., peaks in workload).

Explain the qualifying circumstances:

Expertise required for this work is rarely needed. There are 9 pools owned by the City and they are intermittently/rarely needing renovations.

B. Reason for the request for modification:

Request to add time (extend end date to 12/31/21) and funds (\$2,500,000.) This is to extend the construction administration.

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

- A. Specify required skills and/or expertise: A/E services include Civil, Landscape, Structural, Mechanical, Electrical, specification writing & cost estimating throughout the permit and bidding, Construction Administration and Warranty Phases.
- B. Which, if any, civil service class(es) normally perform(s) this work? 5203, Asst Engr; 5211, Eng/Arch/Landscape Arch Sr; 5212, Engineer/Architect Principal; 5214, Building Plans Engineer; 5268, Architect;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: No.

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

Not Applicable

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

- A. Explain why civil service classes are not applicable.  
The Recreation and Park Department is embarking on a new programmatic philosophy in our Aquatics centers, hence seeking out firms with appropriate experience in new trends in the Aquatic industry to suit our goals and a new approach to integrated design, including hydrothermal performance of aquatic facilities, i.e. moisture movement, thermal comfort and indoor air quality. Current Department of Public Works staff does not possess the experience in aquatic facility design to provide support for this effort.
- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain: No, as outlined in 4A, Recreation and Park Department is seeking a design firm to achieve this need. This is a niche project and not often needed by the department.

**6. Additional Information**

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.  
No.
- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.

In general, the Recreationa nd Park Department utilizes Department of Public Works staff for architecture and engineering related services. Pool design services is of a specialized nature, and we do not embark on pool renovations enough to warrant in-house training in this discipline.

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

No.

D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.

No.

E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.

No.

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

No.

**7. Union Notification:** On 06/26/20, the Department notified the following employee organizations of this PSC/RFP request:

Architect & Engineers, Local 21;

☒ I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Sean McFadden Phone: 415 831 2779 Email: sean.mcfadden@sfgov.org

Address: 501 Stanyan Street, San Francisco, CA 94117

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 45873 - 14/15

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 08/03/2020

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



Receipt of Modification Request to PSC # 45873 - 1415 - MODIFICATIONS - Notepad

File Edit Format View Help

From: dhr-psccordinator@sfgov.org on behalf of sean.mcfadden@sfgov.org  
Sent: Friday, June 26, 2020 11:47 AM  
To: McFadden, Sean (REC); ecassidy@ifpte21.com; WendyWong26@yahoo.com;  
wendywong26@yahoo.com; tmathews@ifpte21.org; kschumacher@ifpte21.org; kpage@ifpte21.org;  
eerbach@ifpte21.org; pkim@ifpte21.org; L21PSCReview@ifpte21.org; DHR-PSCCoordinator, DHR (HRD)  
Subject: Receipt of Modification Request to PSC # 45873 - 14/15 - MODIFICATIONS

PSC RECEIPT of Modification notification sent to Unions and DHR

The RECREATION AND PARK COMMISSION -- REC has submitted a modification request for a Personal Services Contract (PSC) for \$1,300,000 for services for the period June 26, 2020 - December 31, 2021. For all Modification requests, there is a 7-Day noticed to the union(s) prior to DHR Review.

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

After logging into the system please select link below:

<http://apps.sfgov.org/dhrdrupal/node/15025>

Email sent to the following addresses: L21PSCReview@ifpte21.org pkim@ifpte21.org  
eerbach@ifpte21.org kpage@ifpte21.org kschumacher@ifpte21.org tmathews@ifpte21.org  
wendywong26@yahoo.com WendyWong26@yahoo.com ecassidy@ifpte21.com

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## **Additional Attachment(s)**

## PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: RECREATION AND PARK COMMISSION -- RECDept. Code: RECType of Request: ☒ Initial ☐ Modification of an existing PSC (PSC # \_\_\_\_\_)Type of Approval: ☐ Expedited ☒ Regular ☐ Annual ☐ Continuing ☐ (Omit Posting)Type of Service: Architecture and Engineering ServicesFunding Source: Capital FundsPSC Amount: \$1,200,000PSC Est. Start Date: 01/01/2015PSC Est. End Date 01/01/2020**1. Description of Work****A. Scope of Work/Services to be Contracted Out:**

Provide full Architectural and Engineering (A/E) services for the Garfield Pool Renovation. This includes all services necessary for schematic design phase, design development, participation in presentations to stakeholders. In addition, complete construction documents for permitting, all services required for the construction administration phase and project closeout. A/E firm shall also provide cost estimating services during the course of the project.

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

This service is a necessary part of the voter approved implementation of the 2012 Clean & Safe Neighborhood Parks Bond. Failure to approve will put a halt to the project as DPW staff do not have aquatic facility design experience required.

**C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.**

These services have been provided in the past through the Bureau of Architecture and private consultants. An example is Balboa Pool Renovation Project PSC #4046 13/14 for ELS/Kuth Ranieri Joint Venture

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

No.

**E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why.**

Pool renovation projects are historically long in planning, design and construction. This effort will continue through construction phase, but should not be longer than 5 years.

**2. Reason(s) for the Request****A. Indicate all that apply (be specific and attach any relevant supporting documents):**

☒ Short-term or capital projects requiring diverse skills, expertise and/or knowledge.

☒ Services required on an as-needed, intermittent, or periodic basis (e.g., peaks in workload).

**B. Explain the qualifying circumstances:**

Expertise required for this work is rarely needed. There are 9 pools owned by the City and they are intermittently/rarely needing renovations.

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

- A. Specify required skills and/or expertise: A/E services include Civil, Landscape, Structural, Mechanical, Electrical, specification writing & cost estimating throughout the permit and bidding, Construction Administration and Warranty Phases.
- B. Which, if any, civil service class(es) normally perform(s) this work? 5203, Asst Engr; 5211, Eng/Arch/Landscape Arch Sr; 5212, Engineer/Architect Principal; 5214, Building Plans Engineer; 5268, Architect;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: No.

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

The Recreation and Park Department is embarking on a new programmatic philosophy in our Aquatics centers, hence seeking out firms with appropriate experience in new trends in the Aquatic industry to suit our goals and a new approach to integrated design, including hydrothermal performance of aquatic facilities, i.e. moisture movement, thermal comfort and indoor air quality. Current City employees do not have the appropriate experience and specific expertise in this area.

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

- A. Explain why civil service classes are not applicable.  
The Recreation and Park Department is embarking on a new programmatic philosophy in our Aquatics centers, hence seeking out firms with appropriate experience in new trends in the Aquatic industry to suit our goals and a new approach to integrated design, including hydrothermal performance of aquatic facilities, i.e. moisture movement, thermal comfort and indoor air quality. Current Department of Public Works staff does not possess the experience in aquatic facility design to provide support for this effort.
- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. No, as outlined in 4A, Recreation and Park Department is seeking a design firm to achieve this need. This is a niche project and not often needed by the department.

**6. Additional Information**

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.  
No.
- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.  
No.
- C. Are there legal mandates requiring the use of contractual services?  
No.
- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
No.
- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
No.
- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.  
No.

**7. Union Notification:** On 10/15/2014, the Department notified the following employee organizations of this PSC/RFP request:  
Architect & Engineers, Local 21

☒ I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Sean McFadden Phone: 415 831 2779 Email: sean.mcfadden@sfgov.org

Address: 501 Stanyan Street San Francisco, CA 94117

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 45873 - 14/15

DHR Analysis/Recommendation:

action date: 01/05/2015

Commission Approval Required

Approved by Civil Service Commission

01/05/2015 DHR Approved for 01/05/2015

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC HEALTH

Dept. Code: DPH

Type of Request: ☐ Initial ☒ Modification of an existing PSC (PSC # 46987 - 16/17)

Type of Approval: ☐ Expedited ☒ Regular ☐ Annual ☐ Continuing ☐ (Omit Posting)

Type of Service: Mental Health Services for Children, Youth and Families

Funding Source: Medi-Cal, State Rlgmt, Genl Fund

PSC Original Approved Amount: \$75,000,000

PSC Original Approved Duration: 07/01/17 - 06/30/22 (5 years)

PSC Mod#1 Amount: \$35,000,000

PSC Mod#1 Duration: no duration added

PSC Mod#2 Amount: \$123,200,000

PSC Mod#2 Duration: 07/01/22-06/30/27 (5 years 1 day)

PSC Cumulative Amount Proposed: \$233,200,000

PSC Cumulative Duration Proposed: 10 years 1 day

**1. Description of Work**

**A. Scope of Work/Services to be Contracted Out:**

Culturally appropriate mental health services for children, youth and their families will be provided by multiple contractors, which together form a System of Care to address the broad continuum of needs and illnesses presented by these clients. Services will include outpatient mental health services; educationally related mental health services, success, opportunity, achievement resiliency classrooms, classroom educational enrichment program, intensive supervision and clinical services, residential based mental health outpatient, mental health assessment therapy, collateral and community based wraparound services, specialty Mental Health services, community-based violence and trauma recovery services, community-based day treatment services, short term residential therapeutic programs, intensive treatment foster care and treatment foster care, day treatment services, intensive/day rehabilitative services, therapeutic behavioral services, therapeutic visitation services, and targeted case management.

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

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

**C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.**

yes

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

Yes, if funding is available.

- E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why:  
The Department expects the need for these services to continue.

**2. Reason(s) for the Request**

A. Display all that apply

☒ Services that require resources that the City lacks (e.g., office space, facilities or equipment with an operator).

Explain the qualifying circumstances:

The City does not have the facilities (including space for provision of services and offices), resources or capacity to provide these critical services for children, youth, and their families, which provide an integral part of the City's system of care.

B. Reason for the request for modification:

To extend term, with a corresponding increase in amount, to align with Request For Proposal duration and Board of Supervisors' approvals.

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

- A. Specify required skills and/or expertise: Contractors must have appropriately trained, licensed or certified staff and facilities which comply with applicable State laws and regulations, chiefly, California Welfare and Institutions Code Sect. 5000.
- B. Which, if any, civil service class(es) normally perform(s) this work? 2110, Medical Records Clerk; 2230, Physician Specialist; 2232, Senior Physician Specialist; 2305, Psychiatric Technician; 2320, Registered Nurse; 2328, Nurse Practitioner; 2552, Dir of Act, Therapy & Vol Svcs; 2574, Clinical Psychologist; 2585, Health Worker 1; 2586, Health Worker 2; 2587, Health Worker 3; 2588, Health Worker 4; 2589, Health Program Coordinator 1; 2591, Health Program Coordinator 2; 2593, Health Program Coordinator 3; 2706, Housekeeper/Food Service Clnr; 2822, Health Educator; 2908, Hospital Eligibility Worker; 2910, Social Worker; 2913, Program Specialist; 2915, Program Specialist Supervisor; 2920, Medical Social Worker; 2930, Psychiatric Social Worker; 2935, Sr Marriage, Fam & Cld Cnslr;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes. Contractors will maintain appropriate community facilities that are licensed and otherwise compliant with external funding and regulatory requirements for provision of contracted services.

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

Not Applicable

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

A. Explain why civil service classes are not applicable.

Community-based behavioral health contractors provide cultural expertise and linkages otherwise unavailable through Civil Service classifications. Civil Service staff work in partnership with contractors, which are mostly non-profit organizations, and through these collaborations the City is able to offer higher quality, more accessible mental health services to its residents.

- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain: No. Current existing classifications perform this work. However, demand exceeds the capacity at City facilities to provide these services, so that City uses contractors to meet as many of the clients' needs as possible.

**6. Additional Information**

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.  
No.
- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.  
These services do not include formal training for civil service staff, however, there may be knowledge transfer opportunities through civil service staff's ongoing work to coordinate with community based and other providers.
- C. Are there legal mandates requiring the use of contractual services?  
No.
- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
No.
- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
No.
- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.  
Please see list attached.

**7. Union Notification:** On 04/19/19, the Department notified the following employee organizations of this PSC/RFP request:

SEIU, Local 1021 (Staff Nurse & Per Diem Nurse); SEIU Local 1021; SEIU 1021 Miscellaneous; Professional & Tech Engrs, Local 21; Prof & Tech Eng, Local 21; Physicians and Dentists - 8CC; Management & Superv Local 21; Architect & Engineers, Local 21;

☒ I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

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

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

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 46987 - 16/17

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 08/03/2020



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

## Hale, Jacquie (DPH)

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**From:** dhr-psccordinator@sfgov.org on behalf of jacquie.hale@sfdph.org  
**Sent:** Friday, April 19, 2019 4:45 PM  
**To:** Hale, Jacquie (DPH); kcartermartinez@cirseiu.org; sarah.wilson@seiu1021.org; thomas.vitale@seiu1021.org; Sandeep.lal@seiu1021.me; leah.berlanga@seiu1021.org; Ricardo.lopez@sfgov.org; Basconcillo, Katherine (PUC); pcamarillo\_seiu@sbcglobal.net; Wendy.Frigillana@seiu1021.org; pscreview@seiu1021.org; ted.zarzecki@seiu1021.net; davidmkersten@gmail.com; ablood@cirseiu.org; xiumin.li@seiu1021.org; Poon, Sin Yee (HSA); david.canham@seiu1021.org; jtanner940@aol.com; amakayan@ifpte21.org; tjenkins@uapd.com; jduritz@uapd.com; ecassidy@ifpte21.org; WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; kschumacher@ifpte21.org; kpage@ifpte21.org; eerbach@ifpte21.org; pkim@ifpte21.org; L21PSCReview@ifpte21.org; DHR-PSCCoordinator, DHR (HRD)  
**Subject:** Receipt of Modification Request to PSC # 46987 - 16/17 - MODIFICATIONS

PSC RECEIPT of Modification notification sent to Unions and DHR

The PUBLIC HEALTH -- DPH has submitted a modification request for a Personal Services Contract (PSC) for \$123,200,000 for services for the period July 1, 2022 – June 30, 2027. For all Modification requests, there is a 7-Day noticed to the union(s) prior to DHR Review.

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

After logging into the system please select link below:

<http://apps.sfgov.org/dhrdrupal/node/11099>

Email sent to the following addresses: L21PSCReview@ifpte21.org pkim@ifpte21.org eerbach@ifpte21.org kpage@ifpte21.org kschumacher@ifpte21.org tmathews@ifpte21.org wendywong26@yahoo.com WendyWong26@yahoo.com ecassidy@ifpte21.org jduritz@uapd.com tjenkins@uapd.com amakayan@ifpte21.org jtanner940@aol.com david.canham@seiu1021.org Sin.Yee.Poon@sfgov.org xiumin.li@seiu1021.org ablood@cirseiu.org davidmkersten@gmail.com ted.zarzecki@seiu1021.net pscreview@seiu1021.org Wendy.Frigillana@seiu1021.org pcamarillo\_seiu@sbcglobal.net Kbasconcillo@sfgov.org Ricardo.lopez@sfgov.org leah.berlanga@seiu1021.org Sandeep.lal@seiu1021.me thomas.vitale@seiu1021.org sarah.wilson@seiu1021.org kcartermartinez@cirseiu.org

## **Additional Attachment(s)**



City and County of San Francisco  
London Breed, Mayor

## San Francisco Department of Public Health

Dr. Grant Colfax  
Director of Health

DATE: July 8, 2020

TO: Suzanne Choi, DHR PSC Coordinator

FROM: Jacquie Hale, DPH PSC Coordinator  
DPH Office of Contract Management and Compliance, DPH Business Office

RE: PSC 46987-16/17 – Modification 2 –  
Mental Health Services for Children, Youth and Families

This is to request that the above Personal Services Contract (PSC) modification be calendared for the August 3, 2020, meeting of the Civil Service Commission.

The Commission approved the first modification to this PSC on February 4, 2019, with the condition that we report back in a year and continue discussions with SEIU Local 1021. At that time, SEIU had requested copies of the contracts under this PSC, and we had not yet had the opportunity to provide copies of all contracts.

Prior to that approval, at its request, DPH had met with SEIU and responded to its questions. Subsequent to that approval, DPH sent some, but not all contracts to SEIU, on February 14, 2019.

On April 19, 2019, DPH then notified SEIU of its intent to submit this second modification, to extend the duration by 5 years. DPH subsequently submitted the PSC to DHR for review, but discovered that the extension was not yet needed, so we withdrew the PSC from DHR until the contracts were ready.

When the contract details were better known, DPH returned to preparing the PSC for re-submission to DHR with its report to the Commission in February 2020. Then, the COVID-19 pandemic began, priorities were changed, and it was again unclear as to how these contracts would be utilized.

As a result, in June 2020, in order to complete its response to SEIU prior to requesting calendaring of DHR again, DPH requested SEIU let us know how they would like to receive the copies of the contracts, as they are very large files of more than 20 contracts. DPH also asked SEIU that if it had any further questions about the PSC, to please send them in advance. This included three follow-up emails to SEIU. In its most recent response of June 15, 2020, SEIU stated that it was taking its review of the PSC through its internal process and would respond.

To date, we have not received a response, and we need to continue with the approval process.

We respectfully request your approval of this PSC modification, with our understanding that we will continue to respond to SEIU and to meet as requested, as well as reporting back to the Commission as needed.

Please let us know if you need further information. Thank you for your time and consideration.

PSC 46987-16/17 Mental Health Services for Children, Youth and Families  
List of Solicitations (RFPs and RFQs)

- RFP 33-2016 Continuum of Care Reform Services, Behavioral Health Network for Foster Care Youth
- RFP 1-2017 Mental Health Outpatient Treatment Services (Children, Youth and Families)
- RFQ 13-2017 Behavioral Health Services Children, Youth and Families Mental Health Treatment Support & Training Services
- RFP 11-2018 Crisis Stabilization Unit and Hospital Diversion

PSC 46987-16/17 Mental Health Services for Children, Youth and Families  
List of Contracts  
4/19/19

A Better Way, Inc.  
Alternative Family Services  
Bayview Hunters Point Foundation  
Brainstorm Tutoring  
Catholic Charities  
Center on Juvenile and Criminal Justice  
Community Youth Center  
Dignity Health St. Mary's Medical Center  
Edgewood Center for Children & Families  
Felton Institute/Family Service Agency  
Homeless Children's Network  
Instituto Familiar de la Raza  
Japanese Community Youth Center  
Jewish Family and Children's Services  
Mt. St. Joseph St. Elizabeth  
Oakes Children Center, Inc.  
Regents of UCSF (Child and Adolescent Services)  
Regents of UCSF (Child Trauma Research Program)  
Regents of UCSF (Infant Parent Program)  
Richmond Area Multi-Services (RAMS) (children)  
Safe & Sound  
Saint Francis Memorial Hospital  
Seneca Center  
Special Service for Groups, Inc - OTTP  
Unity Care  
Victor Treatment Center  
WestCoast Children's Clinic  
Westside Community Services  
YMCA

## PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC HEALTHDept. Code: DPH

Type of Request: ☐ Initial ☒ Modification of an existing PSC (PSC # 46987 - 16/17)

Type of Approval: ☐ Expedited ☒ Regular ☐ Annual ☐ Continuing ☐ (Omit Posting)

Type of Service: Mental Health Services for Children, Youth and FamiliesFunding Source: Medi-Cal, State Rlgmt, Genl FundPSC Original Approved Amount: \$75,000,000PSC Original Approved Duration: 07/01/17 - 06/30/22 (5 years)PSC Mod#1 Amount: \$35,000,000PSC Mod#1 Duration: no duration addedPSC Cumulative Amount Proposed: \$110,000,000 PSC Cumulative Duration Proposed: 5 years**1. Description of Work****A. Scope of Work/Services to be Contracted Out:**

Culturally appropriate mental health services for children, youth and their families will be provided by multiple contractors, which together form a System of Care to address the broad continuum of needs and illnesses presented by these clients. Services will include outpatient mental health services; educationally related mental health services, success, opportunity, achievement resiliency classrooms, classroom educational enrichment program, intensive supervision and clinical services, residential based mental health outpatient, mental health assessment therapy, collateral and community based wraparound services, specialty Mental Health services, community-based violence and trauma recovery services, community-based day treatment services, short term residential therapeutic programs, intensive treatment foster care and treatment foster care, day treatment services, intensive/day rehabilitative services, therapeutic behavioral services, therapeutic visitation services, and targeted case management.

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

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

**C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.**

yes

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

Yes, if funding is available.

**E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why:**



The Department expects the need to provide these Federal, State and General Fund supported services to provide behavioral health services to continue.

## **2. Reason(s) for the Request**

A. Display all that apply

☒ Services that require resources that the City lacks (e.g., office space, facilities or equipment with an operator).

Explain the qualifying circumstances:

The City does not have the facilities (including space for provision of services and offices), resources or capacity to provide these critical services for children, youth, and their families, which provide an integral part of the City's system of care.

B. Reason for the request for modification:  
increase amount

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

A. Specify required skills and/or expertise: Contractors must have appropriately trained, licensed or certified staff and facilities which comply with applicable State laws and regulations, chiefly, California Welfare and Institutions Code Sect. 5000.

B. Which, if any, civil service class(es) normally perform(s) this work? 2110, Medical Records Clerk; 2230, Physician Specialist; 2232, Senior Physician Specialist; 2305, Psychiatric Technician; 2320, Registered Nurse; 2328, Nurse Practitioner; 2552, Dir of Act, Therapy & Vol Svcs; 2574, Clinical Psychologist; 2585, Health Worker 1; 2586, Health Worker 2; 2587, Health Worker 3; 2588, Health Worker 4; 2589, Health Program Coordinator 1; 2591, Health Program Coordinator 2; 2593, Health Program Coordinator 3; 2706, Housekeeper/Food Service Clnr; 2822, Health Educator; 2908, Hospital Eligibility Worker; 2910, Social Worker; 2913, Program Specialist; 2915, Program Specialist Supervisor; 2920, Medical Social Worker; 2930, Psychiatric Social Worker; 2935, Sr Marriage, Fam & Cld Cnslr;

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes. Contractors will maintain appropriate community facilities that are licensed and otherwise compliant with external funding and regulatory requirements for provision of contracted services.

## **4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

Not Applicable

## **5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

A. Explain why civil service classes are not applicable.

Community-based behavioral health contractors provide cultural expertise and linkages otherwise unavailable through Civil Service classifications. Civil Service staff work in partnership with contractors, which are mostly non-profit organizations, and through these collaborations the City is able to offer higher quality, more accessible mental health services to its residents.

B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain: No. Current existing classifications

perform this work. However, demand exceeds the capacity at City facilities to provide these services, so that City uses contractors to meet as many of the clients' needs as possible.

## 6. Additional Information

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.  
No.
- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.  
These services do not include formal training for civil service staff, however, there may be knowledge transfer opportunities through civil service staff's ongoing work to coordinate with community based and other providers.
- C. Are there legal mandates requiring the use of contractual services?  
No.
- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
No.
- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
No.
- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.  
No.

## 7. Union Notification: On 05/25/18, the Department notified the following employee organizations of this PSC/RFP request:

SEIU, Local 1021 (Staff Nurse & Per Diem Nurse); SEIU Local 1021; SEIU 1021 Miscellaneous; Professional & Tech Engrs, Local 21; Prof & Tech Eng, Local 21; Physicians and Dentists - 8CC; Management & Superv Local 21; Architect & Engineers, Local 21;

☒ I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

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

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

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### FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 46987 - 16/17

DHR Analysis/Recommendation:

02/04/2019

Commission Approval Required  
conditions

Approved by Civil Service Commission with

02/04/2019 DHR Approved for 02/04/2019

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC HEALTH

Dept. Code: DPH

Type of Request: ☐ Initial ☒ Modification of an existing PSC (PSC # 49137 - 14/15)

Type of Approval: ☐ Expedited ☒ Regular ☐ Annual ☐ Continuing ☐ (Omit Posting)

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

Funding Source: General Fund

PSC Original Approved Amount: \$18,000,000

PSC Original Approved Duration: 07/01/15 - 12/31/17 (2 years 26 weeks)

PSC Mod#1 Amount: \$40,000,000

PSC Mod#1 Duration: 05/01/17-12/31/21 (4 years 1 day)

PSC Mod#2 Amount: \$30,000,000

PSC Mod#2 Duration: 08/10/18-12/31/22 (1 year)

PSC Mod#3 Amount: \$31,748,074

PSC Mod#3 Duration: 08/01/20-06/30/24 (1 year 25 weeks)

PSC Cumulative Amount Proposed: \$119,748,074

PSC Cumulative Duration Proposed: 9 years 2 days

**1. Description of Work**

**A. Scope of Work/Services to be Contracted Out:**

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

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

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

**C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.**

Yes

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

If needed.

- E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why:  
The duration of this PSC is more than five years because there continues to be a nationwide shortage of nurses. In order to maintain mandated nurse staffing ratios the Department must continue to utilize temporary staff. The Department forecasts this trend to continue for the foreseeable future.

**2. Reason(s) for the Request**

A. Display all that apply

- ☒ Services required on an as-needed, intermittent, or periodic basis (e.g., peaks in workload).

Explain the qualifying circumstances:

Contractors will provide San Francisco General Hospital (SFGH) and Laguna Honda Hospital (LHH) a continuous, reliable source of intermittent, supplemental, and travel nursing personnel during high patient census, high acuity, unexpected staff illnesses and/or vacations, and to meet State nurse-to-patient staffing ratio requirements. Contractors will also allow current staff to be trained on the new equipment, technology, patient flow and workflow processes in the new SFGH hospital building by assisting with maintaining nursing staff in the present building during training.

B. Reason for the request for modification:

increase contract amount to meet increased need for staffing

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

- A. Specify required skills and/or expertise: Contractors must be able to provide traveling personnel who are California-licensed nurses with a minimum of one year of nursing experience as well as specialty experience where applicable, current CardioPulmonary Resuscitation (CPR) certifications, and current health and safety classes congruent with City and County policy (DPH Health and Safety Policy) and Joint Commission requirements for hospital accreditation and California Title 22 Standards. (Continued on attachment)
- B. Which, if any, civil service class(es) normally perform(s) this work? 2302, Nursing Assistant; 2303, Patient Care Assistant; 2310, Surgical Procedures Technician; 2312, Licensed Vocational Nurse; 2320, Registered Nurse; 2340, Operating Room Nurse; 2430, Medical Evaluations Assistant;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: No.

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

Not Applicable

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

A. Explain why civil service classes are not applicable.

Civil service classifications already exist. These registry services are necessary for intermittent, temporary, as-needed services to provide back-up coverage during times of high patient census, high acuity, unexpected staff illnesses and/or vacations and/or unanticipated staff shortages. It is

standard practice to use surge staffing during transitions requiring training of large numbers of staff. The expected length of the surge registry services would be from August 2015 to December 2015.

- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain: No, because the City currently has Civil Service classifications used to provide a portion of these services on a regular basis. These registry services are needed to meet intermittent staffing needs during periods of unusually high patient activity or low staffing of civil service employees (Continued on attachment)

**6. Additional Information**

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.  
No.
- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.  
Please see attachment.
- C. Are there legal mandates requiring the use of contractual services?  
No.
- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
No.
- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
No.
- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.  
Cross Country Staffing; Aya Healthcare, Inc.; TaleMed, LLC

**7. Union Notification:** On 05/08/20, the Department notified the following employee organizations of this PSC/RFP request:

SEIU, Local 1021 (Staff Nurse & Per Diem Nurse); SEIU Local 1021; SEIU 1021 Miscellaneous;  
Professional & Tech Engrs, SFAPP; Professional & Tech Engrs, Local 21; Prof & Tech Eng, Local 21;  
Architect & Engineers, Local 21;

☒ I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

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

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

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 49137 - 14/15

DHR Analysis/Recommendation:  
Commission Approval Required

Civil Service Commission Action:

DHR Approved for 08/03/2020

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

## Hale, Jacquie (DPH)

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**From:** dhr-psccordinator@sfgov.org on behalf of jacquie.hale@sfdph.org  
**Sent:** Friday, May 08, 2020 6:19 PM  
**To:** Hale, Jacquie (DPH); kcartermartinez@cirseiu.org; sarah.wilson@seiu1021.org; thomas.vitale@seiu1021.org; Sandeep.lal@seiu1021.me; leah.berlanga@seiu1021.org; Meyers, Julie (HSA); Ricardo.lopez@sfgov.org; Basconcillo, Katherine (PUC); pcamarillo\_seiu@sbcglobal.net; Wendy.Frigillana@seiu1021.org; pscreview@seiu1021.org; ted.zarzecki@seiu1021.net; davidmkersten@gmail.com; ablood@cirseiu.org; xiumin.li@seiu1021.org; Poon, Sin Yee (HSA); david.canham@seiu1021.org; jtanner940@aol.com; amakayan@ifpte21.org; ecassidy@ifpte21.com; WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; kschumacher@ifpte21.org; kpage@ifpte21.org; eerbach@ifpte21.org; pkim@ifpte21.org; L21PSCReview@ifpte21.org; Longhitano, Robert (DPH); DHR-PSCCoordinator, DHR (HRD)  
**Subject:** Receipt of Modification Request to PSC # 49137 - 14/15 - MODIFICATIONS

PSC RECEIPT of Modification notification sent to Unions and DHR

The PUBLIC HEALTH -- DPH has submitted a modification request for a Personal Services Contract (PSC) for \$31,748,074 for services for the period August 1, 2020 – June 30, 2024. For all Modification requests, there is a 7-Day noticed to the union(s) prior to DHR Review.

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

After logging into the system please select link below:

<http://apps.sfgov.org/dhrdrupal/node/8552>

Email sent to the following addresses: L21PSCReview@ifpte21.org pkim@ifpte21.org eerbach@ifpte21.org kpage@ifpte21.org kschumacher@ifpte21.org tmathews@ifpte21.org wendywong26@yahoo.com WendyWong26@yahoo.com ecassidy@ifpte21.com amakayan@ifpte21.org jtanner940@aol.com david.canham@seiu1021.org Sin.Yee.Poon@sfgov.org xiumin.li@seiu1021.org ablood@cirseiu.org davidmkersten@gmail.com ted.zarzecki@seiu1021.net pscreview@seiu1021.org Wendy.Frigillana@seiu1021.org pcamarillo\_seiu@sbcglobal.net Kbasconcillo@sfgov.org Ricardo.lopez@sfgov.org Julie.Meyers@sfgov.org leah.berlanga@seiu1021.org Sandeep.lal@seiu1021.me thomas.vitale@seiu1021.org sarah.wilson@seiu1021.org kcartermartinez@cirseiu.org



## **Additional Attachment(s)**



City and County of San Francisco  
London Breed, Mayor

## San Francisco Department of Public Health

Dr. Grant Colfax  
Director of Health

DATE: July 8, 2020

TO: Suzanne Choi, DHR PSC Coordinator

FROM: Jacquie Hale, Director, DPH Office of Contract Management and Compliance,  
DPH Business Office

RE: PSC 49137-14/15 Intermittent, supplemental temporary nursing personnel for the  
San Francisco Health Network – Modification 3

This is to request that the above Personal Services Contract (PSC) modification be calendared for the August 3, 2020, meeting of the Civil Service Commission.

We respectfully request approval of this modification, which will extend the duration of the PSC by 1.5 years. These services enable the Department to maintain mandated nurse-to-patient staffing ratios and enable civil service employees' positions to be backfilled when there are unanticipated absences or peak workloads.

May 8, 2020: DPH notified SEIU Local 1021.

May 29, 2020: At its request, the Department provided copies of the contracts under this PSC to SEIU Local 1021.

June 15, 2020: In response to a request for copies of these contracts to DPH Human Resources, DPH re-sent copies of the contracts under this PSC to SEIU Local 1021.

To date, we have received no further questions from SEIU.

Thank you for your consideration.

If you have any further questions or need more information, please let me know.

## Hale, Jacquie (DPH)

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**From:** Hale, Jacquie (DPH)  
**Sent:** Friday, May 29, 2020 4:31 PM  
**To:** Jason Klumb  
**Cc:** Brown, Michael (DPH); Wagner, Greg (DPH)  
**Subject:** RE: Registry nurses  
**Attachments:** Emergency-DocuSign 1.11\_Aya\_HC\_Emergency\_P-600\_(4-19;DPH\_4-18).pdf; Emergency-1.11\_CCS\_P-600\_Emergency\_Contract.pdf; Emergency-DocuSign Certified 1.11\_TaleMed\_Emergency\_P-600\_(4-19;DPH\_4-18).pdf; Reg-CCS #1000014620 P-600 (4-19;DPH 4-18) Certified.pdf; Reg-FSP # 10000016978 TaleMed - Certified.pdf; Reg-1000016625 Aya HealthCare - Fully signed.pdf

Tracking:	Recipient	Read
	Jason Klumb	
	Brown, Michael (DPH)	Read: 5/29/2020 4:40 PM
	Wagner, Greg (DPH)	Read: 5/29/2020 5:23 PM
	Ruggels, Michelle (DPH)	
	Longhitano, Robert (DPH)	
	Wu, Cynthia (DPH)	

Mr. Klumb,

Hi. Your email requesting copies of DPH's current nursing registry contracts was sent to me, as DPH PSC Coordinator. The copies of both the ongoing and COVID-related contracts are attached. Please let me know if you have any trouble opening the attachments.

Thank you,

Jacquie Hale  
PSC Coordinator  
Department of Public Health, City and County of San Francisco  
1380 Howard Street, Room 421b, San Francisco, CA 94103  
(415) 255-3508

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

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**From:** Isen, Carol (HRD) <carol.isen@sfgov.org>  
**Sent:** Tuesday, May 26, 2020 7:12 PM  
**To:** Brown, Michael (DPH) <michael.brown@sfdph.org>; Wagner, Greg (DPH) <greg.wagner@sfdph.org>  
**Cc:** Hale, Jacquie (DPH) <jacquie.hale@sfdph.org>  
**Subject:** Re: Registry nurses

Thanks!

Carol Isen

Employee Relations Director  
City & County of San Francisco  
[carol.isen@sfgov.org](mailto:carol.isen@sfgov.org)  
(415) 557-4857

---

**From:** Brown, Michael (DPH) <[michael.brown@sfdph.org](mailto:michael.brown@sfdph.org)>  
**Sent:** Tuesday, May 26, 2020 5:37:47 PM  
**To:** Isen, Carol (HRD) <[carol.isen@sfgov.org](mailto:carol.isen@sfgov.org)>; Wagner, Greg (DPH) <[greg.wagner@sfdph.org](mailto:greg.wagner@sfdph.org)>  
**Cc:** Hale, Jacquie (DPH) <[jacquie.hale@sfdph.org](mailto:jacquie.hale@sfdph.org)>  
**Subject:** RE: Registry nurses

Carol,

I am forwarding this to Jacquie Hale over contracts to help with your request.

Michael L. Brown  
Director of Human Resources  
Department of Public Health  
101 Grove Street, Room 303  
San Francisco, Ca 94102  
(415) 554-2592

---

**From:** Isen, Carol (HRD) <[carol.isen@sfgov.org](mailto:carol.isen@sfgov.org)>  
**Sent:** Tuesday, May 26, 2020 2:40 PM  
**To:** Wagner, Greg (DPH) <[greg.wagner@sfdph.org](mailto:greg.wagner@sfdph.org)>  
**Cc:** Brown, Michael (DPH) <[michael.brown@sfdph.org](mailto:michael.brown@sfdph.org)>  
**Subject:** FW: Registry nurses

Hi Greg, not sure if you are the correct person to ask for this info. If not please re-direct, thanks. Carol

---

**From:** Jason Klumb <[Jason.Klumb@seiu1021.org](mailto:Jason.Klumb@seiu1021.org)>  
**Sent:** Tuesday, May 26, 2020 2:31 PM

**To:** Isen, Carol (HRD) <[carol.isen@sfgov.org](mailto:carol.isen@sfgov.org)>

**Subject:** Registry nurses

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Carol – Please provide a copy of all registry nursing contracts currently in use by Friday, May 29. Thank you

Jason

Jason Klumb

Regional Field Director

SEIU 1021

Office: 415.848.3676

Member Resource Center: 877.687.1021

## Hale, Jacquie (DPH)

---

**From:** Hale, Jacquie (DPH)  
**Sent:** Monday, June 15, 2020 9:23 AM  
**To:** Brown, Michael (DPH); Jason Klumb  
**Cc:** Isen, Carol (HRD)  
**Subject:** RE: RN Registry Contracts  
**Attachments:** RE: Registry nurses

Tracking:	Recipient	Read
	Brown, Michael (DPH)	Read: 6/15/2020 4:15 PM
	Jason Klumb	
	Isen, Carol (HRD)	
	Longhitano, Robert (DPH)	
	Girma, Mahlet (DPH)	Read: 6/15/2020 9:40 AM

Mr. Klumb,

Hi. These contracts were sent to you on May 29, 2020. Please see attached.

Thank you,

Jacquie Hale  
PSC Coordinator  
Department of Public Health, City and County of San Francisco  
1380 Howard Street, Room 421b, San Francisco, CA 94103  
(415) 255-3508

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**From:** Brown, Michael (DPH) <michael.brown@sfdph.org>  
**Sent:** Friday, June 12, 2020 6:58 PM  
**To:** Jason Klumb <Jason.Klumb@seiu1021.org>  
**Cc:** Isen, Carol (HRD) <carol.isen@sfgov.org>; Hale, Jacquie (DPH) <jacquie.hale@sfdph.org>  
**Subject:** RE: RN Registry Contracts

Jason,

Please contact and follow-up directly with Jacquie Hale in contracts.

Thank you.

Michael L. Brown  
Director of Human Resources  
Department of Public Health  
101 Grove Street, Room 303  
San Francisco, Ca 94102  
(415) 554-2592

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**From:** Jason Klumb <[Jason.Klumb@seiu1021.org](mailto:Jason.Klumb@seiu1021.org)>  
**Sent:** Friday, June 12, 2020 5:13 PM  
**To:** Brown, Michael (DPH) <[michael.brown@sfdph.org](mailto:michael.brown@sfdph.org)>  
**Cc:** Isen, Carol (HRD) <[carol.isen@sfgov.org](mailto:carol.isen@sfgov.org)>  
**Subject:** RN Registry Contracts

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Michael –

Can you please send us the most recent/active contracts for Registry Nurses as well as the number of registry nurses.  
Thank you

Jason

Jason Klumb  
Regional Field Director  
SEIU 1021  
Office: 415.848.3676  
Member Resource Center: 877.687.1021



**SANDRA SHEWRY**  
Director

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



**ARNOLD SCHWARZENEGGER**  
Governor

March 17, 2005

DOM 05-02

**TO: ALL DISTRICT MANAGERS/ADMINISTRATORS**

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

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

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

This means that, immediately:

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

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

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



DOM 05-02  
Page 2  
March 17, 2005

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

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

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

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

Sincerely,

**Original Signed by  
Brenda G. Klutz**

Brenda G. Klutz  
Deputy Director

## Title 22 California Code of Regulations Division 5

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

### **§70205. Medical Service Staff**

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

### **§70207. Medical Service Equipment and Supplies**

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

### **§70209. Medical Service Space**

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

### **§70211. Nursing Service General Requirements**

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

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

### **§70213. Nursing Service Policies and Procedures**

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

### **§70214. Nursing Staff Development**

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

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

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

### **§70215. Planning and Implementing Patient Care**

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

documented in the patient's medical record, for each shift, and upon receipt of the patient when he/she is transferred to another patient care area.

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

### **§70217. Nursing Service Staff**

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

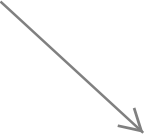
No hospital shall assign a licensed nurse to a nursing unit or clinical area unless that hospital determines that the licensed nurse has demonstrated current competence in providing care in that area, and has also received orientation to that hospital's clinical area sufficient to provide competent care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

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

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

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

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



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

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

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

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

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

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

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

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

monitoring and care of patients with moderate or potentially severe physiologic instability requiring technical support but not necessarily artificial life support. Step-down patients are those patients who require less care than intensive care, but more than that which is available from medical/surgical care. "Artificial life support" is defined as a system that uses medical technology to aid, support, or replace a vital function of the body that has been seriously damaged. "Technical support" is defined as specialized equipment and/or personnel providing for invasive monitoring, telemetry, or mechanical ventilation, for the immediate amelioration or remediation of severe pathology.

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



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

on duty, and patient identifiers with the time of the patient's arrival and departure, on a day-to-day, shift-by-shift basis; however, actual specific licensed nurse assignments correlated to patient identifiers are not required to be documented.

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

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

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

### §70219. Nursing Service Space

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

### §70221. Surgical Service Definition

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

### §70223. Surgical Service General Requirements

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

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

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

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

## PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC HEALTHDept. Code: DPH

Type of Request: ☐ Initial ☒ Modification of an existing PSC (PSC # 49137 - 14/15)

Type of Approval: ☐ Expedited ☒ Regular ☐ Annual ☐ Continuing ☐ (Omit Posting)

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

Funding Source: General Fund

PSC Original Approved Amount: \$18,000,000

PSC Original Approved Duration: 07/01/15 - 12/31/17 (2 years 26 weeks)

PSC Mod#1 Amount: \$40,000,000

PSC Mod#1 Duration: 05/01/17-12/31/21 (4 years 1 day)

PSC Mod#2 Amount: \$30,000,000

PSC Mod#2 Duration: 08/10/18-12/31/22 (1 year)

PSC Cumulative Amount Proposed: \$88,000,000

PSC Cumulative Duration Proposed: 7 years 26 weeks

**1. Description of Work****A. Scope of Work/Services to be Contracted Out:**

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

**Scope Change**

The largest change to the scope is to provide for back-fill services for the readiness efforts for the SFDPH EHR project. Similar to what was done for the ZSFG rebuild project, the SFDPH EHR project will require back-fill staffing for nurses while they attend training on a new EHR. While the ZSFG project only affected the ZSFG campus, the SFDPH EHR project will cover all of the Department which includes Laguna Honda Hospital, the primary care clinics, and Jail Health. In addition, in the summer of 2017, the Department anticipates that the medical respite center will be fully functional, and will increase the need for qualified Certified Nursing Assistants (CNAs) to staff this program.

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

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

able to maintain required nurse-to-patient ratios during unexpected staff shortages. (Continued on attachment)

- C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.

Services have been provided in the past through earlier PSC request. See 49137 - 14/15

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

If needed.

- E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why:

The duration of this PSC is more than five years because there continues to be a nationwide shortage of nurses. In order to maintain mandated nurse staffing ratios the Department must continue to utilize temporary staff. The Department forecasts this trend to continue for the foreseeable future.

## **2. Reason(s) for the Request**

- A. Display all that apply

☒ Services required on an as-needed, intermittent, or periodic basis (e.g., peaks in workload).

Explain the qualifying circumstances:

Contractors will provide San Francisco General Hospital (SFGH) and Laguna Honda Hospital (LHH) a continuous, reliable source of intermittent, supplemental, and travel nursing personnel during high patient census, high acuity, unexpected staff illnesses and/or vacations, and to meet State nurse-to-patient staffing ratio requirements. Contractors will also allow current staff to be trained on the new equipment, technology, patient flow and workflow processes in the new SFGH hospital building by assisting with maintaining nursing staff in the present building during training.

- B. Reason for the request for modification:

The requested modification is needed to continue services for intermittent, supplemental temporary nursing personnel for San Francisco Health Network. There is an ongoing shortage of qualified nurses throughout the country, therefore the Department still needs to utilize supplemental nurse staffing services. The hospital has an increase in patient census, and as the E H R moves toward implementation and adoption, back-fill resources will be required.

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

- A. Specify required skills and/or expertise: Contractors must be able to provide traveling personnel who are California-licensed nurses with a minimum of one year of nursing experience as well as specialty experience where applicable, current CardioPulmonary Resuscitation (CPR) certifications, and current health and safety classes congruent with City and County policy (DPH Health and Safety Policy) and Joint Commission requirements for hospital accreditation and California Title 22 Standards. (Continued on attachment)
- B. Which, if any, civil service class(es) normally perform(s) this work? 2302, Nursing Assistant; 2303, Patient Care Assistant; 2310, Surgical Procedures Technician; 2312, Licensed Vocational Nurse; 2320, Registered Nurse; 2340, Operating Room Nurse; 2430, Medical Evaluations Assistant;

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

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

Not Applicable

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

- A. Explain why civil service classes are not applicable.

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

- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain: No, because the City currently has Civil Service classifications used to provide a portion of these services on a regular basis. These registry services are needed to meet intermittent staffing needs during periods of unusually high patient activity or low staffing of civil service employees (Continued on attachment)

**6. Additional Information**

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.

No.

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

Please see attachment.

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

No.

- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.

No.

- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.

No.

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

No.

**7. Union Notification: On 08/10/18, the Department notified the following employee organizations of this PSC/RFP request:**

SEIU, Local 1021 (Staff Nurse & Per Diem Nurse); SEIU Local 1021; SEIU 1021 Miscellaneous;  
Professional & Tech Engrs, SFAPP; Professional & Tech Engrs, Local 21; Prof & Tech Eng, Local 21;  
Architect & Engineers, Local 21;

☒ I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

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

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

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 49137 - 14/15

DHR Analysis/Recommendation:

07/15/2019

Commission Approval Required

Approved by Civil Service Commission

07/15/2019 DHR Approved for 07/15/2019