



London Breed  
Mayor

Carol Isen  
Human Resources Director

Date: January 21, 2022

To: The Honorable Civil Service Commission

Through: Carol Isen  
Human Resources Director

From: Cynthia Avakian, AIR  
Joyce Kimotsuki, CON  
William Lee / Thomas Chen, DEM  
David Kashani, ENV  
Elaine Walters, FIR  
Amy Nuque, MTA  
Kelly Hiramoto, DPH  
Alexander Burns, DPW  
Shawndrea Hale / Daniel Kwon, PUC  
Jolie Gines, TIS  
Esperanza Zapien / Johanna Gendelman, HSA  
Genie Wong, POL

Subject: **Personal Services Contracts Approval Request**

This report contains thirty (30) 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 21/22 to date:

Total of this Report	YTD Expedited Approvals FY2021-2022	Total for FY2021-2022
\$273,777,760	\$183,633,156	\$1,598,154,627

Cynthia Avakian  
Airport Commission  
Contracts Administration Unit  
P.O. Box 8097  
San Francisco, CA 94128  
(650) 821-2014

Joyce Kimotsuki  
Controller  
1 Dr. Carlton B. Goodlett Pl., Rm. 306  
San Francisco, CA 94102  
(415) 554-6562

William Lee / Thomas Chen  
Department of Emergency Management  
1011 Turk St.,  
San Francisco, CA 94102  
WL: (415) 558-3866  
TC: (415) 269-6562

David Kashani  
Environment  
1155 Market St., 3<sup>rd</sup> Floor  
San Francisco, CA 94103  
(415) 355-3704

Elaine Walters  
Fire  
698 Second St., Rm 209  
San Francisco, CA 94107  
(415) 558-3418

Amy Nuque  
Municipal Transportation Agency  
1 South Van Ness Ave., 6<sup>th</sup> Floor  
San Francisco, CA 94103  
(415) 646-2802

Kelly Hiramoto  
Public Health  
1380 Howard St.,  
San Francisco, CA 94103  
(415) 206-4168

Alexander Burns  
Public Works  
49 South Van Ness, Ste. 1600  
San Francisco, CA 94103  
(415) 554-6411

Shawndrea Hale / Daniel Kwon  
Public Utilities Commission  
525 Golden Gate Ave., 8<sup>th</sup> Floor  
San Francisco, CA 94102  
SH: (415) 551-4540  
DK: (415) 934-5722

Jolie Gines  
Technology  
1 South Van Ness Ave., 2<sup>nd</sup> Floor  
San Francisco, CA 94103  
(628) 652-5074

Esperanza Zapien / Johanna Gendelman  
Human Services  
1650 Mission Street, Ste. 500  
San Francisco, CA 94103  
EZ: (415) 557-5657  
JG: (415) 557-5507

Genie Wong  
Police  
1245 3<sup>rd</sup> St., 6<sup>th</sup> Floor  
San Francisco, CA 94158  
(415) 837-7208

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# Posting For February 07, 2022

## PROPOSED PERSONAL SERVICES CONTRACTS – Regular

<u>PSC</u> <u>No</u>	Dept Designation	PSC Amount	Description of Work	PSC Estimated Start Date	PSC Estimated End Date	Type of Approval
<a href="#">48816 - 21/22</a>	AIRPORT COMMISSION	\$3,000,000.00	Contractor will provide propriety software support and maintenance for San Francisco International Airport's (Airport) access control system (SAFE Identity Management System "SAFE"). The access control identity management system interfaces with multiple physical control security systems at the Airport. In addition to providing for continued support and maintenance, this service will allow the SAFE system to integrate with additional security systems, if needed.	February 8, 2022	December 31, 2027	REGULAR
<a href="#">48765 - 21/22</a>	CONTROLLER	\$30,000,000.00	The City has a need for investment banks to perform underwriting, remarketing, and/or commercial paper dealer services for debt issued by the City. The investment banks underwriters will work with potential buyers of the City's bonds to ensure the lowest interest rate.	February 7, 2022	June 30, 2031	REGULAR
<a href="#">49900 - 21/22</a>	DEPARTMENT OF EMERGENCY MANAGEMENT	\$900,000.00	<p>Provide stakeholder engagement, facilitation and training services for community-based organizations, service providers and businesses related to crisis situations and emergency preparedness programs. The contractor will work several organizations to:</p> <ul style="list-style-type: none"> <li>• Provide input and feedback on crisis response plans and operations</li> <li>• Share information about the crisis response and/or emergency preparedness strategy, operations, and outcomes</li> <li>• Develop a shared understanding of community resources that contribute to crisis response and/or emergency preparedness</li> <li>• Assemble and disseminate accessible training materials for a variety of audiences on resources available to people experiencing crisis situations.</li> <li>• Execute a train-the-trainer model to share information with community and business groups</li> <li>• Use a mailing list to send regular tips and information about crisis situations and/or emergency preparedness to the public .</li> <li>• Bring information back to the City about what people need to know more about, what issues are surfacing, and where things are working well.</li> </ul> <p>• Concise Description of Proposed Word (Scope of Work/Services to be Contracted Out): Task 1: Project Management</p>	January 1, 2022	June 30, 2026	REGULAR

<a href="#">PSC</a> <a href="#">No</a>	Dept Designation	PSC Amount	Description of Work	PSC Estimated Start Date	PSC Estimated End Date	Type of Approval
			<p>Deliverables:</p> <ul style="list-style-type: none"> <li>• Project Management Plan including project timeline</li> <li>• Project Management Kick-Off Meeting</li> <li>• Bi-weekly project management meetings</li> <li>• Monthly invoices with progress reports</li> </ul> <p>Task 2: Meeting/Training Planning and Facilitation</p> <p>Deliverables:</p> <ul style="list-style-type: none"> <li>• Plan meeting/training calendar, including developing monthly agendas and supporting meeting materials, including soliciting necessary information from city and community partners or conducting background research on best practices.</li> <li>• Facilitate workgroup meetings and trainings, including follow-up with workgroup participants if clarification is needed</li> <li>• Maintain workgroup documentation, including development and distribution of meeting minutes, summaries, and action items.</li> <li>• Document feedback, identify issues, and raise them with DEM as they emerge.</li> </ul> <p>Task 3: Content Development and Dissemination</p> <p>Deliverables:</p> <ul style="list-style-type: none"> <li>• Assemble and disseminate accessible training materials for a variety of audiences on resources available to people experiencing crisis situations and/or emergency preparedness.</li> <li>• Use a mailing list to send regular tips and information about crisis situations and/or emergency preparedness to the public.</li> </ul> <p>Task 4: Analysis and Key Findings</p> <p>Deliverables:</p> <ul style="list-style-type: none"> <li>• Collect, review, and analyze workgroup input and present findings and recommendations.</li> </ul> <p>Task 5: Project Close Out</p> <p>Deliverables:</p> <ul style="list-style-type: none"> <li>• Provide project closeout report.</li> <li>• Conduct project closeout meeting.</li> </ul>			
<a href="#">43810 - 21/22</a>	ENVIRONMENT	\$14,300,000.00	Support the implementation of CCSF's Fix Lead SF program, a program to help reduce childhood lead poisoning in San Francisco residential properties. The support functions will include but are not limited to: hiring*, managing, and paying State lead-certified professionals*; and managing tenant relocation.	April 1, 2022	March 31, 2027	REGULAR

<a href="#">PSC No</a>	Dept Designation	PSC Amount	Description of Work	PSC Estimated Start Date	PSC Estimated End Date	Type of Approval
			<p>(Up to 8% of the \$14.3 Million is for contracted program support, the remainder of the funds are to directly pay for certified* lead abatement contractors and relocation providers).</p> <p>*California Health and Safety Code Requirements for Lead-Certified Professionals State regulations require professionals involved in lead work such as the work proposed by Fix Lead SF to have a California Department of Public Health Lead Certificate (CDPH). A list of these certified professionals is found on the CDPH webpage. The Lead Inspectors and the Lead Remediation Supervisors will come from the CDPH lists.</p>			
<a href="#">48611 - 21/22</a>	ENVIRONMENT	\$208,000.00	<p>The San Francisco Department of the Environment (SFE) needs the services of a consultant to assist with process design and facilitation, as well as develop the operational framework and sustainability plan for the Climate Equity Hub. The Climate Equity Hub is intended to be a central clearinghouse for building decarbonization resources that are culturally competent, multilingual, and accessible to all residents, workers, and businesses to support San Francisco's just transition to a renewable net-zero energy system.</p>	January 1, 2022	November 30, 2022	REGULAR
<a href="#">41923 - 21/22</a>	FIRE DEPARTMENT	\$7,000,000.00	<p>Provide complete billing and collection services for all Fire Department paramedic ambulance activities. Receive secured data of Department's Electronic Patient Care Reports and transmittal into billing system; data input, scanning and entry of paper pre-hospital care records; coding and medical necessity leveling of incidents; patient contact for follow-up collections; bill and invoice creation, generation, and distribution; industry research on fee structures and "usual and customary" rates; maintain fluency in payer class allowances, as well as changes and updates in the federal reimbursement structures and fee schedules; analyze revenue and provide assessments and projections to financial staff. Provide and assist with maintaining electronic field data capture system for use by field personnel; collection of Continuous Quality Improvement information.</p> <p>The duration of the contract is for five years only, through 2027. However, the Department may seek to exercise the two-year extension option in the future by obtaining modification approval from DHR and/or Civil Service Commission.</p>	July 1, 2022	June 30, 2027	REGULAR

<u>PSC</u> <u>No</u>	Dept Designation	PSC Amount	Description of Work	PSC Estimated Start Date	PSC Estimated End Date	Type of Approval
<a href="#">44923 - 21/22</a>	FIRE DEPARTMENT	\$150,000.00	<p>Contractor will be responsible for the installation and setup of the EHR Software Integration and Implementation proprietary software, and the conversion of legacy information into the new system for the San Francisco Fire Department - including medical programs and organizational compliance programs.</p> <p>Software support and maintenance will include upgrades to new software versions of the proprietary EHR system, provide additional licenses, provide an interface to the existing systems used by the Fire Department, and other services necessary to maintain and support system functionality.</p>	December 1, 2021	November 30, 2022	REGULAR
<a href="#">40680 - 21/22</a>	MUNICIPAL TRANSPORTATION AGENCY	\$899,760.00	<p>Continue to maintain and upgrade D4 Traffic Signal Software to provide transit priority and emergency preemption throughout the City, including cable car and LRV locations, and prepare signal-timing cards for various intersections, including integration of Type 2070 controllers and rail detection or future Communications Based Train Control system. Continue to ensure communication between the Transportation Management Center (TMC) and the traffic signals in the field, to ensure integration of D4 Traffic Signal Software with the central software system. Continue to provide technical expertise to San Francisco (SF) go to ensure that the TMC communicates with Caltrans, Muni Central Control, and other transit networks; and provide remote and on-site support and training services to software end-users.</p> <p>The Project Manager is working with the Contract and Procurement team on developing the RFP. Attached is the detailed Proposed Scope of Work to be used in developing the RFP</p>	November 1, 2021	December 31, 2031	REGULAR
<a href="#">42459 - 21/22</a>	PUBLIC HEALTH	\$10,000,000.00	Contractors will perform scheduled and as-needed maintenance and support services for leased and owned hospital beds and gurneys above and beyond routine maintenance and repairs performed by Local 39 members. In addition, the contractors will also integrate, maintain, and support all software that is required to operate the beds and gurneys.	December 1, 2021	December 31, 2027	REGULAR
<a href="#">41039 - 21/22</a>	GENERAL SERVICES AGENCY - PUBLIC WORKS	\$10,000,000.00	Consultants will perform highly specialized structural engineering tasks that include non-linear analysis, condition assessment reports, field investigations, peer reviews, value engineering, and consultation for various types of structures within Seismic Zone 4. The maximum term	January 17, 2022	June 30, 2028	REGULAR

<u>PSC</u> <u>No</u>	Dept Designation	PSC Amount	Description of Work	PSC Estimated Start Date	PSC Estimated End Date	Type of Approval
			will be 5 years each. The additional time in the PSC Duration is to allow for any delays in processing and awarding the contracts.			
<a href="#">43677 - 21/22</a>	GENERAL SERVICES AGENCY - PUBLIC WORKS	\$1,600,000.00	Provide specialized services in pavement condition data collection and surveys to support the Public Works Paving Program on an as-needed basis. Work shall include providing expert examination, analysis, reports, graphs, raw data and other information of San Francisco's roadway network.	January 17, 2022	June 30, 2028	REGULAR
<a href="#">49277 - 21/22</a>	GENERAL SERVICES AGENCY - PUBLIC WORKS	\$4,500,000.00	The contract targets licensing/subscription and delivery of configured off-the-shelf software to support Construction and Capital Project Management activities within Public Works, including interactions with construction contractors. The work includes meetings and project management activities to agree upon and deliver the configured and functional solution. The contract also sees as needed customization and integration support to fill gaps in off-the-shelf functionality or integration with related systems. Depending on the subscription or licensing and hosting model, the contract may also include hosting services. Estimated costs for software subscription and module fees are approximately \$3.3 million over eight years. The remaining \$1.2 million are estimated for implementation and as needed support services with over 70% estimated for the initial phase and major component rollouts in the first two years.	March 1, 2022	February 28, 2030	REGULAR
<a href="#">49451 - 21/22</a>	GENERAL SERVICES AGENCY - PUBLIC WORKS	\$1,500,000.00	Provide specialized services in Waterproofing Consultation to support Public Works design staff on an as-needed basis. The Consultants will provide expert waterproofing consultation services to ensure that our projects are designed and constructed to the best quality standards of waterproofing. Periodically, provide independent third-party evaluation of design prepared by City staff from waterproofing perspective.	January 17, 2022	June 30, 2028	REGULAR
<a href="#">41734 - 21/22</a>	PUBLIC UTILITIES COMMISSION	\$30,000,000.00	The project will replace CDD's aging facilities with more efficient facilities that meet current safety standards and offer the opportunity to consolidate CDD operations at a centralized location. The new facilities that will provide operational space needs for 490 employees, will include five structures totaling just under 400,000 gross square, for administrative offices, eight industrial shops, a warehouse and parking garage. The duration for preparation of design documents will be 24 months. During construction, the design team reviews requests for information	February 7, 2022	August 6, 2027	REGULAR



<a href="#">PSC No</a>	Dept Designation	PSC Amount	Description of Work	PSC Estimated Start Date	PSC Estimated End Date	Type of Approval
			and submittals, which will exceed the end of design an additional 30 months. The project includes industrial structures that require specialized technical consultants, and the size and scope of the project necessitates augmented city staff, in order to deliver the project on budget and on time.			
<a href="#">44735 - 21/22</a>	PUBLIC UTILITIES COMMISSION	\$20,000,000.00	<p>The San Francisco Public Utilities Commission (SFPUC) intends to award up to five (5) agreements at \$4 million each to provide construction management (CM) services on an as-needed basis to augment existing SFPUC and City CM teams working on construction projects.</p> <p>The programs/projects that will require CM services include, but are not limited to, the following: Sewer System Improvement Program (SSIP); Hetchy Capital Improvement Program (HCIP); Emergency Firefighting Water System (EFWS); Water and Wastewater Renewal &amp; Replacement (R&amp;R) Programs; Water System Improvement Program (WSIP); and other water, power, and wastewater construction projects.</p> <p>These CM services include, but are not limited to, the following: construction contract administration, construction change management; construction inspection; specialty inspection (e.g., coating, welding, geotechnical, marine, tunnel, etc.); environmental inspection; project controls; supplier quality surveillance; special laboratory testing; testing, startup, and commissioning; surveying; construction safety inspection; and technical data entry and document control including engineering archives.</p>	September 1, 2022	August 31, 2027	REGULAR
<a href="#">45357 - 21/22</a>	PUBLIC UTILITIES COMMISSION	\$7,000,000.00	<p>The consultant will provide civil, electrical, mechanical, and other specialized engineering services for the planning, design, and support during construction of new laboratory and maintenance shop buildings and as-needed improvements of the existing facilities within the Millbrae Yard campus for the Millbrae Yard Laboratory and Shop Improvements 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 design support, campus utility design, traffic engineering design, laboratory design, fire protection design, vertical transportation design, security design, system integration design, communications (AV/IT/Telecom) design, code consulting, hazardous materials and environmental</p>	July 1, 2022	June 30, 2030	REGULAR

<u>PSC</u> <u>No</u>	Dept Designation	PSC Amount	Description of Work	PSC Estimated Start Date	PSC Estimated End Date	Type of Approval
			remediation design, resilience design, industrial engineering design, moving coordination, and other services.			
<a href="#"><u>45910 - 21/22</u></a>	PUBLIC UTILITIES COMMISSION	\$700,000.00	The purpose of this contract is to provide a semi-annual routine maintenance service for five (5) years for the inspection, testing, maintenance, repair of the fixed gas monitoring system. The contract scope also provides all calibration/test materials, labor, equipment and service necessary for inspection and testing of the fixed gas monitoring system at the eight (8) wastewater facilities for the San Francisco Public Utilities Commission (SFPUC) Wastewater Enterprise (WWE).	March 1, 2022	March 1, 2027	REGULAR
<a href="#"><u>47589 - 21/22</u></a>	PUBLIC UTILITIES COMMISSION	\$9,900,000.00	This contract entails the processing of Class B biosolids into Class A biosolids. Class B biosolids have undergone a reduction in pathogen content to the point where they are safe for certain types of reuse while Class A biosolids have had pathogen content eliminated. There are several technologies which can be used to achieve this under Code of Federal Regulations Title 40 Part 503, the federal regulations which govern biosolids. Once the Class A biosolids product is produced, the contractor is responsible for the distribution of the product to farmers and ranchers. New regulations stemming from SB 1383 restrict the use of biosolids used as cover material in landfills. Alternative, non-landfill uses for biosolids are needed and Contract 63002 ensures there is a management option for biosolids during certain parts of the year.	May 15, 2022	May 14, 2027	REGULAR
<a href="#"><u>47657 - 21/22</u></a>	PUBLIC UTILITIES COMMISSION	\$350,000.00	An independent review of revenue requirements, costs of service, and rates for the utilities under the jurisdiction of the San Francisco Public Utilities Commission (SFPUC).	March 1, 2022	June 30, 2024	REGULAR
<a href="#"><u>48330 - 21/22</u></a>	PUBLIC UTILITIES COMMISSION	\$2,000,000.00	Contractor shall develop and implement a comprehensive federal lobbying strategy for the San Francisco Public Utilities Commission (SFPUC) on legislative and regulatory issues related to water, wastewater, power, infrastructure and other issues as directed. Scope includes identifying and advocating for or against legislative and regulatory items of interest; drafting legislative language, comment letters and other materials; and representing the SFPUC before the United States Congress, Federal Administration, regulatory agencies, industry associations and other entities as needed.	July 1, 2022	June 30, 2027	REGULAR

<u>PSC</u> <u>No</u>	Dept Designation	PSC Amount	Description of Work	PSC Estimated Start Date	PSC Estimated End Date	Type of Approval
<a href="#">48868 - 21/22</a>	PUBLIC UTILITIES COMMISSION	\$200,000.00	This AFO system is a full-time monitoring system that detects, records, and locates acoustic events associated with the breaking of pre-stressing wires found in the Pre-stressed Concrete Cylinder Pipe (PCCP) that makes up the San Joaquin Pipeline #3. This system allows Hetchy to monitor potential failures and respond to repairs quickly.	March 1, 2022	August 1, 2025	REGULAR
<a href="#">49296 - 21/22</a>	PUBLIC UTILITIES COMMISSION	\$3,000,000.00	<p>The proposed work would include ROW acquisition services for the projects and programs of the Infrastructure Division, such as the Sewer System Improvement Program and other SFPUC projects that require ROW activities. A full range of ROW work is required, including planning and budgeting, pre-CEQA activities such as obtaining Permits to Enter, ROW estimates, and appraisals; and post-CEQA activities such as acquisitions, relocation services, clerical support services, project tracking, and other, as-needed work.</p> <p>Acquisition work includes, but is not limited to, acquisition of fee and easements, as well as leases, permits, and licenses. Additional work to be performed as needed includes ROW encroachment clearance, condemnation services, land surveying services, property rights research and title services, and support of public meetings and presentations.</p>	April 1, 2022	March 31, 2026	REGULAR
<a href="#">45627 - 21/22</a>	GENERAL SERVICES AGENCY - TECHNOLOGY	\$2,500,000.00	<p>1. To provide professional services to implement and configure modules and processes within the City ServiceNow platform.</p> <p>2. Attain a high level of user adoption</p> <p>Prospective vendors shall provide project plan that would describe how they will guide Project execution. This should include clear outline of the project methodology and approach that will be used along with listing of all the assumptions the vendor makes in preparing the plan/proposal. Furthermore, to gain the full understanding of the overall scope of the project, if selected, prospective vendors are required to:</p> <p>1. Develop Technical Requirements - Conduct/facilitate a Process Workshop to confirm business and technical requirements by analyzing the CCSF business processes and documenting functional requirements. This shall include business analysis and requirements definition, data migration analysis and planning, interface analysis and planning, functional design considerations, as well as training framework/training plan followed by defining the design approach for the functional requirements</p>	May 1, 2022	April 30, 2031	REGULAR

<a href="#"><u>PSC</u></a> <a href="#"><u>No</u></a>	Dept Designation	PSC Amount	Description of Work	PSC Estimated Start Date	PSC Estimated End Date	Type of Approval
			<p>2. Design and Develop Solution - Provide detailed designs, configuration of any identified gaps that were agreed to proceed, followed by building and configuring the solution. The proposed design must also be able to scale to meet CCSF's future needs in any of ServiceNow™ categories,</p> <p>3. Conduct Unit, System and User Acceptance Testing - Provide test plan with use cases tracing back to business/functional requirements for testing, incorporating changes as required.</p> <p>4. Training – Participate in knowledge transfer sessions and provide inputs into training plan.</p> <p>5. Solution Implementation/Deployment – Perform dry-run activities, provide detailed deployment plan, preparing users to go live and going live with the solution.</p> <p>6. Post Implementation Support – Monitoring system/application(s) performance and performing necessary action(s) to mitigate any observed, reported issues (showstoppers items) post deployment (deployment of emergency fixes).</p>			
41562 - 21/22	MUNICIPAL TRANSPORTATION AGENCY	\$100,000,000.00	<p>The Train Control Upgrade Project (TCUP) is a ten-year capital program that will procure a new Communications Based Train Control (CBTC) system to replace the aging train control signal system currently installed in the Market Street Subway and expand CBTC to the surface. It will provide operations and service planning staff with the tools necessary to deliver reliable, speedy, high-frequency rail transit to, from, and within downtown San Francisco. When installed, the new CBTC system will cover the entire Muni Metro railway. This system will require long-term support from the supplier in order to meet SFMTA's requirements and ensure safety, reliability, availability, and maintainability at all times.</p> <p>This contract will formalize an agreement to provide technical services, new and refurbished parts, and support for the new CBTC system following its procurement. The services must be provided by the CBTC system supplier, as only the original supplier has detailed knowledge of their own proprietary system, including access to proprietary design documents and software code. The scope of this proposed services contract will include technical support, refurbishment of defective/worn/damaged parts, software updates, obsolescence management, and spare part management. The contract will be performance-based with predefined metrics and service levels that the contractor must meet to receive full payment and may also contain</p>	May 4, 2023	May 4, 2035	REGULAR

<u>PSC</u> <u>No</u>	Dept Designation	PSC Amount	Description of Work	PSC Estimated Start Date	PSC Estimated End Date	Type of Approval
			<p>provisions for additional incentives for exceeding these performance requirements.</p> <p>City employees currently maintain the existing train control system. The SFMTA has a support agreement with our current supplier which covers roughly the same scope of work as will be in the new contract. This contract will continue the status quo where city employees maintain the train control system but are able to use the provisions of this contract to obtain parts and technical support they need from the manufacturer.</p>			
42966 - 21/22	MUNICIPAL TRANSPORTATION AGENCY	\$2,700,000.00	<p>The contractor will provide comprehensive drug and alcohol testing services for taxicab drivers in compliance with the Department of Transportation (DOT) and non-DOT Drug and Alcohol Testing Regulations. The contractor will provide off-site facilities to collect urine and breath samples to conduct pre-employment, post-accident, reasonable suspicion and random testing for taxicab drivers in accordance with Federal and State regulations. California's Government Code section 53075.5 requires a drug and alcohol testing program for taxicab drivers to be substantially consistent with testing requirements of the Federal Code of Regulations, Title 49, Part 40 and Part 382. The contractor will also Substance Abuse Professional (SAP) services to any taxicab or SFMTA driver/operator following a positive test result.</p>	October 1, 2021	September 30, 2026	REGULAR
<b>TOTAL AMOUNT \$262,407,760</b>						

# Posting For February 07, 2022

## Proposed to Personal Services Contracts -- MODIFICATIONS

PSC Number	Commission Hearing Date	Department	Additional Amount	Cumulative Total	Description	Start Date	End Date	Approval Type
45682 - 16/17 - MODIFICATIONS	February 7, 2022	GENERAL SERVICES AGENCY - PUBLIC WORKS -- DPW	\$500,000	\$18,500,000	Provide resident engineers, field engineers, inspectors, specialty engineers, office engineers, scheduling engineers, public outreach staff, construction management support, field office administrative staff, and supplemental construction services for various types of engineering work on an as-needed basis and other as-needed services to be determined.	07/01/2017	06/30/2023	REGULAR
41787 - 20/21 - MODIFICATIONS	February 7, 2022	HUMAN SERVICES -- DSS	\$70,000	\$445,000	Consultant services are required to conduct and prepare the 2022 Dignity Fund Community Needs Assessment. This assessment will help the Department of Disability and Aging Services (DAS) to understand current community needs, identify equity concerns and service gaps, and develop recommendations to address these issues. This information will be used in the following year to support a	08/01/2021	05/31/2024	REGULAR

PSC Number	Commission Hearing Date	Department	Additional Amount	Cumulative Total	Description	Start Date	End Date	Approval Type
					Service and Allocation Plan that outlines how the Fund will be allocated strategically to address community needs and strengthen the city's aging and disability service network. As outlined and required by the City charter, this project must be conducted and completed in FY 2021-22.			
47215 - 20/21 - MODIFICATIONS	February 7, 2022	MUNICIPAL TRANSPORTATION AGENCY -- MTA	\$4,800,000	\$6,000,000	Contractor will provide 24-hour, 7 days a week as-needed roadside assistance and/or towing services for San Francisco Municipal Transportation Agency (SFMTA's) rubber tire revenue vehicles, to include diesel, electric, and electric buses and trolleys.	03/01/2022	02/28/2027	REGULAR
47858 - 17/18 - MODIFICATIONS	February 7, 2022	POLICE -- POL	\$1,000,000	\$2,880,000	The contractor will independently monitor and report on the San Francisco Police Department's (SFPD) Reform process, a task previously conducted by a consulting firm under contract with the United States Department of Justice (US DOJ). The US DOJ cancelled the program that was providing this service to the SFPD.	01/01/2022	12/31/2024	REGULAR

PSC Number	Commission Hearing Date	Department	Additional Amount	Cumulative Total	Description	Start Date	End Date	Approval Type
					Therefore, the SFPD needs to continue the work through contracting.			
41698 - 19/20 - MODIFICATIONS	February 7, 2022	PUBLIC HEALTH -- DPH	\$5,000,000	\$19,800,000	The contractor(s) will be used on an as-needed basis to maintain and enhance existing applications used in various functional areas within the Department. Functional areas shall include both clinical and non-clinical areas, such as services supporting an integrated communicable disease data system, SharePoint development services, archiving and data management, data warehouse(s), laboratory information, connected diagnostic, financial analysis and eligibility, access to proprietary online databases, clinical and financial benchmarking tools, and pharmaceutical systems. The value of this request covers estimated costs for licensing, maintenance, and related professional services such as training and consultation.	12/17/2021	12/31/2031	REGULAR

TOTAL AMOUNT \$11,370,000



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

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: AIRPORT COMMISSION -- AIR

Dept. Code: AIR

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

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

Type of Service: SAFE Identity Management System Software Support and Maintenance

Funding Source: Operating Funds

PSC Amount: \$3,000,000

PSC Est. Start Date: 02/08/2022

PSC Est. End Date 12/31/2027

**1. Description of Work**

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

Contractor will provide propriety software support and maintenance for San Francisco International Airport's (Airport) access control system (SAFE Identity Management System "SAFE"). The access control identity management system interfaces with multiple physical control security systems at the Airport. In addition to providing for continued support and maintenance, this service will allow the SAFE system to integrate with additional security systems, if needed.

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

This service is necessary to maintain the Airport's access control system. Denial of this request would hinder the Airport's ability to remain in compliance with Transportation Security Administration (TSA)'s security regulations. This software is necessary to capture employee data to transmit background checks and receive approvals to issue badges through TSA.

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 been provided through PSC 48499-16/17.

D. Will the contract(s) be renewed?

Yes, if there continues to be a need for such services at the Airport.

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 term aligns with the contract duration.

**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:

This is a proprietary software system that the Airport cannot support.

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

A. Specify required skills and/or expertise: Knowledge and expertise with the contractor's proprietary system is required to ensure software support, maintenance, and additional integrations are handled successfully.

B. Which, if any, civil service class(es) normally perform(s) this work? 1061, IS Program Analyst-Assistant; 1062, IS Programmer Analyst; 1063, IS Programmer Analyst-Senior; 1064, IS Prg Analyst-Principal;

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?**

None at this time since the Airport doesn't have access to the proprietary software.

**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 are not applicable because the services needed must include access to proprietary software.
- 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, not at this time.

**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.  
No. No training will be provided as part of this request.
- 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 12/07/2021, the Department notified the following employee organizations of this PSC/RFP request:  
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: Cynthia Avakian Phone: 650-821-2014 Email: cynthia.avakian@flysfo.com

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

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 48816 - 21/22

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 02/07/2022

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



# **Additional Attachment(s)**

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

Department: AIRPORT COMMISSIONDept. Code: AIRType of Request:  Initial  Modification of an existing PSC (PSC # 48499 - 16/17)Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)Type of Service: Software Support and Maintenance for SAFE Identity Management System (SAFE)Funding Source: Operating FundsPSC Original Approved Amount: \$2,500,000PSC Original Approved Duration: 03/06/17 - 02/28/22 (4 years 51 weeks)PSC Mod#1 Amount: \$1,200,000PSC Mod#1 Duration: 02/28/22-06/30/24 (2 years 17 weeks)PSC Cumulative Amount Proposed: \$3,700,000PSC Cumulative Duration Proposed: 7 years 16 weeks**1. Description of Work****A. Scope of Work/Services to be Contracted Out:**

Contractor will provide software support and maintenance for the SAFE software, an identity management system that interfaces with the San Francisco International Airport's (Airport) multiple physical control security systems. In addition to providing for continued support and maintenance, this service will allow the SAFE system to integrate with additional security systems, including the Airport's Emergency Notification software.

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

This service is necessary to maintain the Airport's current SAFE software system. Denial of this request would hinder the Airport's ability to remain in compliance with Transportation Security Administration (TSA)'s security protocols, which are audited on an annual basis, and would diminish security at the Airport.

**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.**  
PSC 48499-16/17**D. Will the contract(s) be renewed?**

Yes, if there continues to be a need for such services at the Airport.

**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:**

Need to extend the term to exercise the last option term.

**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 software system is proprietary in nature, and not accessible by Department staff.

B. Reason for the request for modification:

Need to extend time and add compensation

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

- A. Specify required skills and/or expertise: Knowledge and expertise with the contractor's proprietary system is required to ensure software support, maintenance and additional integrations are handled successfully.
- B. Which, if any, civil service class(es) normally perform(s) this work? 1061, IS Program Analyst-Assistant; 1062, IS Programmer Analyst; 1063, IS Programmer Analyst-Senior; 1064, IS Prg Analyst-Principal;
- 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 are not applicable because the services needed must include access to proprietary software.
- 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, due to the proprietary nature of the software.

### **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.  
Training will not be included due to the proprietary nature of the software.
- 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 12/24/19, 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: Cynthia Avakian Phone: 650-821-2014 Email: cynthia.avakian@flysfso.com

Address: PO Box 8097, San Francisco, CA 94127

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 48499 - 16/17

DHR Analysis/Recommendation:

Commission Approval Not Required

Approved by DHR on 12/31/2019

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

Department: AIRPORT COMMISSION -- AIRDept. Code: AIRType of Request:  Initial  Modification of an existing PSC (PSC # \_\_\_\_\_)Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)Type of Service: Software Support and Maintenance for SAFE Identity Management System (SAFE)Funding Source: Operating FundsPSC Amount: \$2,500,000PSC Est. Start Date: 03/06/2017PSC Est. End Date 02/28/2022**1. Description of Work**

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

Contractor will provide software support and maintenance for the SAFE software, an identity management system that interfaces with the San Francisco International Airport's (Airport) multiple physical control security systems. In addition to providing for continued support and maintenance, this service will allow the SAFE system to integrate with additional security systems, including the Airport's Emergency Notification software.

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

This service is necessary to maintain the Airport's current SAFE software system. Denial of this request would hinder the Airport's ability to remain in compliance with Transportation Security Administration (TSA)'s security protocols, which are audited on an annual basis, and would diminish security at the Airport.

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 been provided for under PSC 4041-10/11.

D. Will the contract(s) be renewed?

Yes, if there continues to be a need for such services at the Airport.

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:

The software system is proprietary in nature, and not accessible by Department staff.

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

A. Specify required skills and/or expertise: Knowledge and expertise with the contractor's proprietary system is required to ensure software support, maintenance and additional integrations are handled successfully.

B. Which, if any, civil service class(es) normally perform(s) this work? 1061, IS Program Analyst-Assistant; 1062, IS Programmer Analyst; 1063, IS Programmer Analyst-Senior; 1064, IS Prg Analyst-Principal;

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?**

This work is proprietary to the existing system, so other City Department staff would not be able to 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.  
Civil service classifications are not applicable because the services needed must include access to proprietary software.
- 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, due to the proprietary nature of the software.

**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.  
No. Training will not be included due to the proprietary nature of the software.
- 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 01/09/2017, 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: Cynthia Avakian Phone: 650-821-2014 Email: cynthia.avakian@flysfo.com

Address: PO Box 8097 San Francisco, CA 94127

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 48499 - 16/17

DHR Analysis/Recommendation:

action date: 03/06/2017

Commission Approval Required

Approved by Civil Service Commission

03/06/2017 DHR Approved for 03/06/2017

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: Underwriting and Investment Banking Services

Funding Source: Proceeds from Debt Issuance

PSC Amount: \$30,000,000

PSC Est. Start Date: 02/07/2022

PSC Est. End Date 06/30/2031

**1. Description of Work**

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

The City has a need for investment banks to perform underwriting, remarketing, and/or commercial paper dealer services for debt issued by the City. The investment banks underwriters will work with potential buyers of the City's bonds to ensure the lowest interest rate.

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

This service is necessary to ensure the City has access to lower interest loans available in the municipal bond market. The City would be subject to paying higher interest rates if it issued tried to issue fixed rate or variable rate bonds outside of the publicly traded municipal bond market that requires the assistance of underwriters, commercial paper dealers and/or remarketing agents.

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 services has been approved in the past and was previously approved by CSC: PSC 45162-14/15, Mod 1 and Mod 2 and PSC 4081-11/12.

D. Will the contract(s) be renewed?

It is possible that the contract will be renewed depending on City's service needs to be determined at a later date.

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 Controller's Office requests that the PSC cover over 5 years since the contract will have options to renew depending on the department's service needs. The timeline is consistent with the issuance of debt anticipated with delivery of the City's 10-year Capital Plan through Fiscal Year 2031.

**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.

Regulatory or legal requirements, or requirements or mandates of funding source(s) which limit or preclude the use of Civil Service Employees. Include a copy of the applicable requirement or mandate.

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

B. Explain the qualifying circumstances:

Only an independent third-party with applicable federal and state registrations can underwrite bonds. The City does not have these registrations. City staff cannot provide the investment banking services.

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

A. Specify required skills and/or expertise: This service must be provided by staff at a financial institution that is registered with the U.S. Securities and Exchange Commission, Municipal Securities Rulemaking Board, Financial Industry Regulatory Authority, and the State of California.

- B. Which, if any, civil service class(es) normally perform(s) this work? 1824, Pr Administrative Analyst; 1825, Prnpl Admin Analyst II; 0953, Dep Dir III;
- 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?**

Only an independent third-party with applicable federal and state registrations can underwrite bonds. The City does not have these registrations. City staff cannot provide the investment banking services.

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

- A. Explain why civil service classes are not applicable.  
Only an independent third-party with applicable federal and state registrations can underwrite bonds. The City does not have these registrations. City staff cannot provide the investment banking services.
- 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 City departments do not qualify as independent third-parties.

**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. There is no need for the contractor to train employees, as only an independent third-party with applicable federal and state registrations can perform this work.
- C. Are there legal mandates requiring the use of contractual services?  
Yes. Yes. Under existing Securities and Exchange Commission ("SEC") rules broker-dealers cannot underwrite municipal bonds unless such underwriting firm registered with the Municipal Securities Rule Making Board ("MSRB"), satisfies certain net capitalization requirements of the Securities and Exchange Commission (per SEC Rule 15c3-1) and professionals performing the underwriting services (i.e. assisting the City structure, market and sell the bonds) obtain appropriate licensing (i.e. Series 7 certification). In addition, broker-dealers are required to be registered in each state in which they might sell bonds to investors to comply with state 'blue-sky' laws. There are no City entities or professionals which possess these certifications or meet these regulatory requirements, and only an independent third-party with applicable federal and state registrations can underwrite bonds. Given those requirements, the City will require the services of a registered broker dealer to underwrite publicly offer City bonds.
- 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 12/13/2021, the Department notified the following employee organizations of this PSC/RFP request:**

Municipal Executive Association; 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: Joyce Kimotsuki Phone: (415) 554-6562 Email: joyce.kimotsuki@sfgov.org

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

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 48765 - 21/22

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 02/07/2022

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

**From:** [dhr-psccordinator@sfgov.org](mailto:dhr-psccordinator@sfgov.org) on behalf of [joyce.kimotsuki@sfgov.org](mailto:joyce.kimotsuki@sfgov.org)  
**To:** [Kimotsuki, Joyce \(CON\); WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; kschumacher@ifpte21.org; pkim@ifpte21.org; amakayan@ifpte21.org; L21PSCReview@ifpte21.org; Laxamana, Junko \(BOS\); Criss@sfmea.com; camaguey@sfmea.com \(contact\); Christina@sfmea.com; staff@sfmea.com; Kimotsuki, Joyce \(CON\); DHR-PSCCoordinator, DHR \(HRD\)](mailto:Kimotsuki,Joyce(CON);WendyWong26@yahoo.com;wendywong26@yahoo.com;tmathews@ifpte21.org;kschumacher@ifpte21.org;pkim@ifpte21.org;amakayan@ifpte21.org;L21PSCReview@ifpte21.org;Laxamana,Junko(BOS);Criss@sfmea.com;camaguey@sfmea.com(contact);Christina@sfmea.com;staff@sfmea.com;Kimotsuki,Joyce(CON);DHR-PSCCoordinator,DHR(HRD)@sfmea.com)  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 48765 - 21/22  
**Date:** Monday, December 13, 2021 5:11:14 PM

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RECEIPT for Union Notification for PSC 48765 - 21/22 more than \$100k

The CONTROLLER -- CON has submitted a request for a Personal Services Contract (PSC) 48765 - 21/22 for \$30,000,000 for Initial Request services for the period 02/07/2022 – 06/30/2031. 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/17690> 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)**

**Over 5-year PSC Justification for PSC 48765-21/22**

The Controller's Office requests that the PSC cover over 5 years since the contract will have options to renew depending on the department's service needs. The timeline is consistent with the issuance of debt anticipated with delivery of the City's 10-year Capital Plan through Fiscal Year 2031.



# City and County of San Francisco

## Office of the Controller

**UPDATED REQUEST FOR QUALIFICATIONS FOR**  
**Underwriting and Investment Banking Services**  
**CON | RFQ2018-07A**  
**CONTACT: Melissa Ng, [CentralContracts@sfgov.org](mailto:CentralContracts@sfgov.org)**

**Background**

The City seeks statements of qualifications from qualified underwriters, investment banks, remarketing agents and/or commercial paper dealers demonstrating successful experience in the issuance of fixed- and variable-rate debt obligations and/or commercial paper.

**Intent of this Request for Qualification (RFQ)**

On August 23, 2018, the Controller’s Office established a pool of pre-qualified underwriters, investment banks, remarketing agents and/or commercial paper dealers firms from which interested City departments, boards, or commissions may choose prospective contractors on an as-needed basis. Pursuant to Administrative Code Section 21.4 (c) (2), the City intends to re-open the pool. Firms prequalified under the existing pool are not required to re-qualify under this re-issued RFQ, but may choose to submit updated information regarding their qualifications.

**Anticipated Contract Term**

The anticipated contract term for contracts resulting from this RFQ may last up two (2) years, with the option to extend each such contract for up to two (2) additional years. The actual contract term may vary, depending upon service and project needs at the City’s sole, absolute discretion.

**Anticipated Contract Budget**

For each contract resulting from this RFQ, the anticipated not-to-exceed contract budget is \$2,500,000, subject to competition through evaluation and selection processes prior to negotiations. The actual contract budget may vary, depending upon service and project needs at the City’s sole and absolute discretion.

**UPDATE AS OF 06-24-2020**  
**Schedule for “RFQ Answers” and “Deadline for RFQ Proposals” has been revised. Minimum number of points for prequalification has been updated under Section 5.3. No other changes have been made.**

**Schedule\***

RFQ Issued	06-15-2020
Deadline for RFQ Questions	06-22-2020
RFQ Answers available online	06- <del>24</del> <b>26</b> -2020
Deadline for Courtesy e-mail to <a href="mailto:CentralContracts@sfgov.org">CentralContracts@sfgov.org</a> for Intent to Respond	07-01-2020
CMD Technical Assistance Period (via <a href="mailto:regina.chan@sfgov.org">regina.chan@sfgov.org</a> )	06-15-2020 thru 07-02-2020
<b>Deadline for RFQ Proposals</b>	<del>07-07-2020</del> <b>07-10-2020 (1pm PST)</b>
Notice of Intent to Establish a Prequalified List	08-04-2020

**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

**San Francisco Local Business Enterprise (LBE) Requirement**

The Local Business Enterprise (“LBE”) subconsulting requirement for this Request for Qualifications (RFQ) and resulting contract(s) 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. Firms must be LBE certified at the time of Proposal submission. Information about applying to become a certified LBE is at this link: <https://sfgov.org/lbecert>. To request an expedited review of LBE certification, please contact the Certification Unit of the Contract Monitoring Division (CMD). Please note that requesting an expedited review does not guarantee certification by the Proposal submission due date. If you have any questions regarding the LBE program, please contact the Contract Compliance Officer for the Controller’s Office, Regina Chan, [regina.chan@sfgov.org](mailto:regina.chan@sfgov.org).

**Submission of Proposal Requirements**

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

Proposals must be submitted electronically  
 Via the City’s Supplier Portal listed under Opportunities, “CON | RFQ2018-07A Underwriting/Investment Banking”:  
<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 Qualifications (RFQ)

Terms and abbreviations used throughout this RFQ include:

- **CCSF or The City** – The City and County of San Francisco.
- **Contractor** – The Proposer(s) awarded a contract for services subsequent to prequalification under this RFQ.
- **Controller's Office** – The City and County of San Francisco Controller's Office.
- **Consultant/Firm** – Any business entity including, but not limited to, companies, nonprofit organizations, educational institutions, and individuals.
- **Contract Monitoring Division (CMD)** – San Francisco Contract Monitoring Division, a department of the City and County of San Francisco.
- **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 any LBE subcontracting participation goal (if applicable).
- **Office of Public Finance (OPF)** – A division of the Controller's Office.
- **Pool** – The Underwriter, Remarketing Agent, Commercial Paper Dealer and Investment Bank prequalified firms pool.
- **Proposer** – Any entity submitting a proposal to this Request for Qualifications.
- **Proposal** – A Proposer's submittal in response to this RFQ.

## 1.2 Statement of Need and Intent

### What Does the City Seek?

The City, through the Office of Public Finance (OPF), seeks to establish a pool of qualified investment banks (the "Pool") to provide underwriting and other investment banking services in connection with the potential issuance of commercial paper, fixed and/or variable rate bonds, notes and other forms of indebtedness by or on behalf of the City, its enterprise operations and/or external agencies.

The City seeks proposals from firms demonstrating successful experience in the issuance of debt. These services will be used to assist the City and related City departments with future capital financings, refinancings or other related financial needs, in accordance with the City's Ten-Year Capital Plan and its Debt Policy, which can be accessed in the link below:

[http://sfcontroller.org/sites/default/files/Documents/Public%20Finance/CCSF\\_Debt\\_Policy\\_May\\_2017\\_final.pdf](http://sfcontroller.org/sites/default/files/Documents/Public%20Finance/CCSF_Debt_Policy_May_2017_final.pdf)

Certain City departments (such as the San Francisco Public Utilities Commission, as shown in the document linked below) may also have their own debt policies.

<http://www.sfwater.org/modules/showdocument.aspx?documentid=9819>

Proposers must have experience working on debt financings as described in RFQ Sections 2, Scope of Work, and 5, Evaluation Criteria.

Proposers seeking appointment to the Pool are expected to have expertise in providing underwriting and other investment banking services in one or more of the following categories of municipal debt obligations: enterprise revenue bonds, general obligation bonds, certificates of participation, lease revenue bonds, equipment leases, special tax (Mello-Roos) bonds, tax allocation (or IFD) bonds, sales tax revenue bonds, grant/bond anticipation notes, commercial paper, and other forms of indebtedness (together, "Bonds").

Proposers will be accepted only from individual firms. The City encourages Proposals from CMD-certified Small- or Micro- "Local Business Enterprises" (LBEs).

#### With Whom Will Consultants Work?

Consultants will work with OPF, other Controller's Office staff, and staff from other departments, boards and/or commissions, outside counsel and consultants, as appropriate, among others. Firms on the prequalified list may additionally be utilized by other City Departments for selection and negotiation of contracts for the scope of services described herein.

#### What is the City's Intent with this RFQ?

Based on Proposals to this RFQ, it is the intent of the City to create a prequalified list of firms from which the City may select prospective Contractors on an as-needed basis for services indicated below in Section 2, Scope of Work. The City may use the prequalified list, at its sole and absolute discretion, for selection of firms and negotiations of contracts on an as-needed basis for two (2) years, and up to four (4) years, from the prequalification notification date, if the requirements of San Francisco Administrative Code Section 21.4 (c) (2) are met. Contracts issued to prequalified firms will have terms of varying lengths depending on the City's needs, but in no case longer than four (4) years, including renewals. Contracts shall include all legal requirements set forth in the San Francisco Municipal Code and requirements unique to the specific Underwriting and Investment Banking Services to be provided. The City reserves the right to procure services similar or identical to the services specified in this RFQ by any other means. Multiple contracts may be awarded at the City's sole and absolute discretion in accordance to San Francisco Administrative Code, Section 21.8. No prequalified Proposer is guaranteed a contract.

Firms prequalified to the Pool may be assigned as senior manager, co-manager, remarketing agent, and/or commercial paper dealer, as needed, to issue debt through a negotiated sale. Firms prequalified to the Pool may also be assigned to financial feasibility engagements in connection with alternative transactions, including but not limited to service concession agreements and public/private partnerships. The issuance of Bonds by a competitive or negotiated sale will be decided in accordance with the City's Debt Policy.

### **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.

#### What are the Roles and Responsibilities of the City Controller's Office?

The City Controller is the chief accounting officer and auditor for the City and responsible for all financial management systems, procedures, internal control processes and reports that disclose the fiscal condition of the City to managers, policy makers and citizens. The City Controller is also the auditor for the City performing financial and performance audits of departments, agencies, concessions and contracts.

OPF is a division within the Controller's Office. OPF is responsible for issuing and managing the City's general fund debt obligations and property tax backed debt. Its mission is to provide and manage low-cost debt financing of large-scale, long-term capital projects and improvements that produce social and economic benefit to the City and its citizens while balancing market and credit risk with appropriate benefits, mitigations and controls. For more information regarding Office of Public Finance, visit <http://www.sfgov.org/opf>.

#### Outstanding Debt Portfolio

A description of the City's outstanding debt as of June 30, 2017 can be found in the 2016-17 CAFR beginning on page 78.

<http://sfcontroller.org/comprehensive-annual-financial-report-cafr>

#### Future Debt Financings

During the term of the Pool, the City expects to issue short and long-term debt obligations to (i) help finance future capital needs and (ii) refund outstanding debt. Information on the City's future capital needs can be found within the City's 10-year FY2018-2027 Capital Plan (the "Capital Plan"). Adopted on April 25, 2017, the Capital Plan is updated biennially. The current Capital Plan recommends \$35.2 billion in capital improvements consisting of \$5.3 billion for general fund departments, \$18.9 billion for enterprise departments (such as the San Francisco Public Utilities Commission, the Port of San Francisco and the San Francisco Municipal Transportation Agency), and \$11.0 billion in external investments for other agencies (such as the San Francisco Unified School District, the San Francisco Office of Community Investment and Infrastructure, Treasure Island Development Authority etc.). The Capital Plan may be accessed here: <http://onesanfrancisco.org/the-plan/overview>

Future City financings applicable to this pool may include one or more of the following:

- Sales tax revenue bonds
- Transportation revenue bonds
- Utility revenue bonds
- General obligation bonds
- Lease revenue bonds and/or Certificates of participation
- Financings backed by fees and/or assessments
- Special Tax (Mello-Roos) bonds;
- Equipment leases
- Tax allocation / Infrastructure Financing District (IFD) bonds
- Bond or grant anticipation notes

- Commercial paper

## 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. The City is soliciting qualifications to create a prequalified list of consultant firms that may be selected for the services described below.

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

### Is My Firm Expected to Propose for a Specific Project?

No. The Controller's Office will create a list of prequalified consultant firms. Each Proposer should demonstrate its capabilities by providing concise, but comprehensive Proposals in RFQ Attachment III, Proposal Template. The City will negotiate the specific scope of services, budget, deliverables and timeline with prequalified firms selected for contract negotiations. For example, for the contracts resulting from this RFQ, the contractor(s) may work on a project basis, with an engagement agreement for each project/task specifying the maximum number of hours, due date and hourly rate to be charged. There is no guarantee of a minimum amount of work or compensation for any Proposer(s) selected for contract negotiations. The City may select Contractors from the prequalified list in its sole and absolute discretion.

After the prequalified list has been established, the City may issue Request(s) for Proposals or Request(s) for Quotes to the prequalified consultant list to better assess qualifications for a specific scope of service, which may include staffing, scheduling, deliverable, and cost considerations.

### Does the City prefer firms to form a large group or consortium to cover more services, or to focus on an area of expertise and respond individually?

The City will only accept individual firm Proposals focused on the scope areas below for which the firm and its lead staff can demonstrate possession of appropriate qualifications.

## **2.1 Underwriter, Remarketing Agent, Commercial Paper Dealer and Investment Bank**

Selected firms shall provide qualified personnel for services that may include, but are not limited to, the following:

- Provide advice and recommendations related to the issuance of Bonds and/or project specific financing programs.
- Review the financial status of the City and recommend specific financing programs to maximize resources available for the implementation of each specific project.
- Prepare reports, schedules, and documents to support the issuance of Bonds such as cash flows analysis, capacity analysis, debt service projections, substantiation of

revenue estimates, verification of cash flows, and project or market feasibility, as needed.

- Assess and make recommendations relating to the appropriate level of public subsidy and equity investments, if applicable, including but not limited to assessment of project feasibility and credit worthiness of each recommended form of financing.
- Analyze and make recommendations relating to various financing options so as to secure the lowest practical interest rate; enhance the marketability of the Bonds; achieve the widest competition for bond purchase to include retail, institutional, and other investor classes; and achieve optimal leverage of City resources, while maintaining a prudent level of risk. Identify the advantages and disadvantages of any recommendations.
- Assess and recommend any credit enhancement and/or liquidity support deemed cost effective for the transaction.
- Assist in the preparation and distribution of the preliminary and final Official Statements and other documents required to facilitate a successful bond sale and closing.
- Assist in the arrangement and preparation of materials presented to rating analysts, investors and/or credit enhancement providers, as applicable.
- Review leases, construction contracts, insurance provisions, covenant requirements and all other relevant legal documents, where appropriate, so as to provide the City with the greatest degree of flexibility compatible with sound and efficient financing procedures.
- Identify potential investors and create and implement successful marketing and sales strategies for the City's securities.
- Develop and recommend a comprehensive marketing plan to reach a broad universe of potential investors to obtain the lowest practical borrowing cost.
- Prior to sale, provide a comparable sales analysis and market outlook to justify proposed scales. Manage the marketing of the Bonds.
- Manage and/or participate in an underwriting syndicate selected by the City in marketing its securities to investors.
- Underwrite and/or inventory unsold balances at prevailing market prices/yields then existing.
- Execute required certificate(s) for the award of the Bonds and the timely settlement of the financing.
- Assist in the coordination of the bond closing.
- Prepare a comprehensive "Final Pricing Book" within a reasonable time after the closing of a financing transaction that includes information requested by the City.



- Provide continuing updates and advice on the impact of current or proposed state or federal legislation, and market conditions that could affect the financial plans of the City and/or refunding opportunities.

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

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

#### **3.1 Deadline for RFQ 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 RFQ 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 RFQ. Substantive replies will be memorialized in written addenda to be made part of this RFQ. This RFQ 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 RFQ will be posted on the City's website at the following link listed under Opportunities, "CON | RFQ2018-07A Underwriting/Investment Banking": <https://sfcitypartner.sfgov.org/pages/Events-BS3/event-search.aspx> ("website").

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 example, failing to label the "original" Proposal as an "original". For information regarding the City's Evaluation Process, see RFQ Section 5 - Evaluation Criteria.

### **4. Proposal Submission Requirements**

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

Late submissions will not be considered.

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

Department: AIRPORT COMMISSIONDept. Code: AIRType of Request:  Initial  Modification of an existing PSC (PSC # 45162 - 14/15)Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)Type of Service: Investment Banking, Derivative Counterparty and Related ServicesFunding Source: Proceeds from bond salesPSC Original Approved Amount: \$12,000,000PSC Original Approved Duration: 04/20/15 - 06/30/22 (7 years 10 weeks)PSC Mod#1 Amount: \$35,000,000PSC Mod#1 Duration: no duration addedPSC Mod#2 Amount: \$23,500,000PSC Mod#2 Duration: 12/01/20-12/31/24 (2 years 26 weeks)PSC Cumulative Amount Proposed: \$70,500,000PSC Cumulative Duration Proposed: 9 years 36 weeks**1. Description of Work****A. Scope of Work/Services to be Contracted Out:**

The San Francisco International Airport (Airport) Finance Division has a need for investment banks to perform underwriting, remarketing, derivatives counterparty and/or commercial paper dealer services on behalf of variable rate bonds issued by the Airport. The investment banks underwriters will work with potential buyers of the Airport's bonds to ensure the lowest interest rate.

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

This services is necessary to ensure the Airport has access to lower interest loans. The Airport would be subject to paying higher interest rates if it issued fixed rate or variable rate bonds without the assistance of underwriters or remarketing agents.

**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, by this PSC 45162-14/15

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

Yes, if there continues to be a need for the services.

**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:**

To continue access to investment banks for derivative counterparty, underwriting, and other related services on behalf of the Airport.

**2. Reason(s) for the Request****A. Display all that apply**

Regulatory or legal requirements, or requirements or mandates of funding source(s) which limit or preclude the use of Civil Service Employees. Include a copy of the applicable requirement or mandate.

Explain the qualifying circumstances:

The Investment Banking Services required by SFO must be performed by a financial institution.

B. Reason for the request for modification:

This modification increases the amount and duration to continue services provided by investment banks for derivative counterparty, underwriting, and other related services for the Airport.

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

- A. Specify required skills and/or expertise: This service must be provided by staff at a financial institution that is registered with the U.S. Securities and Exchange Commission, Municipal Securities Rulemaking Board, Financial Industry Regulatory Authority and California Department of Corporation.
- B. Which, if any, civil service class(es) normally perform(s) this work? 1824, Pr Administrative Analyst; 1825, Prnpl Admin Analyst II; 0931, Manager III; 0933, Manager V;
- 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.  
Only an independent third-party with applicable federal and state registrations can underwrite bonds. The Airport does not have these registrations. Airport staff can process the agreements but cannot provide the investment banking services.
- 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 Airport and other City departments do not qualify as independent third-parties.

### **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.  
NO, City staff do not qualify as an independent third-party and cannot qualify to perform the 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 11/13/20, the Department notified the following employee organizations of this PSC/RFP request:

Prof & Tech Eng, Local 21; Municipal Executive Association;

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

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

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

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 45162 - 14/15

DHR Analysis/Recommendation:

Commission Approval Not Required

Approved by DHR on 11/25/2020

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

Department: AIRPORT COMMISSIONDept. Code: AIRType of Request:  Initial  Modification of an existing PSC (PSC # 45162 - 14/15)Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)Type of Service: Investment Banking, Derivative Counterparty and Related ServicesFunding Source: Proceeds from bond salesPSC Original Approved Amount: \$12,000,000PSC Original Approved Duration: 04/20/15 - 06/30/22 (7 years 10 weeks)PSC Mod#1 Amount: \$35,000,000PSC Mod#1 Duration: no duration addedPSC Cumulative Amount Proposed: \$47,000,000PSC Cumulative Duration Proposed: 7 years 10 weeks**1. Description of Work****A. Scope of Work/Services to be Contracted Out:**

The San Francisco International Airport (Airport) Finance Division has a need for investment banks to perform underwriting, remarketing, derivatives counterparty and/or commercial paper dealer services on behalf of variable rate bonds issued by the Airport. The investment banks underwriters will work with potential buyers of the Airport's bonds to ensure the lowest interest rate.

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

This services is necessary to ensure the Airport has access to lower interest loans. The Airport would be subject to paying higher interest rates if it issued fixed rate or variable rate bonds without the assistance of underwriters or remarketing agents.

**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.**

45162-14/15

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

Yes, if there continues to be a need for the services.

**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:**

To continue access to investment banks for their services on behalf of the Airport.

**2. Reason(s) for the Request****A. Display all that apply**

Regulatory or legal requirements, or requirements or mandates of funding source(s) which limit or preclude the use of Civil Service Employees. Include a copy of the applicable requirement or mandate.

Explain the qualifying circumstances:

The Investment Banking Services required by SFO must be performed by a financial institution.

B. Reason for the request for modification:

Need to increase amount.

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

- A. Specify required skills and/or expertise: This service must be provided by staff at a financial institution that is registered with the U.S. Securities and Exchange Commission, Municipal Securities Rulemaking Board, Financial Industry Regulatory Authority and California Department of Corporation.
- B. Which, if any, civil service class(es) normally perform(s) this work? 1824, Pr Administrative Analyst; 1825, Prnpl Admin Analyst II; 0931, Manager III; 0933, Manager V;
- 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.  
Only an independent third-party with applicable federal and state registrations can underwrite bonds. The Airport does not have these registrations. Airport staff can process the agreements but cannot provide the investment banking services.
- 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 Airport and other City departments do not qualify as independent third-parties.

**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.  
NO, City staff do not qualify as an independent third-party and cannot qualify to perform the 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 02/09/17, the Department notified the following employee organizations of this PSC/RFP request:

Prof & Tech Eng, Local 21; Municipal Executive Association;

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

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

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

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 45162 - 14/15

DHR Analysis/Recommendation:

03/20/2017

Commission Approval Required

Approved by Civil Service Commission

03/20/2017 DHR Approved for 03/20/2017



## MEMORANDUM

**TO:** PSC Coordinator (DHR-PSCCoordinator@sfgov.org)

**FROM:** Richard Kurylo (415) 554-7536 *RK*

**DATE:** 11/28/11

**SUBJECT:** Personal Services Contract Summary for Underwriting, Investment Banking and Credit Enhancement Services

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Attached, please find a Personal Services Contract Summary for Underwriting, Investment Banking and Credit Enhancement Services.

These services are required for the issuance, marketing and distribution of debt obligations financing and refinancing the City's capital infrastructure and related needs.

Should you need additional information, or if you have any questions, please contact me at (415) 554-7536.



PERSONAL SERVICES CONTRACT SUMMARY

DATE: 11/28/11

DEPARTMENT NAME: Controller's Office DEPARTMENT NUMBER 09

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

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

TYPE OF SERVICE: Underwriting, Investment Banking and Credit Enhancement Services

FUNDING SOURCE: Department budgets

PSC AMOUNT: \$2,000,000 PSC DURATION: January 1, 2012 - December 31, 2017

1. DESCRIPTION OF WORK

- A. Concise description of proposed work: Provide underwriter, investment banking, and credit enhancement services to the City in connection with the issuance, marketing and distribution of its fixed-rate debt obligations, variable-rate debt obligations, and commercial paper.
B. Explain why this service is necessary and the consequences of denial: These services are required for the issuance, marketing and distribution of debt obligations financing and refinancing the City's capital infrastructure and related needs.
C. Explain how this service has been provided in the past (if this service was previously approved by the Civil Service Commission, indicate most recent personal services contract approval number): Services were provided in 2009 for a different series of general obligation bonds.
D. Will the contract(s) be renewed: The services covered under the Request For Qualifications may be renewed in a future solicitation.

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

Local 21 Union Name Signature of person mailing/faxing form November 28, 2011 Date
Local 1021 Union Name Signature of person mailing/faxing form November 28, 2011 Date
MEA Union Name Signature of person mailing/faxing form November 28, 2011 Date
RFQ sent to unions above, on November 28, 2011, on Union Name Date Signature

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# STAFF ANALYSIS/RECOMMENDATION:

CIVIL SERVICE COMMISSION ACTION: 3. DESCRIPTION OF REQUIRED SKILLS/EXPERTISE

- A. Specify required skills and/or expertise: Must have specialized skills in underwriter, investment banking, and credit enhancement services with demonstrated experience in the issuance, marketing, and distribution of fixed-rate debt obligations, variable-rate debt obligations, and commercial paper. Must meet applicable minimum capital requirements imposed by relevant regulatory and/or oversight authorities, including Financial Industry Regulatory Authority minimum net capital requirements for broker-dealers. Must hold all licenses and registrations required by applicable federal and state laws for businesses offering (1) underwriting or investment banking services or (2) credit and/or liquidity enhancement services, including the following: The U.S. Securities and Exchange Commission (SEC); The Financial Industry Regulatory Authority (FINRA); The Municipal Securities Rulemaking Board (MSRB); The Office of the Comptroller of the Currency (OCC); The Office of Thrift Supervision (OTS); The California Department of Financial Institutions; and The California Department of Corporations. Firms performing underwriting or investment banking services must have at least one full-time professional supervisory employee with an FINRA Series 53 license (Municipal Securities Principal) and Series 7 license.
  - B. Which, if any, civil service class normally performs this work? No civil service class normally performs this work, as it includes specialized skills, licenses, registrations, and capital resources in underwriter, investment banking, and credit enhancement services stated above. Selected consultants would work with the following job classifications: 1824 Principal Administrative Analyst and 0933 Manager V.
  - C. Will contractor provide facilities and/or equipment not currently possessed by the City? If yes, explain: No.
4. WHY CLASSIFIED CIVIL SERVICE CANNOT PERFORM
- A. Explain why civil service classes are not applicable: Existing Civil Service classifications do not provide underwriter, investment banking, and credit enhancement services.
  - B. Would it be practical to adopt a new civil service class to perform this work? Explain. No. The work is short-term; is highly specialized, independent in nature; and requires capital resources.

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

	<u>Yes</u>	<u>No</u>
A. Will the contractor directly supervise City and County employees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B. Will the contractor train City and County employees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C. Are there legal mandates requiring the use of contractual services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D. Are there federal or state grant requirements regarding the use of contractual services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E. Has a board or commission determined that contracting is the most effective way to provide this service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
F. Will the proposed work be completed by a contractor that has a current personal services contract with your department? <u>It is possible, subject to the outcome of the department's competitive solicitation and selection process.</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

*Jeannie Wong*  
 \_\_\_\_\_  
 Signature of Departmental Personal Services Contract Coordinator  
 for **Jeannie Wong** (415) 554-7604  
 \_\_\_\_\_  
 Print or Type Name Telephone Number

**1 Dr. Carlton B. Goodlett Pl., #488**  
 \_\_\_\_\_  
**San Francisco, CA 94102**  
 \_\_\_\_\_  
 Address

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: DEPARTMENT OF EMERGENCY MANAGEMENT -- ECD

Dept. Code: ECD

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

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

Type of Service: Professional Services

Funding Source: General Fund

PSC Amount: \$900,000

PSC Est. Start Date: 01/01/2022

PSC Est. End Date 06/30/2026

**1. Description of Work**

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

Provide stakeholder engagement, facilitation and training services for community-based organizations, service providers and businesses related to crisis situations and emergency preparedness programs. The contractor will work several organizations to:

- Provide input and feedback on crisis response plans and operations
- Share information about the crisis response and/or emergency preparedness strategy, operations, and outcomes
- Develop a shared understanding of community resources that contribute to crisis response and/or emergency preparedness
- Assemble and disseminate accessible training materials for a variety of audiences on resources available to people experiencing crisis situations.
- Execute a train-the-trainer model to share information with community and business groups
- Use a mailing list to send regular tips and information about crisis situations and/or emergency preparedness to the public .
- Bring information back to the City about what people need to know more about, what issues are surfacing, and where things are working well.

- Concise Description of Proposed Word (Scope of Work/Services to be Contracted Out):

Task 1: Project Management

Deliverables:

- Project Management Plan including project timeline
- Project Management Kick-Off Meeting
- Bi-weekly project management meetings
- Monthly invoices with progress reports

Task 2: Meeting/Training Planning and Facilitation

Deliverables:

- Plan meeting/training calendar, including developing monthly agendas and supporting meeting materials, including soliciting

necessary information from city and community partners or conducting background research on best practices.

- Facilitate workgroup meetings and trainings, including follow-up with workgroup participants if clarification is needed
- Maintain workgroup documentation, including development and distribution of meeting minutes, summaries, and action items.
- Document feedback, identify issues, and raise them with DEM as they emerge.

Task 3: Content Development and Dissemination

Deliverables:

- Assemble and disseminate accessible training materials for a variety of audiences on resources available to people experiencing

crisis situations and/or emergency preparedness.

- Use a mailing list to send regular tips and information about crisis situations and/or emergency preparedness to the public.

Task 4: Analysis and Key Findings

Deliverables:

- Collect, review, and analyze workgroup input and present findings and recommendations.

Task 5: Project Close Out

Deliverables:

- Provide project closeout report.
- Conduct project closeout meeting.

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

This service will enable San Francisco to become a more prepared and resilient city by empowering community based organizations, service providers and business and neighborhood groups to take active part in responding to crisis situations. This program will allow San Francisco to execute the Whole Community Concept which is defined by the Federal Emergency Management Agency as: As a concept, Whole Community is a means by which residents, emergency management practitioners, organizational and community leaders, and government officials can collectively understand and assess the needs of their respective communities and determine the best ways to organize and strengthen their assets, capacities, and interests. By doing so, a more effective path to societal security and resilience is built. In a sense, Whole Community is a philosophical approach on how to think about conducting emergency management. DEM will build on the lessons learned from the COVID-19 pandemic to nurture meaningful partnerships with community partners. As a result of denial, DEM cannot provide effective crisis response and/or emergency preparedness training to community and business groups.

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.  
None.

D. Will the contract(s) be renewed?  
No. This work is temporary in nature

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):

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

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

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

B. Explain the qualifying circumstances:

Department of Emergency Management has been directed to coordinate the City's crisis response to homelessness and street conditions. As a result, DEM will need to immediately engage with the community and business stakeholders to enlist their participation in a whole community response to the crisis. This work is temporary in nature and will be utilized on a periodic basis. The knowledge, skills and abilities necessary for this position are not possessed by any one person at DEM.

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

A. Specify required skills and/or expertise: -Stakeholder Facilitation -Stakeholder Engagement -Stakeholder Training

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: This work is temporary in nature. This project requires the knowledge, skills and abilities of an emergency manager, community development specialist, meeting facilitator and training and exercise planner. This combination of skills does not currently exist in any one person at DEM.

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

This work is temporary in nature. This project requires the knowledge, skills and abilities of an emergency manager, community development specialist, meeting facilitator and training and exercise planner. This combination of skills does not currently exist in any one person at DEM.

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

A. Explain why civil service classes are not applicable.

If there were staff available, they would have to have the knowledge, skills and abilities of an emergency manager, community development specialist and training and exercise planner. This combination of skills does not currently exist in any one person at DEM

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. This work is temporary in nature and it would not make sense operationalize this position moving forward.

**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 project during is temporary, so there is no need to train employees.

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 12/13/2021, 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: Thomas Chen Phone: 4152696562 Email: Thomas.Chen@sfgov.org

Address: 1011 Turk Street San Francisco, CA

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 49900 - 21/22

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 02/07/2022

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

## Chen, Thomas (DEM)

---

**From:** dhr-psccordinator@sfgov.org on behalf of Thomas.Chen@sfgov.org  
**Sent:** Monday, December 13, 2021 11:38 AM  
**To:** Chen, Thomas (DEM); snaranjo@cirseiu.org; mdennis@twusf.org; roger marengo; pwilson@twusf.org; cmoyer@nccrc.org; Frigault, Noah (HRC); sfdpoa@icloud.com; Mjayne@iam1414.org; Emanuel, Rachel (DEM); laborers261@gmail.com; Laxamana, Junko (BOS); jennifer.esteen@seiu1021.org; emathurin@cirseiu.org; abush@cirseiu.org; sbabaria@cirseiu.org; anthony@dc16.us; mlobre@sfpoa.org; @sfpoa.org; tracym@sfpoa.org; mleach@ibt856.org; rooferslocal40@gmail.com; sal@local16.org; 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@sffdlocal798.org; cityworker@sfcwu.org; davidmkersten@gmail.com; djohnson@opcmllocal300.org; Ramon Hernandez; 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; bart@dc16.us; david.canham@seiu1021.org; jtanner940@aol.com; oashworth@ibew6.org; L21PSCReview@ifpte21.org; laborers261@gmail.com; local200twu@sbcglobal.net; speedy4864@aol.com; Christina@sfmea.com; ecdemvoter@aol.com; thomas.vitale@seiu1021.org; Chen, Thomas (DEM); DHR-PSCCoordinator, DHR (HRD)  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 49900 - 21/22

RECEIPT for Union Notification for PSC 49900 - 21/22 more than \$100k

The DEPARTMENT OF EMERGENCY MANAGEMENT -- ECD has submitted a request for a Personal Services Contract (PSC) 49900 - 21/22 for \$900,000 for Initial Request services for the period 01/01/2022 – 06/30/2026. 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:

<https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fapps.sfgov.org%2Fdhrdrupal%2Fnode%2F17675&data=04%7C01%7CThomas.Chen%40sfgov.org%7Cd82dfeeffaff465326d408d9be718014%7C22d5c2cfce3e443d9a7dfcc0231f73f%7C0%7C0%7C637750217029774759%7CUnknown%7CTWFpbGZsb3d8eyJWljiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C3000&reserved=0> 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: ENVIRONMENT -- ENV

Dept. Code: ENV

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

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

Type of Service: Fix Lead SF-Residential Lead Abatement Program

Funding Source: City (Through legal settlement)

PSC Duration: 5 years

PSC Amount: \$14,300,000

**1. Description of Work**

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

Support the implementation of CCSF's Fix Lead SF program, a program to help reduce childhood lead poisoning in San Francisco residential properties. The support functions will include but are not limited to: hiring\*, managing, and paying State lead-certified professionals\*; and managing tenant relocation.

(Up to 8% of the \$14.3 Million is for contracted program support, the remainder of the funds are to directly pay for certified\* lead abatement contractors and relocation providers).

\*California Health and Safety Code Requirements for Lead-Certified Professionals

State regulations require professionals involved in lead work such as the work proposed by Fix Lead SF to have a California Department of Public Health Lead Certificate (CDPH). A list of these certified professionals is found on the CDPH webpage. The Lead Inspectors and the Lead Remediation Supervisors will come from the CDPH lists.

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

The service is necessary because the City cannot contract nor disperse funds to Program participants to conduct work in private homes. Denial of service results in an inoperable Program (Program cannot operate without Certified lead service providers).

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.

New program, N/A.

D. Will the contract(s) be renewed?

Yes, if funds remain available at the end of the initial 5 year term the contract may be extended until settlement funds are depleted. The program ends once funding from the settlement is depleted.

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.

Funding for Fix Lead SF comes from a legal settlement agreement between three major paint manufacturers and CCSF and nine other cities and counties in California (<https://tinyurl.com/leadpressrelease>). Between 2020 and 2027 CCSF will be receiving a total of approximately \$21,000,000. SF Environment anticipates spending 75% of this funding on identifying and removing lead risks in residential buildings. The program ends once funding from the settlement is depleted.

**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).

Cases where future funding is so uncertain that the establishment of new civil service positions, classes or programs is not feasible (including situations where there is grant funding).

B. Explain the qualifying circumstances:

Funding for Fix Lead SF comes from a legal settlement agreement between three major paint manufacturers and CCSF and nine other cities and counties in California (<https://tinyurl.com/leadpressrelease>). Between 2020 and 2027 CCSF will be receiving a total of approximately \$21,000,000. SF Environment anticipates spending 75% of this funding on identifying and removing lead risks in residential buildings. The program ends once funding from the settlement is depleted.

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

A. Specify required skills and/or expertise: Ability to contract with Residential lead abatement and relocation providers for San Francisco residents entering the Fix Lead SF program. (Approximately 70 projects per year)

B. Which, if any, civil service class(es) normally perform(s) this work? 1823, Senior Administrative Analyst; 5640, Environmental Spec;

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 consulted the City Attorney's Office. For this program, the City cannot contract with nor disperse funds to Program participants to conduct work in private residences.

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

A. Explain why civil service classes are not applicable.

For this program, the City cannot contract with nor disperse funds to Program participants to conduct work in private residences.

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. For this program, the City cannot contract with residential lead service and relocation providers. Civil Service Class positions are unable to provide this service.

**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, there is no training component for the contract.

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 12/10/2021, 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: David Kashani Phone: 415-355-3704 Email: david.kashani@sfgov.org

Address: 1155 Market Street, 3rd Floor San Francisco, CA 94103

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 43810 - 21/22

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 02/07/2022

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

**From:** [dhr-psccordinator@sfgov.org](mailto:dhr-psccordinator@sfgov.org) on behalf of [david.kashani@sfgov.org](mailto:david.kashani@sfgov.org)  
**To:** [Kashani, David \(ENV\); Laxamana, Junko \(BOS\); WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; kschumacher@ifpte21.org; pkim@ifpte21.org; amakayan@ifpte21.org; L21PSCReview@ifpte21.org; Kashani, David \(ENV\); DHR-PSCCoordinator, DHR \(HRD\)](mailto:Kashani, David (ENV); Laxamana, Junko (BOS); WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; kschumacher@ifpte21.org; pkim@ifpte21.org; amakayan@ifpte21.org; L21PSCReview@ifpte21.org; Kashani, David (ENV); DHR-PSCCoordinator, DHR (HRD)@ifpte21.org)  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 43810 - 21/22  
**Date:** Friday, December 10, 2021 2:38:35 PM

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RECEIPT for Union Notification for PSC 43810 - 21/22 more than \$100k

The ENVIRONMENT -- ENV has submitted a request for a Personal Services Contract (PSC) 43810 - 21/22 for \$14,300,000 for Initial Request services for the period 04/01/2022 – 03/31/2027. 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/17676> 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 ATTORNEY OF SAN FRANCISCO

DAVID CHIU, CITY ATTORNEY

≡ MENU



## California cities and counties announce groundbreaking \$305 million settlement of landmark lead paint litigation

July 17, 2019

*San Francisco will get about \$21 million to protect children and families from lead paint hazards*



City Attorney Dennis Herrera

SAN FRANCISCO (July 17, 2019) — After nearly 20 years of hard-fought litigation, the County Counsels and City Attorneys of 10 California jurisdictions have reached a settlement on behalf of the People of the State of California that will provide hundreds of millions of dollars to clean up the lead paint that poisons tens of thousands of children across California each year.

Under the settlement agreement, defendants The Sherwin-Williams Company, ConAgra Grocery Products Company, and NL Industries, Inc., will pay \$305 million to the Counties of Santa Clara, Alameda, Los Angeles, Monterey, San Mateo, Solano, and Ventura; the City and County of San Francisco; and the Cities of Oakland and San Diego to address lead paint-related hazards, which to this day continue to be the most significant environmental hazard for children in California and around the country.

The settlement announced today allows the 10 cities and counties to access abatement funds without further delay, ends the threat of further litigation, and gives the cities and counties the flexibility to create more expansive, efficient, and effective clean-up programs tailored to the needs of their communities.

“Lead paint has created a public health crisis for communities in California and across our nation,” said San Francisco City Attorney Dennis Herrera. “This agreement ensures that significant resources will go to address the lead paint crisis and that local governments have the flexibility to best protect children from this pervasive environmental hazard.”

“Today’s settlement holds former manufacturers of lead paint responsible for the harm they have caused to generations of California’s children,” said Santa Clara County Counsel James R. Williams. “This settlement is a victory for children and families throughout California. We have fought to hold these companies accountable for nearly twenty years, and will finally have needed funds to devote to protecting our children from lead poisoning.”

The settlement arises out of County of Santa Clara, et al. v. Atlantic Richfield Company, et al., Santa Clara County Superior Court, Case No. 1-00-CV-788657. In 2000, the Santa Clara County Counsel’s Office filed this landmark case to hold former lead paint manufacturers responsible for promoting lead paint for use in homes despite their knowledge that the product was highly toxic. San Francisco joined the case in 2001. Young children are especially vulnerable to lead poisoning, the effects of which are irreversible. Although lead paint was banned for residential use in 1978, it is still present in millions of homes in California and continues to be the leading cause of childhood lead poisoning in California.



In 2014, after a six-week trial, the Santa Clara County Superior Court ruled that three former lead paint manufacturers—The Sherwin-Williams Company, ConAgra Grocery Products, and NL—were liable for knowingly marketing a toxic product—lead paint. The court ordered the defendants to provide the funds needed to clean up lead paint inside homes built before 1978 in the ten cities and counties. In 2017, the Court of Appeal upheld the Superior Court’s decision, but limited the defendants’ liability to clean up homes built before 1951. The California Supreme Court and United States Supreme Court each declined to review the Court of Appeal’s precedent-setting decision.

Prior to settlement, the parties were continuing to litigate issues related to the final judgment and the process through which defendants would pay for the lead paint clean-up ordered by the California courts. The court had imposed a time limit of four years on the use of the funds allotted to abatement, after which remaining funds would be returned to the defendants. The court also had restricted expenditure of the funds to certain kinds of remediation projects, excluding homes built after 1950 and areas contaminated by exterior paint, for example.

Today’s settlement does away with those restrictions. It gives cities and counties the flexibility to clean up those and other types of lead paint hazards. It also allows the funds to be targeted for intervention services for children with lead poisoning. In addition, it ensures that the cities and counties can use the funds paid by the defendants without the threat that any of the funds will revert back to the defendants.

The 10 cities and counties will divide the settlement funds based on the number of homes with lead paint in each jurisdiction. They will then set up local cleanup programs designed to meet the needs in each city or county. San Francisco is slated to receive about \$21 million for cleanup programs over the next seven years.

The case was litigated on behalf of the People of the State of California by the County Counsels and City Attorneys of the County of Santa Clara, the County of Alameda, the City of Oakland, the City and County of San Francisco, the City of San Diego, the County of Los Angeles, the County of Monterey, the County of San Mateo, the County of Solano, and the County of Ventura. The County Counsel and City Attorney’s Offices litigated this case in collaboration with the law firms of Cotchett Pitre & McCarthy LLP,

Motley Rice LLC, Mary Alexander & Associates PC, the Law Office of Peter Earle, and Altshuler Berzon LLP.

For more information on the history of the case, please visit [www.sccgov.org/leadpaint](http://www.sccgov.org/leadpaint).

The case is: The case is County of Santa Clara v. Atlantic Richfield Co. et al., Santa Clara Superior Court, case no. 1-00-CV-788657, filed Mar. 23, 2000. Additional case documentation is available on the City Attorney's website at: [www.sfcityattorney.org/category/news/lead-paint/](http://www.sfcityattorney.org/category/news/lead-paint/).

# # #



■ CONSUMER PROTECTION, ENVIRONMENT, LEAD PAINT, MAJOR CASE, NEWS

< [Herrera statement on Prop. C rulings](#)

> [Herrera secures \\$1.2 million from rogue developer for gaming permit system](#)

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# City and County of San Francisco

## Sourcing Event ID 0000005807

### Formal Request for Proposals for: Professional Services for the Fix Lead SF Program

This Solicitation can be viewed on the City's Supplier Portal at: <https://sfcitypartner.sfgov.org/pages/index.aspx>



Request for Proposals Issuance	September 7, 2021
Pre-Proposal Conference <b>(Mandatory Attendance)</b>	September 17, 2021 2:30 PM (PST) <b>Join on your computer or mobile app <a href="#">Click here to join the meeting</a></b>
Deadline for Questions	September 24, 2021 5:00 PM (PST)
Deadline to Submit Proposals	October 25, 2021 5:00 PM (PST)
Short-Listing Notification for Oral Interviews	November 19, 2021
Oral Interviews	December 8, 2021
Notice of Intent to Award	December 15, 2021
Period for Protesting Notice of Intent to Award	Within three (3) business days of the City's issuance of a Notice of Intent to Award.
Contract Administrator:	David Kashani Contracts and Grants Coordinator San Francisco Department of the Environment 1155 Market Street, 3rd Floor San Francisco, CA 94103 David.Kashani@sfgov.org P: (415) 355-3704

### **Attachments**

- Attachment 1: City's Proposed Agreement Terms
- Attachment 2: Proposer Questionnaire and References
- Attachment 3: CMD Form 3
- Attachment 4: LBE Participation and Good Faith Outreach Forms
- Attachment 5: Reserved (Written Proposal Template)
- Attachment 6: Price Proposal Template
- Attachment 7: First Source Hiring Form
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- Attachment 9: Reserved (Sweatfree Ordinance Forms)
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## **I. INTRODUCTION AND SOLICITATION SCHEDULE**

### **A. Introduction**

#### **1. General**

This Request for Proposals (hereinafter “Solicitation”) is being issued by Department of the Environment (“SF Environment”) of the City and County of San Francisco (CCSF or the City). SF Environment is seeking qualified suppliers (“Proposers”) to provide professional services in the administration of CCSF’s Fix Lead SF program, a program to reduce childhood lead poisoning in San Francisco (Proposal). The administration functions will include but are not limited to: hiring, managing, and paying State lead-certified professionals\*; managing tenant relocation\*, tracking individual project progression; preparing requested progress reports.

*(\*Pre-determining a team of lead-certified professionals and relocation providers is NOT part of the response to this solicitation for proposal. The City will be developing policies and procedures that will guide the selection of the Fix Lead SF lead-certified professionals. The requirements for the tenant relocation provider are specified in Attachment 10.)*

The Fix Lead SF program is a collaboration of the Department of The Environment, the Department of Public Health, and the Mayor’s Office of Economic and Workforce Development. Lead is a neurotoxin. Therefore, the mission of the program is to reduce the amount of lead risks in as many San Francisco residential units as possible. Over 90% of the residential buildings in San Francisco were built before 1978 when lead-based paint was used. As a result, there is a potential for most homes to contain lead-contaminated paint, lead-contaminated soil, and lead-contaminated dust. Children under six years of age are especially at risk for lead poisoning because they are more likely to put non-food items such as paint chips, lead-contaminated soil, or lead-dust contaminated hands or toys in their mouths. Women who are pregnant also represent a high-risk for lead poisoning. Adults working with lead can also be poisoned.

Funding for Fix Lead SF comes from a legal settlement agreement between three major paint manufacturers and CCSF and nine other cities and counties in California (<https://tinyurl.com/leadpressrelease>). Between 2020 and 2027 CCSF will be receiving a total of approximately \$21,000,000. SF Environment anticipates spending 75% of this funding on identifying and removing lead risks in residential buildings.

SF Environment shall order goods and/or services covered by the awarded contract through the issuance of individual Purchase Orders and/or Task Orders which shall be released against the awarded contract during the contract term.

#### **2. Selection Overview**

The City shall award a contract to the Proposer that meets the Minimum Qualifications of this Solicitation whose Proposal receives the highest ranking score. Responsive Proposals will be evaluated by a panel (“Evaluation Panel”) consisting of one or more parties with expertise related to goods and/or services being procured through this Solicitation. The Evaluation Panel may include staff from various City departments. Proposals will be evaluated based on the criteria outlined herein. If applicable, a Contract Monitoring Division (CMD) Contract Compliance Officer will assess Proposal compliance with Local Business Enterprise (LBE) requirements and assign a rating bonus to Proposal scores. The CMD-adjusted scores (if applicable) will then be tabulated, and Proposers will be ranked starting with the Proposer receiving the highest score, then continuing with the Proposer receiving the second highest score, and so on.

### **B. Anticipated Contract Term**

A contract awarded pursuant to this Solicitation shall be non-exclusive with an original term of five (5) years. The City at its sole, absolute discretion, shall have the option to extend the term for three (3) additional years for a total of eight (8) years.

**C. Anticipated Contract Not to Exceed Amount**

A contract awarded pursuant to this Solicitation shall have a not to exceed (“NTE”) amount of **\$14,300,000** for the initial term with the expected range of five (5) to eight (8) percent of contract amount set aside for the winning bidder’s professional services and the remainder set aside for professional lead services and relocation. Should the contract be extended, the City may in its discretion choose to increase the NTE proportionally based on the length of the extension, or may choose to extend the term without increasing the initial NTE to add additional funding.

**D. Reserved (Indefinite Quantity, As Needed Contract).**

**E. Cooperative Agreement**

Any other City department, public entity or non-profit made up of multiple public entities, may use the results of this Solicitation to obtain some or all of the commodities or services to be provided by Proposer under the same terms and conditions of any contract awarded pursuant to this Solicitation.

**F. Public Disclosure**

All documents under this solicitation process are subject to public disclosure per the California Public Records Act (California Government Code Section §6250 et. Seq) and the San Francisco Sunshine Ordinance (San Francisco Administrative Code Chapter 67). Contracts, Proposals, responses, 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.

If the City receives a Public Records Request (“Request”) pertaining to this solicitation, City will use its best efforts to notify the affected Proposer(s) of the Request and to provide the Proposer with a description of the material that the City deems responsive and the due date for disclosure (“Response Date”). If the Proposer asserts that some or all of the material requested contains or reveals valuable trade secret or other information belonging to the Proposer that is exempt from disclosure and directs the City in writing to withhold such material from production (“Withholding Directive”), then the City will comply with the Withholding Directive on the condition that the Proposer seeks judicial relief on or before the Response Date. Should Proposer fail to seek judicial relief on or before the Response Date, the City shall proceed with the disclosure of responsive documents.

**G. Limitation on Communications During Solicitation**

From the date this Solicitation is issued until the date the competitive process of this Solicitation is completed (either by cancelation or final Award), Proposers and their subcontractors, vendors, representatives and/or other parties under Proposer’s control, shall communicate solely with the Contract Administrator whose name appears in this Solicitation. Any attempt to communicate with any party other than the Contract Administrator whose name appears in this Solicitation – including any City official, representative or employee – is strictly prohibited. Failure to comply with this communications protocol may, at the sole discretion of City, result in the disqualification of the Proposer or potential Proposer from the competitive process. This protocol does not apply to communications with the City regarding business not related to this Solicitation.

## H. Solicitation Schedule

The anticipated schedule for this Solicitation is set forth below. These dates are tentative and subject to change. It is the responsibility of the Proposer to check for any Addenda to this Solicitation or other pertinent information posted in the City’s Supplier Portal.

Proposal Phase	Tentative Date
Request for Proposals Issued	September 7, 2021
Pre-Proposal Conference <b>(Mandatory Attendance)</b>	September 17, 2021 2:30 PM (PST)
Deadline for Written Questions	September 24, 2021 5:00 PM (PST)
Deadline to Submit Proposals	October 25, 2021 5:00 PM (PST)
Short-Listing Notification for Oral Interviews	November 19, 2021
Oral Interviews	December 8, 2021
Notice of Intent to Award	December 15, 2021
Period for Protesting Notice of Intent to Award	Within three (3) business days of the City's issuance of a Notice of Intent to Award.
Final Award	January 2022

**Mandatory Pre-Proposal Conference:** The Mandatory Pre-Proposal Conference shall be held virtually. **Join on your computer or mobile app:** [Click here to join the meeting](#)  
**Or call in (audio only)**+1 415-906-4659 Phone Conference ID: 753 295 363#

**Mandatory Pre-Proposal Conference Details:** The Pre-Proposal Conference will begin at the time specified. Proposers’ representatives are urged to arrive on time. Topics already covered will not be repeated for the benefit of late arrivals. **Failure to attend the Pre-Proposal Conference shall not excuse the awarded Proposer from any obligations of a contract awarded pursuant to this Solicitation.** Any change or addition to the requirements contained in this Solicitation as a result of the Pre-Proposal Conference will be executed by a written Addendum to this Solicitation. It is the responsibility of the Proposer to check for any Addendum to this Solicitation or other pertinent information posted on the City’s Supplier Portal: <https://sfcitypartner.sfgov.org/pages/index.aspx>.

## I. How to Register as a City Supplier

The following requirements pertain only to Proposers not currently registered with the City as a Supplier.

**Step 1:** Register as a BIDDER at City’s Supplier Portal:

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

**Step 2:** Follow instructions for converting your BIDDER ID to a SUPPLIER ID. This will require you to register with the City Tax Collector’s Office and submit Chapter 12B and 12C forms through the Supplier portal. Once these forms have been completed, submitted, and processed, you will be notified via email with your organization's new Supplier ID. That email will also provide instructions for completing your Supplier registration.

- **City Business Tax Registration Inquiries:** For questions regarding business tax registration procedures and requirements, contact the Tax Collector’s Office at (415) 554-4400 or, if calling from within the City and County of San Francisco, 311.
- **Chapter 12(B) and 12(C) Inquiries:** For questions concerning the City’s Chapter 12(B) and 12(C) Equal Benefits and Non-Discrimination in Contracting requirements, go to: [www.sfgov.org/cmd](http://www.sfgov.org/cmd).



## **J. Proposal Questions and Submissions**

### **1. Proposer Questions and Requests for Clarification**

Proposers shall address any questions regarding this Solicitation to the Contract Administrator whose name and contact information appears on the cover page of this Solicitation. Proposers who fail to submit questions concerning this Solicitation and its requirements will waive all further rights to protest based on the specifications and conditions herein. **Questions must be submitted by email to the Contract Administrator whose name and contact information appears on the cover page of this Solicitation no later than the deadline for submission of written questions or requests for clarification.** A written Addendum will be executed addressing each question and answer and posted publicly. It is the responsibility of the Proposer to check for any Addenda and other updates that will be posted on the City's Supplier Portal: <https://sfcitypartner.sfgov.org/pages/Events-BS3/event-search.aspx>.

### **2. Proposal Format**

Proposals must be created using a word processing software (e.g. Microsoft Word or Excel) and typed in a serif font (e.g.-Times New Roman). The document must have page margins of at least .5" on all sides. Information must be provided at a level of detail that enables effective evaluation and comparison between Proposals. Failure to follow formatting, submission, or content requirements, as well as page limit restrictions (if any), may negatively impact the evaluation of your Proposal.

### **3. Time and Place for Submission of Proposals**

Prior to the Proposal submission deadline, Proposers must upload their complete Proposals into the City's Supplier Portal: <https://sfcitypartner.sfgov.org/pages/index.aspx>. Late submissions will not be considered. Each original Proposal received will be screened to ensure that all content required by this Solicitation is included. Partial or complete omission of any required content may disqualify Proposals from further consideration. Late Proposal submissions will not be considered and failure to adhere to the above requirements may result in the complete rejection of your Proposal.

**Proposers are encouraged to upload their Proposals to the SF Supplier Portal as early as possible to address any technical issues that may arise during the submission process.** In the event a Proposer is unable to upload its complete Proposal into the SF Supplier Portal, Proposer must email its Proposal to the Contract Administrator whose name and contact information appears on the cover page of this Solicitation prior to the Proposal submission deadline and request confirmation of receipt. Proposer must include in its email: (a) documentation (e.g. screenshots) verifying its inability to upload its Proposal into the SF Supplier Portal and (b) a detailed justification explaining why it was not able to have the issue addressed prior to the submission deadline.

## **K. Proposal Selection**

The acceptance and/or selection of any Proposal(s) shall not imply acceptance by the City of all terms of the Proposal(s), which may be subject to further approvals before the City may be legally bound thereby.

## **L. Contract Terms and Negotiations**

The successful Proposer will be required to enter into an Agreement substantially in the form of the Agreement attached hereto as Attachment 1, City's Proposed Agreement Terms. **If Proposer is unable to accept City's Proposed Agreement Terms substantially in the form**

**presented, Proposer shall include a revised copy of City's Proposed Agreement with its Proposal.** The revised copy of the Proposed Agreement must clearly:

- (1) Mark those sections to which it objects;
- (2) Set forth Proposer's alternative terms with respect to each such section; and
- (3) Explain the basis for each proposed change.

If a satisfactory contract(s) cannot be negotiated in a reasonable time, the City, in its sole discretion, may terminate negotiations. Upon termination of negotiations, City may begin negotiation with the Proposer that meets the Minimum Qualifications of this Solicitation whose Proposal receives the next highest ranking score.

#### **M. Protest Procedures**

##### **1. Protest of Non-Responsiveness Determination**

Within three (3) business days of the City's issuance of a Notice of Non-Responsiveness, a Proposer may submit a written Notice of Protest of Non-Responsiveness. The Notice of Protest must include a written statement specifying in detail each and every one of the grounds asserted for the protest. The Notice of Protest must be signed by an individual authorized to represent the Proposer, and must cite the law, rule, local ordinance, procedure or Solicitation provision on which the protest is based. In addition, the Notice of Protest must specify facts and evidence sufficient for the City to determine the validity of the protest.

##### **2. Protest of Non-Responsible Determination**

Within three (3) business days of the City's issuance of a Notice of Non-Responsibility, a Proposer may submit a written Notice of Protest of Non-Responsibility. The Notice of Protest must include a written statement specifying in detail each and every one of the grounds asserted for the protest. The Notice of Protest must be signed by an individual authorized to represent the Proposer, and must cite the law, rule, local ordinance, procedure or Solicitation provision on which the protest is based. In addition, the Notice of Protest must specify facts and evidence sufficient for the City to determine the validity of the protest.

##### **3. Protest of Contract Award**

Within three (3) business days of the City's issuance of a Notice of Intent to Award, a Proposer may submit a written Notice of Protest of Contract Award. The Notice of Protest must include a written statement specifying in detail each and every one of the grounds asserted for the protest. The Notice of Protest must be signed by an individual authorized to represent the Proposer, and must cite the law, rule, local ordinance, procedure or Solicitation provision on which the protest is based. In addition, the Notice of Protest must specify facts and evidence sufficient for the City to determine the validity of the protest.

##### **4. Delivery of Protests**

A Notice of Protest must be written. Protests made orally (e.g., by telephone) will not be considered. A Notice of Protest must be delivered by mail or email to the Contract Administrator whose name and contact information appears on the cover page to this Solicitation and received by the due dates stated above. A Notice of Protest shall be transmitted by a means that will objectively establish the date the City received the Notice of Protest. If a Notice of Protest is mailed, the protestor bears the risk of non-delivery within the deadlines specified herein.

## **II. CITY'S SOCIAL POLICY REQUIREMENTS**

The San Francisco Municipal Code establishes a number of requirements for people seeking to do business with the City ("Social Policy Requirements"). These Social Policy

Requirements can be found in Attachment 1, City’s Proposed Agreement Terms. The Social Policy Requirements set forth below are NOT intended to be a complete list of all Social Policy Requirements applicable to this Solicitation and any contracts awarded from it. Proposers are encouraged to carefully review the Social Policy Requirements applicable to this Solicitation contained in Attachment 1, City’s Proposed Agreement Terms.

**A. Proposers Unable to do Business with the City**

**1. Generally**

Proposers that do not comply with laws set forth in San Francisco’s Municipal Codes may be unable to enter into a contract with the City. Laws applicable to this Solicitation are set forth below and in Attachment 1, City’s Proposed Agreement Terms.

**2. Administrative Code Chapter 12X**

Subject to certain exceptions, Proposers are advised that this Solicitation is subject to the requirements of Administrative Code Chapter 12X, which prohibits the City from entering into a contract with a Proposer that (a) has its headquarters in a state that has enacted a law that perpetuates discrimination against LGBT people and/or has enacted a law that prohibits abortion prior to the viability of the fetus, or (b) 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 on the website of the City Administrator (<https://sfgsa.org/chapter-12x-state-ban-list>). Proposers will be required to certify compliance with Chapter 12X as part of their Proposal, unless the City determines that a statutory exception applies. *Refer to Attachment 1, City’s Proposed Agreement Terms for additional details related to the application of this Ordinance to a contract awarded pursuant to this Solicitation.*

**3. Administrative Code Chapter 12B**

A Proposer selected pursuant to this Solicitation may not, during the term of the Agreement, in any of its operations in San Francisco, on real property owned by San Francisco, or where work is being performed for the City elsewhere in the United States, discriminate in the provision of bereavement leave, family medical leave, health benefits, membership or membership discounts, moving expenses, pension and retirement benefits or travel benefits, as well as any benefits other than the benefits specified above, between employees with domestic partners and employees with spouses, and/or between the domestic partners and spouses of such employees, where the domestic partnership has been registered with a governmental entity pursuant to state or local law authorizing such registration, subject to the conditions set forth in §12B.2(b) of the San Francisco Administrative Code. *Refer to Attachment 1, City’s Proposed Agreement Terms for additional details related to the application of this Ordinance to a contract awarded pursuant to this Solicitation.*

**B. Prevailing Wage Ordinance**

Services to be performed by a Proposer selected pursuant to this Solicitation may involve the performance of trade work covered by the provisions of Section 6.22(e) [Prevailing Wages] of the Administrative Code or Section 21C [Miscellaneous Prevailing Wage Requirements] (collectively, "Covered Services"). The provisions of Section 6.22(e) and 21C of the Administrative Code are incorporated as provisions of the Agreement awarded as part of this Solicitation as though fully set forth therein and will apply to any Covered Services performed by the awarded Proposer and its subcontractors. *Refer to Attachment 1, City’s Proposed Agreement*

*Terms for additional details related to the application of this Ordinance to a contract awarded pursuant to this Solicitation.*

**C. Health Care Accountability Ordinance**

A Proposer selected pursuant to this Solicitation shall comply with the requirements of Chapter 12Q. For each Covered Employee, an awarded Proposer shall provide the appropriate health benefit set forth in Section 12Q.3 of the Health Care Accountability Ordinance (HCAO). If a Proposer selected pursuant to this Solicitation chooses to offer the health plan option, such health plan shall meet the minimum standards set forth by the San Francisco Health Commission. Information about and the text of the Chapter 12Q and the Health Commission’s minimum standards are available at <http://sfgov.org/olse/hcao>. Any Subcontract entered into by Proposer shall also be required to comply with the requirements of the HCAO and shall contain contractual obligations substantially the same as those set forth in this section. *Refer to Attachment 1, City’s Proposed Agreement Terms for additional details related to the application of this Ordinance to a contract awarded pursuant to this Solicitation.*

**D. Minimum Compensation Ordinance**

A Proposer selected pursuant to this Solicitation shall comply with Administrative Code Chapter 12P. A Proposer selected pursuant to this Solicitation shall pay covered employees no less than the minimum compensation required by San Francisco Administrative Code Chapter 12P, including a minimum hourly gross compensation, compensated time off, and uncompensated time off. A Proposer selected pursuant to this Solicitation is subject to the enforcement and penalty provisions in Chapter 12P. Information about and the text of the Chapter 12P is available on the web at <http://sfgov.org/olse/mco>. *Refer to Attachment 1, City’s Proposed Agreement Terms for additional details related to the application of this Ordinance to a contract awarded pursuant to this Solicitation.*

**E. First Source Hiring Program**

A Proposer selected pursuant to this Solicitation shall comply with all of the provisions of the First Source Hiring Program, Chapter 83 of the San Francisco Administrative Code that apply to this Agreement and an awarded Proposer is subject to the enforcement and penalty provisions in Chapter 83. *Refer to Attachment 1, City’s Proposed Agreement Terms for additional details related to the application of this Ordinance to a contract awarded pursuant to this Solicitation.*

**F. Reserved (Sweatfree Procurement)**

**G. Other Social Policy Provisions**

Attachment 1, City’s Proposed Agreement Terms, identifies the City’s applicable social policy provisions related to a contract awarded pursuant to this Solicitation. Proposers are encouraged to carefully review these terms and ensure they are able to comply with them.

**III. LOCAL BUSINESS ENTERPRISE (LBE) PROGRAM REQUIREMENTS**

**A. Application of LBE Bid Discounts and Rating Bonuses**

LBE Bid Discounts/Rating Bonuses shall be applicable at each phase of the Solicitation evaluation and selection process, in accordance with the values shown below.

**1. General and Professional Services**

<b>Estimated Contract Value</b>	<b>Small/Micro LBEs Rating Bonus</b>	<b>SBA LBEs Rating Bonus</b>
---------------------------------	--------------------------------------	------------------------------

Greater than \$10,000,000 but less than or equal to \$20,000,000.	2%	2%
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**B. LBE Subcontracting Requirements**

**1. LBE Subcontracting Participation Requirements**

The LBE Subcontracting Requirement for this Solicitation has been waived.

**2. Contract Monitoring Division Forms**

Proposers responding to this Solicitation must submit response packages that include the following CMD Forms included in Attachment 3 & 4:

- (a) **CMD Form 2A:** CMD Contract Participation Form
- (b) **CMD Form 3:** CMD Compliance Affidavit
- (c) **CMD Form 5:** Employment Form

Failure to complete, sign and submit each of the required with Proposers’ Proposals may result in the response package being deemed non-responsive and rejected.

**3. CMD Compliance Officer**

The CMD Compliance Officer (CCO) for this Solicitation and any Contract awarded pursuant to this Solicitation is:

Dalmar Ismail  
 Contract Monitoring Division  
 City and County of San Francisco  
 Tel: 415.581.2322  
 Email: [dalmar.ismail@sfgov.org](mailto:dalmar.ismail@sfgov.org)  
 Website: [www.sfgov.org/cmd](http://www.sfgov.org/cmd).

**4. LBE Payment and Utilization Tracking**

If LBE Subcontracting Participation Requirements apply to a Contract awarded pursuant to this Solicitation, the Awarded Contractor shall agree to:

- (a) Within three (3) business days of City’s payment of any invoice to Contractor, pay LBE subcontractors as provided under Chapter 14B.7(H)(9); and
- (b) Within ten (10) business days of City’s payment of any invoice to Contractor, confirm its payment to subcontractors using the City’s Supplier Portal Payment Module, unless instructed otherwise by CMD.

Failure to submit all required payment information to the City’s Supplier Portal Payment Module with each payment request may result in the withholding of 20% of subsequent payments due. Self-Service Training is located at this link: <https://sfcitypartnersfgov.org/pages/training.aspx>.

**IV. GOODS AND SERVICES REQUESTED**

**A. Goods and/or Services Requested**

This Solicitation is being issued by SF Department of the Environment (City). The City is seeking qualified vendors (“Proposers”) to provide professional services in the logistics of implementing the City’s Fix Lead SF program, a program to reduce childhood lead poisoning in

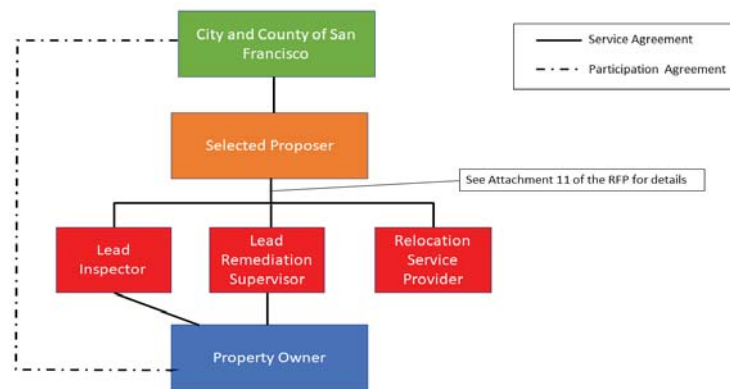
San Francisco. The Scope of Work (SOW) being procured through this Solicitation is set forth below.

1. Context for the Scope of Work

a. Fix Lead SF Phases

- 1) Pilot Phase—For approximately the first 6 months of the program, a limited number of residential homes will receive program services. The purpose of this phase is to gather data and experiences to inform the development and processes of the second phase
- 2) Project Phase—The duration of this phase is planned for five years. Approximately 70 homes will receive program services each year during the Project Phase.

b. Fix Lead SF Structure



c. California Health and Safety Code Requirements for Lead-Certified Professionals

State regulations require professionals involved in lead work such as the work proposed by Fix Lead SF to have a California Department of Public Health Lead Certificate (CDPH). A list of these certified professionals is found on the CDPH webpage. The Lead Inspector and the Lead Remediation Supervisor as indicated in the above program structure will come from the CDPH lists. REMINDER: Pre-determining a team of these professionals for Fix Lead SF is NOT part of the response to this solicitation for proposal. The City will be developing policies and procedures that will guide the selection of the Fix Lead SF lead-certified professionals.

2. Scope of Work

a. Improvement of Standard Operating Procedures (SOP)

The City has drafted the Fix Lead SF Program Workflow to be implemented during the Pilot Phase of the program (See Attachment 12- Fix Lead SF Program Workflow). After the Pilot Phase, the Selected Proposer will be invited to provide input to improve the Workflow.

b. Roles and Services Requested of the Selected Proposer

- 1) Roles—the Selected Proposer will fulfill the following roles:
  - i. Administrative Assistant—to the Fix Lead SF program team

- ii. Contractor Broker—contracting with lead professionals and relocation service providers
  - iii. Initial Payment Provider—ability to make initial payments to lead professionals and relocation services, and then submit supporting documentation for reimbursement of funds paid from the City at a later time.
  - iv. Accounting Administrator
  - v. Relocation Coordinator—implementation of tenant relocation
- 2) Services Requested—the Selected Proposer will provide services including but not limited to the following:

Role	Types of Services to be Provided
Administrative Assistant	<ul style="list-style-type: none"> <li>• Notify City of incoming applications</li> <li>• Dispatch Lead Inspector* to do 1<sup>st</sup> inspections and Clearance inspections</li> <li>• Dispatch Lead Remediation Supervisor* to a project</li> <li>• Prepare agreements for signatures from City-drafted templates</li> <li>• Prepare to property owners from City-drafted templates</li> <li>• Appointment scheduling</li> <li>• Obtain City approval on Clearance Reports to start payments</li> <li>• Data entry into City-built data system</li> </ul>
Contractor Broker	<ul style="list-style-type: none"> <li>• Sign agreement with a Lead Inspector to do 1<sup>st</sup> inspection and Clearance Inspection</li> <li>• Solicit a bid on a Scope of Work</li> <li>• Sign agreement with a Lead Remediation Supervisor</li> <li>• Document Clearance prior to payment</li> <li>• Document invoices for labor and materials by Lead Inspectors, Lead Remediation Supervisors, and Relocation Service Providers**</li> <li>• Notify City of issues regarding non-performance of Lead Inspectors and Lead Remediation Supervisors</li> </ul>
Initial Payment Provider	<ul style="list-style-type: none"> <li>• Pay for services provided by Lead Inspectors, Lead Remediation Supervisors, and Relocation Service Providers</li> </ul>
Accounting Administrator	<ul style="list-style-type: none"> <li>• Process payments of invoices for Lead Inspectors, Lead Remediation Supervisors,</li> </ul>

	Relocation Service Providers, and relocated residents
Relocation Coordinator	<ul style="list-style-type: none"> <li>• Obtain a list of approved Relocation Service Providers within SF from the Department</li> <li>• Establish relationships with approved Relocation Service Providers to determine reservation protocols, and reserve rooms as needed</li> <li>• Coordinate with Lead-Remediation Supervisor, residents, and property owners regarding relocation and re-occupancy</li> <li>• Provide assistance to residents before, during, and after relocation</li> </ul>

\*For more information: [Link to cdph.ca.gov](http://Link to cdph.ca.gov)

\*\*City program approved hotels meeting the requirements in Attachment 10 Section C.

- 3) Evaluation—periodically, as requested by the City, the selected Proposer will gather data, prepare progress reports, and submit those reports to the City. The selected Proposer will participate in on-going program evaluation for continuous improvement.
- 4) Other Tasks--As Fix Lead SF develops (in particular, following the Pilot Phase), SF Environment may request the Proposer to provide additional related services not specifically identified in this RFP; for example, to provide access to additional networking opportunities the selected proposer may have for additional Fix Lead SF outreach.

- B. **Reserved (Regulatory and Compliance Requirements Specific to the Goods/Services Solicited)**
- C. **Reserved (Articles Furnished).**
- D. **Reserved (Alternates).**
- E. **Reserved (Samples).**
- F. **Reserved (Freight on Board).**
- G. **Green Purchasing Requirements**

In preparation for any Proposal submitted in response to this Solicitation, Proposers are required to review the City [Mandatory Green Purchasing Requirements](#) to ensure all goods and services offered to City in response to this Solicitation comply with the City’s Green Purchasing Requirements. In addition, Proposers are encouraged to refer to Attachment 1, City’s Proposed Agreement Terms, for additional details related to the Green Purchasing Requirements applicable to any contract awarded pursuant to this Solicitation.

## V. PROPOSAL EVALUATION CRITERIA

Evaluation Phase	Maximum Points
Minimum Qualifications Documentation	Pass/Fail
Price Proposal	20 Points



Written Proposal	80 Points
Oral Interviews	50 Points
<b>TOTAL POINTS</b>	150

Responsive Proposals will be evaluated by a panel (“Evaluation Panel”) consisting of one or more parties with expertise related to goods and/or services being procured through this Solicitation. The Evaluation Panel may include staff from various City departments. Proposals will be evaluated based on the criteria outlined in the table above, each of which is addressed in more detail herein. If applicable, a CMD Contract Compliance Officer will assess Proposal compliance with LBE requirements and assign a rating bonus to Proposal scores. The CMD-adjusted scores (if applicable) will then be tabulated, and Proposers will be ranked starting with the Proposer receiving the highest score, then continuing with the Proposer receiving the second highest score, and so on. Award shall be made to the Proposer with the highest Total Points.

## VI. REQUIRED SUPPORTING DOCUMENTATION

Proposers must provide each Required Supporting Documentation (“RSD”) identified below with their Proposal. Failure to do so may result in the Proposal being deemed Non Responsive.

<b>RSD1</b>	Evidence that Proposer is 12B compliant or likely to become compliant within 30 days.
<b>RSD2</b>	<p><b>Completed Proposal Attachments:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Attachment 1: Proposer’s Changes to City’s Proposed Agreement Terms</li> <li><input type="checkbox"/> Attachment 2: Proposer Questionnaire and References</li> <li><input type="checkbox"/> Attachment 3: CMD Form 3</li> <li><input type="checkbox"/> Attachment 4: LBE Participation and Good Faith Outreach Forms</li> <li><input type="checkbox"/> Attachment 6: Price Proposal Template</li> <li><input type="checkbox"/> Attachment 7: First Source Hiring Form</li> <li><input type="checkbox"/> Attachment 8: HCAO and MCO Declaration Forms</li> </ul>
<b>RSD3</b>	Signed copies of all Solicitation Addenda, if any.
<b>RSD4</b>	<p><b>Non Profit Entities:</b> If a Proposer is a non-profit entity that receives a cumulative total per year of at least \$250,000 in City funds or City-administered funds and is a non-profit organization as defined in Chapter 12L of the S.F. Administrative Code, the Proposer must comply with Chapter 12L and include in its Proposal:</p> <p>(1) a statement describing its efforts to comply with the Chapter 12L provisions regarding public access to Proposer’s meetings and records, and</p> <p>(2) a summary and disposition of all complaints concerning the Proposer’s compliance with Chapter 12L that were filed with the City in the last two years and deemed by the City to be substantiated. If no such complaints were filed, the Proposer shall include a statement to that effect.</p> <p><i>Failure to comply with the reporting requirements of Chapter 12L or material misrepresentation in Proposer’s Chapter 12L submissions shall be grounds for rejection of the Proposal and/or termination of any subsequent Agreement reached on the basis of the Proposal.</i></p>

## VII. MINIMUM QUALIFICATIONS DOCUMENTATION (PASS/FAIL)

Proposers must provide documentation that clearly demonstrates each Minimum Qualification (MQ) listed below has been met. Minimum Qualification documentation should be clearly marked as “MQ1”, MQ2”, etc.... to indicate which MQ it supports. Each Proposal will be reviewed for initial determination on whether Proposer meets the MQs referenced in this section. **This screening is a pass or fail determination and a Proposal that fails to meet the Minimum Qualifications will not be eligible for further consideration in the evaluation process.** The City reserves the right to request clarifications from Proposers prior to rejecting a Proposal for failure to meet the Minimum Qualifications.

MQ #	Description
MQ1	Evidence that Proposer has two (2) years of experience within the last five (5) years in the administration of government programs.
MQ2	Evidence that Proposer has experience working with a diverse population with various cultural backgrounds.

## VIII. PRICE PROPOSAL (20 Points)

### A. Price Proposal Format and Allocation of Points

The Price Proposal Template associated with this Solicitation is attached hereto as Attachment 6. Include a completed Price Proposal Template with your Proposal, following all instructions set forth therein. The total points allocated to the Lowest Proposed Price shall be determined as follows:

$$\left( \frac{\text{Lowest Total Proposed Price}}{\text{Proposer's Total Proposed Price}} \right) \times (\text{Maximum Points possible for Price}).$$

### B. Price Proposal Evaluation Period

The City will attempt to evaluate Proposals within thirty (30) days after receipt of Proposals. If City requires additional evaluation time, all Proposers will be notified in writing of the new expected award date.

### C. Price Discrepancies

Where applicable, if there is a discrepancy between the Price Proposal and pricing entered by Proposer into the Supplier Portal, the Price Proposal pricing will prevail. In the event of a discrepancy between the unit price and the extended price, the unit price will prevail.

### D. Price Lists

If a Price Proposal is based on prices from a catalog or price list, Proposer shall furnish copies of the catalog or price list in electronic format. Proposer shall furnish additional price lists as required. Proposer's pricing narrative, including any proposed price list discounts or markups, must remain firm during the term of the contract.

### E. Reserved (Proposing on Separate Items or in Aggregate(s)).

### F. Application of Discounts for Evaluating Lowest Responsive Proposer

#### 1. LBE Bid Discount/Rating Bonus

Where price is a factor in City's evaluation process, Proposer's price shall be reduced by an amount equal to the applicable LBE Bid Discounts/Rating Bonus. The discount shall be applied

solely for the purpose of determining the lowest responsive Price Proposal and shall be in addition to any other discounts, preferences, or adjustments required by City law.

**2. Prompt Payment Discounts**

Prompt Payment discount (discount for prompt payment) will not be taken into consideration in determining the Lowest Responsive Proposal.

**3. Reserved (Anticipated Local Tax Revenue Discount).**

**4. Sample Discount Calculation**

Evaluations are performed on a pre-tax basis except in rare instances, where tax may be a factor (i.e. One vendor bundles the commodities and services in such a way that the entire amount must be taxed, while another vendor clearly separates commodities and services). Below is an example of how bid discounts and/or rating bonuses are applied to a Price Proposal for commodities and services.

<b>ABC Firm Price Proposal Attributes</b> <ul style="list-style-type: none"> <li>• Certified Small or Micro LBE</li> <li>• SF Presence as defined by Admin Code 21.32</li> <li>• Offering 4%/30 Net31 Prompt Payment Discount</li> </ul>	<b>Offered Price Proposal (Pre Tax)</b>	<b>14B LBE Bid Discount (10%)</b>	<b>Evaluated Price when determining Lowest Responsive Proposed Price</b>
<b>Commodities</b>	<b>\$2,000</b>	(\$200)	<b>\$1,800</b>
<b>Services</b>	<b>\$1,000</b>	(\$100)	<b>\$900</b>
<b>Total</b>	<b>\$3,000</b>	(\$300)	<b>\$2,700</b>

**IX. WRITTEN PROPOSAL (80 POINTS)**

In addition to submitting documents supporting each Minimum Qualification as required by this Solicitation, and a completed Price Proposal Template (see Attachment 6), Proposers shall also submit a complete Proposal consisting of each item set forth below. *The content of all Proposals must consist of the information specified below, in the order outlined below, in order to be deemed responsive.*

**A. Format and Content of Proposal**

**1. Introduction & Executive Summary (maximum 2 pages)**

Submit a letter of introduction and executive summary of the proposal. The letter must be signed by a person authorized by the firm to obligate the firm to perform the commitments contained in the proposal. Submission of the letter will constitute a representation by the firm that it is willing and able to perform the commitments contained in the proposal.

In the Executive Summary, provide a clear statement of the firm’s understanding of the nature and extent of the services required, an overall approach in fulfilling the objectives and goals of the contract, and a brief summary of the key strengths of the firm. Bidders may submit a modified Scope of Work as a part of their proposal. If relevant, introduce the any subcontractors included in the

proposed project team, describing the nature of services they routinely provide that demonstrate the firms' qualifications to perform the work scope.

## **2. Proposer/Sub-contractor Qualifications (maximum 3 pages for each firm)**

Provide background and qualification information for the firm and subcontractors that address the following:

- a. Name, address, and telephone number of contact persons; and
- b. A brief description of the firm, as well as how any joint venture or association would be structured; and
- c. For the firm and each subcontractor, describe relevant project experience that corresponds to the categories of the Scope of Work. Projects may be included in more than one program area as long as they pertain. Where appropriate, briefly describe the approach to the work, including insights and issues associated with the program area, and/or sample tasks or deliverables. Include client, budget, schedule, and project summary.
- d. Examples of two projects completed by the firm and each subcontractor, including client, reference and telephone numbers, staff members who worked on each project, budget, schedule and project summary.

## **3. Team Qualifications (maximum 20 pages)**

- a. Provide a list identifying: (1) each key person on the project team, (2) the project manager, (3) the role each will play in the project, and (4) a written assurance that the key individuals listed and identified will be performing the work and will not be substituted with other personnel or reassigned to another project without the City's prior approval.
- b. Provide a description of the experience and qualifications of the project team members, including brief resumes if necessary.

## **4. References (maximum 2 pages)**

Provide references for the firm, project manager, and all subconsultants, including the name, address and telephone number of at least 3 but no more than 5 recent clients (preferably other public agencies).

## **5. Work Approach (maximum 10 pages)**

Provide a description of the overall work approach to successfully deliver the services requested in this Solicitation by addressing each item listed below:

- a. Approach for coordinating/managing all work activities, including coordination and communication with City staff, to meet project milestones and deliverable due dates.
- b. Processes/measures for scheduling, tracking delivery/performance, and maximizing quality (QA/QC).
- c. Approach for monitoring and tracking various factors affecting task costs. Include description (frequency, days after timesheet submittal) of project manager's access to reports on staff labors hours and other cost items.

- d. Process showcasing the proposer’s ability and financial means to make timely initial payments until the City is able to reimburse contractor through submitted documentation.
- e. Processes for internal and external notification and resolution of technical conflicts and cost/schedule variances.
- f. Understanding of potential project/task issues and constraints, and approach to managing project-specific challenges to complete tasks on schedule and within budget.
- g. Approach and procedures for contending with the public in adversarial or difficult situations.

**B. Selection Criteria for Written Proposal (80 Points)**

Proposals will be evaluated by a selection committee comprised of parties with expertise in working with low-income families and in project management. The Department intends to evaluate the proposals generally in accordance with the criteria itemized below. The committee will interview the firms submitting the top three (3) highest scoring proposals to make the final selection. The committee may, at its discretion, increase the number firms to be interviewed based on the depth of the field.

**1. Project Approach (40 points)**

- a. How the Proposer approaches fulfilling the tasks within the Scope of Work.
- b. The Proposer’s strategy for using any subcontractors effectively.
- c. How the Proposer will make initial payments to lead professionals and relocation services, and then submit supporting documentation for reimbursement of funds paid from the City at a later time.

**2. Assigned Project Staff (20 points)**

- a. Practical experience and technical qualifications of key staff in:
  - Program operation of a similar program
  - Program design and implementation
  - Project management
  - Building renovation management services
  - Database usage
  - Working with diverse population with various cultural backgrounds
  - Documentation experiences
- b. Professional qualifications and education; and
- c. Workload, staff availability and accessibility
- d. Bilingual capability (Chinese, Filipino, and Spanish)

**3. Experience of Prime Proposing Firm and Subcontracting Firms (20 points)**

- a. Expertise and breadth and depth of practice of the firm and sub-contractors in the fields necessary to complete the tasks.
- b. Quality of recently completed projects, including adherence to schedules, deadlines and budgets; and
- c. Success with similar projects.

## **X. ORAL INTERVIEWS (50 POINTS)**

Following the evaluation of the price and written proposals, the committee will invite each of the three (3) proposers receiving the highest cumulative scores to an oral interview. Invited proposers will also be required to submit a letter of reference from each reference listed in their submitted **Attachment 2: Proposer Questionnaire and References** ~~Attachment 4 (Proposer Info & References)~~ within five (5) business days of notification. Failure to do so may result in rescission of their invitation. The interview will consist of standard questions asked of each of the proposers, and specific questions regarding each individual proposal. The same set of interview questions will be used for all Proposers and shall be presented to Proposers at least one week prior to the date of interview to allow Proposers sufficient time to prepare their responses. The committee will score answers for each question. The committee will base the scoring on communication of the proposed project plan, experience, approach, professional qualifications, similar project experience, and on the letters of reference.

The Department will add the scores of the Oral Interview to the scores from the price proposal and written proposal to select the firm receiving the highest cumulative score for contract negotiations. The Department will only select one (1) firm.

## **XI. INSURANCE AND BONDS**

### **A. Insurance**

Prior to award, the successful Proposer(s) will be required to furnish evidence of insurance as outlined in Attachment 1, City's Proposed Agreement Terms.

### **B. Reserved (Performance Bond)**

### **C. Reserved (Fidelity Bond)**

### **D. Failure to Provide Insurance and/or Bonds**

Unless otherwise stated, within ten business days of the receipt of a notice of award of a Contract, the Proposer to whom the contract is awarded shall deliver the required bond documents and/or specified insurance certificates and policy endorsements to City. If the Proposer fails or refuses to furnish the required bond and/or insurance within ten days after receiving notice to award a Contract, City may, at its option, determine that the Proposer has abandoned its Proposal. Thereupon the tentative award of said contract to this Proposer shall be canceled and City shall notify the Proposer's surety and collect on the Proposer's bond (or the check accompanying its Proposal shall be deposited with the Treasurer of the City and County of San Francisco for collection) and the proceeds thereof shall be retained by City as partial liquidated damages for failure of such Proposer to properly file the bonds and insurance herein required. The foregoing in no way limits the damages which are recoverable by City whether or not defined elsewhere in the contract documents.

## **XII. TERMS AND CONDITIONS FOR RECEIPT OF PROPOSALS**

### **A. Cybersecurity Risk Assessment**

As part of City's evaluation process, City may engage in Cybersecurity Risk Assessment (CRA). CRA may be performed for each entity manufacturing the product, performing technical functions related to the product's performance, and/or accessing City's networks and systems. Where a prime contractor or reseller plays an active role in each of these activities, CRA may also be required for the prime contractor or reseller.

To conduct a CRA, City may collect as part of this Solicitation process one of the following two reports:

1. **SOC-2 Type 2 Report:** Report on Controls at a Service Organization Relevant to Security, Availability, Processing Integrity, Confidentiality or Privacy; or
2. **City's Cyber Risk Assessment Questionnaire:** Proposer's responses to a City's Cyber Risk Assessment Questionnaire.

The above reports may be requested at such time City has selected or is considering a potential Proposer. The reports will be evaluated by the soliciting Department and the City's Department of Technology to identify existing or potential cyber risks to City. Should such risks be identified, City may shall afford a potential Proposer an opportunity to cure such risk within a period of time deemed reasonable to City. Such remediation and continuing compliance shall be subject to City's on-going review and audit through industry-standard methodologies, including but not limited to: on-site visits, review of the entities' cybersecurity program, penetration testing, and/or code reviews.

#### **B. Solicitation Errors and Omissions**

Proposers are responsible for reviewing all portions of this Solicitation. Proposers are to promptly notify the City, in writing and to the Solicitation contact person if the Proposer discovers any ambiguity, discrepancy, omission, or other error in the Solicitation. Any such notification should be directed to the City promptly after discovery, but in no event later than the deadline for questions. Modifications and clarifications will be made by Addenda as provided below.

#### **C. Objections to Solicitation Terms**

Should a Proposer object on any ground to any provision or legal requirement set forth in this Solicitation, the Proposer must, no later than the deadline for questions, provide written notice to the City setting forth with specificity the grounds for the objection. The failure of a Proposer to object in the manner set forth in this paragraph shall constitute a complete and irrevocable waiver of any such objection.

#### **D. Solicitation Addenda**

The City may modify this Solicitation, prior to the Proposal due date, by issuing an Addendum to the Solicitation, which will be posted on the San Francisco Supplier Portal. Every Addendum will create a new version of the Sourcing Event and Proposers must monitor the City's website for new versions. **The Proposer shall be responsible for ensuring that its Proposal reflects any and all Solicitation Addenda issued by the City prior to the Proposal due date regardless of when the Proposal is submitted.** Therefore, the City recommends that the Proposer consult the website frequently, including shortly before the Proposal due date, to determine if the Proposer has downloaded all Solicitation Addenda. It is the responsibility of the Proposer to check for any Addenda, Questions and Answers documents, and updates, which may be posted to the subject Solicitation.

**THE SUBMITTAL OF A RESPONSE TO THIS SOLICITATION SHALL EXPLICITLY STIPULATE ACCEPTANCE BY THE PROPOSERS OF THE TERMS FOUND IN THIS SOLICITATION, ANY AND ALL ADDENDA ISSUED TO THIS SOLICITATION, AND THE PROPOSED CONTRACT TERMS.**

#### **E. Proposal Term**

Submission of a Proposal signifies that the proposed products, services and prices are valid for 180 calendar days from the Proposal due date and that the quoted prices are genuine and not

the result of collusion or any other anti-competitive activity. At Proposer's election, the Proposal may remain valid beyond the 180-day period in the circumstance of extended negotiations.

#### **F. Revision to Proposal**

A Proposer may revise a Proposal on the Proposer's own initiative at any time before the deadline for submission of Proposals. The Proposer must submit the revised Proposal in the same manner as the original. A revised Proposal must be received on or before, but no later than the Proposal due date and time. In no case will a statement of intent to submit a revised Proposal, or commencement of a revision process, extend the Proposal deadline for any Proposer. At any time during the Proposal evaluation process, the City may require a Proposer to provide oral or written clarification of its Proposal. The City reserves the right to make an award without further clarifications of Proposals received.

#### **G. Proposal Errors and Omissions**

Failure by the City to object to an error, omission, or deviation in the Proposal will in no way modify the Solicitation or excuse the Proposer from full compliance with the specifications of this Solicitation or any contract awarded pursuant to this Solicitation.

#### **H. Financial Responsibility**

The City accepts no financial responsibility for any costs incurred by a Proposer in responding to this Solicitation. Proposers acknowledge and agree that their submissions in response to this Solicitation will become the property of the City and may be used by the City in any way deemed appropriate.

#### **I. Proposer's Obligations under the Campaign Reform Ordinance**

If a contract awarded pursuant to this Solicitation has (A) a value of \$100,000 or more in a fiscal year and (B) requires the approval of an elected City official, Proposers are hereby advised:

1. Submission of a Proposal in response to this Solicitation may subject the Proposers to restrictions under Campaign and Governmental Conduct Code Section 1.126, which prohibits City contractors, Proposers, and their affiliates from making political contributions to certain City elective officers and candidates; and
2. Before submitting a Proposal in response to this Solicitation, Proposers are required to notify their affiliates and subcontractors listed in the awarded contract or Proposal of the political contribution restrictions set forth in Campaign and Governmental Conduct Code section 1.126.

This restriction applies to the party seeking the contract, the party's board of directors, chairperson, chief executive officer, chief financial officer, chief operating officer, any person with an ownership interest greater than ten percent, and any political committees controlled or sponsored by the party, as well as any subcontractors listed in the awarded contract or Proposal. The law both prohibits the donor from giving contributions and prohibits the elected official from soliciting or accepting them.

The people and entities listed in the preceding paragraph may not make a campaign contribution to the elected official at any time from the submission of a Proposal for a contract until either: (1) negotiations are terminated and no contract is awarded; or (2) twelve months have elapsed since the award of the contract.



A violation of Section 1.126 may result in criminal, civil, or administrative penalties. For further information, Proposers should contact the San Francisco Ethics Commission at [\(415\) 252-3100](tel:4152523100) or go to <https://sfethics.org/compliance/city-officers/city-contracts/city-departments/notifying-bidders-and-potential-bidders>.

#### **J. Reservations of Rights by the City**

The issuance of this Solicitation does not constitute a guarantee by the City that a contract will be awarded or executed by the City. The City expressly reserves the right at any time to:

1. Waive or correct any defect or informality in any response, Proposal, or Proposal procedure;
2. Reject any or all Proposals;
3. Reissue the Solicitation;
4. Prior to submission deadline for Proposals, modify all or any portion of the selection procedures, including deadlines for accepting responses, the specifications or requirements for any materials, equipment or services to be provided under this Solicitation, or the requirements for contents or format of the Proposals;
5. Procure any materials, equipment or services specified in this Solicitation by any other means; or
6. Determine that the subject goods or services are no longer necessary.

#### **K. No Waiver**

No waiver by the City of any provision of this Solicitation shall be implied from the City's failure to recognize or take action on account of a Proposer's failure to comply with this Solicitation.

#### **L. Other**

1. The City may make such investigation, as it deems necessary, prior to the award of this contract to determine the conditions under which the goods are to be delivered or the work is to be performed. Factors considered by the City shall include, but not be limited to:
  - a. Any condition set forth in this Solicitation;
  - b. Adequacy of Proposer's plant facilities and/or equipment, location and personnel location to properly perform all services called for under the Purchase Order; and
  - c. Delivery time(s).
2. City reserves the right to inspect an awarded Proposer's place of business prior to award of and/or at any time during the contract term (or any extension thereof) to aid City in determining an awarded Proposer's capabilities and qualifications.
3. Failure to timely execute a contract, or to furnish any and all insurance certificates and policy endorsements, surety bonds or other materials required in the contract, shall be deemed an abandonment of a contract offer. The City, in its sole discretion, may select another Proposer and may proceed against the original selectee for damages.
4. City reserves the right to reject any Proposal on which the information submitted by Proposer fails to satisfy City and/or if Proposer is unable to supply the information and documentation required by this Solicitation within the period of time requested.

5. Any false statements made by a Proposer or any related communication/clarification may result in the disqualification of its Proposal from receiving further evaluation and a contract award.

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: ENVIRONMENT -- ENV

Dept. Code: ENV

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

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

Type of Service: Climate Equity Hub Consultant

Funding Source: City

PSC Duration: 47 weeks 4 days

PSC Amount: \$208,000

**1. Description of Work**

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

The San Francisco Department of the Environment (SFE) needs the services of a consultant to assist with process design and facilitation, as well as develop the operational framework and sustainability plan for the Climate Equity Hub. The Climate Equity Hub is intended to be a central clearinghouse for building decarbonization resources that are culturally competent, multilingual, and accessible to all residents, workers, and businesses to support San Francisco's just transition to a renewable net-zero energy system.

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

The San Francisco Board of Supervisors appropriated this funding to respond to a community need and we would be unable to meet the timeline for implementing the Climate Equity Hub.

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.

N/A. This is a new project.

D. Will the contract(s) be renewed?

No, the term for this project is capped at 11 months.

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):

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:

The department has only a short time, less than 11 months, to perform the project. The bulk of the project would need to be completed by July 2022. The department needs the assistance of a consultant to assist with process design and facilitation, as well as develop the operational framework and sustainability plan for the Climate Equity Hub to meet project deadlines.

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

A. Specify required skills and/or expertise: A history of specialized facilitation skills in collective impact models, along with program development, governance models, succession planning and funding models across multiple jurisdictions, and exposure to multiple municipalities.

B. Which, if any, civil service class(es) normally perform(s) this work? 5644, Principal Environ Specialist;

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?**

This work requires specialized cross sector skill sets not fully possessed by the city.

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

A. Explain why civil service classes are not applicable.

This work requires specialized cross sector skill sets not fully possessed by applicable city classifications. The needed expertise is not held within staff with the 5644 classifications.

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 short term project for the operational design of the Climate Equity Hub. There are multiple skills sets needed not possessed by one classification, and it needs to be an independent facilitator to have the project be successful.

**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.  
No. There is no training aspect of City employees tied to this project.

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 11/12/2021, 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: David Kashani Phone: 415-355-3704 Email: david.kashani@sfgov.org

Address: 1155 Market Street, 3rd Floor San Francisco, CA 94103

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 48611 - 21/22

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 02/07/2022

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

**From:** [dhrrpscordinator@sfgov.org](mailto:dhrrpscordinator@sfgov.org) on behalf of [david.kashani@sfgov.org](mailto:david.kashani@sfgov.org)  
**To:** [Kashani, David \(ENV\); Laxamana, Junko \(BOS\); WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; kschumacher@ifpte21.org; pkim@ifpte21.org; amakayan@ifpte21.org; L21PSCReview@ifpte21.org; Kashani, David \(ENV\); DHR-PSCCoordinator, DHR \(HRD\)](mailto:Kashani, David (ENV); Laxamana, Junko (BOS); WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; kschumacher@ifpte21.org; pkim@ifpte21.org; amakayan@ifpte21.org; L21PSCReview@ifpte21.org; Kashani, David (ENV); DHR-PSCCoordinator, DHR (HRD)@ifpte21.org)  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 48611 - 21/22  
**Date:** Friday, November 12, 2021 2:36:53 PM

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RECEIPT for Union Notification for PSC 48611 - 21/22 more than \$100k

The ENVIRONMENT -- ENV has submitted a request for a Personal Services Contract (PSC) 48611 - 21/22 for \$208,000 for Initial Request services for the period 01/01/2022 – 11/30/2022. 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/17520> 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

## Sourcing Event ID 0000006186

### Formal Request for Proposals for: The Climate Equity Hub

This Solicitation can be viewed on the City’s Supplier Portal at: <https://sfcitypartner.sfgov.org/pages/index.aspx>



Request for Proposals Issuance	November 10, 2021
Pre-Proposal Conference	November 17, 2021 at 2 PM (PST) <b>Join on your computer or mobile app</b> <a href="#">Click here to join the meeting</a>
Deadline for Questions	November 19, 2021 at 5 PM (PST)
Deadline to Submit Proposals	December 10, 2021 at 5 PM (PST)
Notice of Intent to Award	December 30, 2021 at 5 PM (PST)
Period for Protesting Notice of Intent to Award	Within three (3) business days of the City's issuance of a Notice of Intent to Award.
Contract Administrator:	David Kashani Contracts and Grants Coordinator San Francisco Department of the Environment 1155 Market Street, 3rd Floor San Francisco, CA 94103 <a href="mailto:David.Kashani@sfgov.org">David.Kashani@sfgov.org</a> P: (415) 355-3704

#### **Attachments**

- Attachment 1: City’s Proposed Agreement Terms
- Attachment 2: Proposer Questionnaire and References
- Attachment 3: CMD Form 3
- Attachment 4: LBE Participation and Good Faith Outreach Forms
- Attachment 5: Reserved (Written Proposal Template)
- Attachment 6: Price Proposal Template
- Attachment 7: First Source Hiring Form
- Attachment 8: Reserved (HCAO and MCO Declaration Forms)
- Attachment 9: Reserved (Sweatfree Ordinance Forms)



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## **I. INTRODUCTION AND SOLICITATION SCHEDULE**

### **A. Introduction**

#### **1. General**

This Request for Proposals (hereinafter “RFP” or “Solicitation”) is being issued by Department of the Environment (hereinafter, “SF Environment” or “City”). SF Environment is seeking qualified suppliers (“Proposers”) to provide proposals to serve as a consultant to lead process design and facilitation, and to develop the operational framework and sustainability plan for the Climate Equity Hub (the “Hub”). It is essential for the consultant to be an independent party that can bring a neutral and inclusive approach to the project.

In general, the Hub is intended to be a central clearinghouse for building decarbonization resources that are culturally competent, multilingual, and accessible to all residents, workers, and businesses to support San Francisco’s just transition to a renewable net-zero energy system. The consultant will guide SF Environment staff and diverse stakeholders through a discovery process to identify the full functionality of the Hub; Some possible objectives may include:

- Developing the supply chain for building electrification/decarbonization
- Providing training/access to workforce for underserved communities/BIPOC
- Improving buy-in for electric cooking for residents and businesses
- Connecting rebates and financing to residents, businesses, and affordable housing
- Improving transparency about community benefit investments from development

The concept of the Hub stemmed from early communications guiding the 2020 all-electric new construction ordinance and evolved through the 2017 San Francisco Energy Efficiency Coordinator Committee. The San Francisco Board of Supervisors provided funding to SFE for this work in July 2021. Some possible components of the Hub are already being implemented in other cities, like the Building Innovation Hub in Washington, D.C. (<https://buildinginnovationhub.org>) that was also launched with government seed funding. It is a priority in San Francisco that the Hub is established through a strong racial and social equity lens and community focus.

SF Environment shall order services covered by the awarded contract(s) through the issuance of individual Purchase Orders and/or Task Orders which shall be released against the awarded contract(s) during the contract term.

#### **2. Selection Overview**

The City shall award a contract to the Proposer that meets the Minimum Qualifications of this Solicitation whose Proposal receives the highest ranking score. Responsive Proposals will be evaluated by a panel (“Evaluation Panel”) consisting of one or more parties with expertise related to goods and/or services being procured through this Solicitation. The Evaluation Panel may include staff from various City departments. Proposals will be evaluated based on the criteria outlined herein. If applicable, a Contract Monitoring Division (CMD) Contract Compliance Officer will assess Proposal compliance with Local Business Enterprise (LBE) requirements and assign a rating bonus to Proposal scores. The CMD-adjusted scores (if applicable) will then be tabulated, and Proposers will be ranked starting with the Proposer receiving the highest score, then continuing with the Proposer receiving the second highest score, and so on.

### **B. Anticipated Contract Term**

A contract awarded pursuant to this Solicitation shall be non-exclusive with a term of eleven (11) months.

**C. Anticipated Contract Not to Exceed Amount**

A contract awarded pursuant to this Solicitation shall have a not to exceed (“NTE”) amount of \$208,000 for the total allowable maximum term.

**D. Reserved (Indefinite Quantity, As Needed Contract).**

**E. Cooperative Agreement**

Any other City department, public entity or non-profit made up of multiple public entities, may use the results of this Solicitation to obtain some or all of the commodities or services to be provided by Proposer under the same terms and conditions of any contract awarded pursuant to this Solicitation.

**F. Public Disclosure**

All documents under this solicitation process are subject to public disclosure per the California Public Records Act (California Government Code Section § 6250 *et seq.*) and the San Francisco Sunshine Ordinance (San Francisco Administrative Code Chapter 67). Contracts, Proposals, responses, 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.

If the City receives a Public Records Request (“Request”) pertaining to this solicitation, City will use its best efforts to notify the affected Proposer(s) of the Request and to provide the Proposer with a description of the material that the City deems responsive and the due date for disclosure (“Response Date”). If the Proposer asserts that some or all of the material requested contains or reveals valuable trade secret or other information belonging to the Proposer that is exempt from disclosure and directs the City in writing to withhold such material from production (“Withholding Directive”), then the City will comply with the Withholding Directive on the condition that the Proposer seeks judicial relief on or before the Response Date. Should Proposer fail to seek judicial relief on or before the Response Date, the City shall proceed with the disclosure of responsive documents.

**G. Limitation on Communications During Solicitation**

From the date this Solicitation is issued until the date the competitive process of this Solicitation is completed (either by cancelation or final Award), Proposers and their subcontractors, vendors, representatives and/or other parties under Proposer’s control, shall communicate solely with the Contract Administrator whose name appears in this Solicitation. Any attempt to communicate with any party other than the Contract Administrator whose name appears in this Solicitation – including any City official, representative or employee – is strictly prohibited. Failure to comply with this communications protocol may, at the sole discretion of City, result in the disqualification of the Proposer or potential Proposer from the competitive process. This protocol does not apply to communications with the City regarding business not related to this Solicitation.

**H. Solicitation Schedule**

The anticipated schedule for this Solicitation is set forth below. These dates are tentative and subject to change. It is the responsibility of the Proposer to check for any Addenda to this Solicitation or other pertinent information posted in the City’s Supplier Portal.

Proposal Phase	Tentative Date
Request for Proposals Issued	November 10, 2021

Pre-Proposal Conference	November 17, 2021 at 2 PM (PST)
Deadline for Written Questions	November 19, 2021 at 5 PM (PST)
Deadline to Submit Proposals	December 10, 2021 at 5 PM (PST)
Notice of Intent to Award	December 30, 2021 at 5 PM (PST)
Period for Protesting Notice of Intent to Award	Within three (3) business days of the City's issuance of a Notice of Intent to Award.
Final Award	January 7, 2022
<p><b>Pre-Proposal Conference:</b> The Pre-Proposal Conference shall be held virtually. Join on your computer or mobile app <a href="#">Click here to join the meeting</a> Or call in (audio only) 415-906-4659 Phone Conference ID: 170 944 531#</p> <p><b>The Pre-Proposal Conference Details:</b> The Pre-Proposal Conference will begin at the time specified. Proposers' representatives are urged to arrive on time. Topics already covered will not be repeated for the benefit of late arrivals. <b>Failure to attend the Pre-Proposal Conference shall not excuse the awarded Proposer from any obligations of a contract awarded pursuant to this Solicitation.</b> Any change or addition to the requirements contained in this Solicitation as a result of the Pre-Proposal Conference will be executed by a written Addendum to this Solicitation. It is the responsibility of the Proposer to check for any Addendum to this Solicitation or other pertinent information posted on the City's Supplier Portal: <a href="https://sfcitypartner.sfgov.org/pages/index.aspx">https://sfcitypartner.sfgov.org/pages/index.aspx</a>.</p>	

## I. How to Register as a City Supplier

The following requirements pertain only to Proposers not currently registered with the City as a Supplier.

**Step 1:** Register as a BIDDER at City's Supplier Portal:

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

**Step 2:** Follow instructions for converting your BIDDER ID to a SUPPLIER ID. This will require you to register with the City Tax Collector's Office and submit Chapter 12B and 12C forms through the Supplier portal. Once these forms have been completed, submitted, and processed, you will be notified via email with your organization's new Supplier ID. That email will also provide instructions for completing your Supplier registration.

- **City Business Tax Registration Inquiries:** For questions regarding business tax registration procedures and requirements, contact the Tax Collector's Office at (415) 554-4400 or, if calling from within the City and County of San Francisco, 311.
- **Chapter 12(B) and 12(C) Inquiries:** For questions concerning the City's Chapter 12(B) and 12(C) Equal Benefits and Non-Discrimination in Contracting requirements, go to: [www.sfgov.org/cmd](http://www.sfgov.org/cmd).

## J. Proposal Questions and Submissions

### 1. Proposer Questions and Requests for Clarification

Proposers shall address any questions regarding this Solicitation to the Contract Administrator whose name and contact information appears on the cover page of this Solicitation. Proposers who fail to submit questions concerning this Solicitation and its requirements will waive all further rights to protest based on the specifications and conditions herein. **Questions must be submitted by email to the Contract Administrator whose name and contact information appears on the cover page of this Solicitation no later than the deadline for submission of**

**written questions or requests for clarification.** A written Addendum will be executed addressing each question and answer and posted publicly. It is the responsibility of the Proposer to check for any Addenda and other updates that will be posted on the City's Supplier Portal: <https://sfcitypartner.sfgov.org/pages/Events-BS3/event-search.aspx>.

## 2. Proposal Format

Proposals must be created using a word processing software (e.g. Microsoft Word or Excel) and typed in a serif font (e.g.-Times New Roman). The document must have page margins of at least .5" on all sides. Information must be provided at a level of detail that enables effective evaluation and comparison between Proposals. Failure to follow formatting, submission, or content requirements, as well as page limit restrictions (if any), may negatively impact the evaluation of your Proposal.

## 3. Time and Place for Submission of Proposals

Prior to the Proposal submission deadline, Proposers must upload their complete Proposals into the City's Supplier Portal: <https://sfcitypartner.sfgov.org/pages/index.aspx>. Late submissions will not be considered. Each original Proposal received will be screened to ensure that all content required by this Solicitation is included. Partial or complete omission of any required content may disqualify Proposals from further consideration. Late Proposal submissions will not be considered and failure to adhere to the above requirements may result in the complete rejection of your Proposal.

**Proposers are encouraged to upload their Proposals to the SF Supplier Portal as early as possible to address any technical issues that may arise during the submission process.** In the event a Proposer is unable to upload its complete Proposal into the SF Supplier Portal, Proposer must email its Proposal to the Contract Administrator whose name and contact information appears on the cover page of this Solicitation prior to the Proposal submission deadline and request confirmation of receipt. Proposer must include in its email: (a) documentation (e.g. screenshots) verifying its inability to upload its Proposal into the SF Supplier Portal and (b) a detailed justification explaining why it was not able to have the issue addressed prior to the submission deadline.

## K. Proposal Selection

The acceptance and/or selection of any Proposal(s) shall not imply acceptance by the City of all terms of the Proposal(s), which may be subject to further approvals before the City may be legally bound thereby.

## L. Contract Terms and Negotiations

The successful Proposer will be required to enter into an Agreement substantially in the form of the Agreement attached hereto as Attachment 1, City's Proposed Agreement Terms. **If Proposer is unable to accept City's Proposed Agreement Terms substantially in the form presented, Proposer shall include a revised copy of City's Proposed Agreement with its Proposal.** The revised copy of the Proposed Agreement must clearly:

- (1) Mark those sections to which it objects;
- (2) Set forth Proposer's alternative terms with respect to each such section; and
- (3) Explain the basis for each proposed change.

If a satisfactory contract(s) cannot be negotiated in a reasonable time, the City, in its sole discretion, may terminate negotiations. Upon termination of negotiations, City may begin negotiation with the Proposer that meets the Minimum Qualifications of this Solicitation whose Proposal receives the next highest ranking score.

## **M. Protest Procedures**

### **1. Protest of Non-Responsiveness Determination**

Within three (3) business days of the City's issuance of a Notice of Non-Responsiveness, a Proposer may submit a written Notice of Protest of Non-Responsiveness. The Notice of Protest must include a written statement specifying in detail each and every one of the grounds asserted for the protest. The Notice of Protest must be signed by an individual authorized to represent the Proposer, and must cite the law, rule, local ordinance, procedure or Solicitation provision on which the protest is based. In addition, the Notice of Protest must specify facts and evidence sufficient for the City to determine the validity of the protest.

### **2. Protest of Non-Responsible Determination**

Within three (3) business days of the City's issuance of a Notice of Non-Responsibility, a Proposer may submit a written Notice of Protest of Non-Responsibility. The Notice of Protest must include a written statement specifying in detail each and every one of the grounds asserted for the protest. The Notice of Protest must be signed by an individual authorized to represent the Proposer, and must cite the law, rule, local ordinance, procedure or Solicitation provision on which the protest is based. In addition, the Notice of Protest must specify facts and evidence sufficient for the City to determine the validity of the protest.

### **3. Protest of Contract Award**

Within three (3) business days of the City's issuance of a Notice of Intent to Award, a Proposer may submit a written Notice of Protest of Contract Award. The Notice of Protest must include a written statement specifying in detail each and every one of the grounds asserted for the protest. The Notice of Protest must be signed by an individual authorized to represent the Proposer, and must cite the law, rule, local ordinance, procedure or Solicitation provision on which the protest is based. In addition, the Notice of Protest must specify facts and evidence sufficient for the City to determine the validity of the protest.

### **4. Delivery of Protests**

A Notice of Protest must be written. Protests made orally (e.g., by telephone) will not be considered. A Notice of Protest must be delivered by mail or email to the Contract Administrator whose name and contact information appears on the cover page to this Solicitation and received by the due dates stated above. A Notice of Protest shall be transmitted by a means that will objectively establish the date the City received the Notice of Protest. If a Notice of Protest is mailed, the protestor bears the risk of non-delivery within the deadlines specified herein.

## **II. CITY'S SOCIAL POLICY REQUIREMENTS**

The San Francisco Municipal Code establishes a number of requirements for people seeking to do business with the City ("Social Policy Requirements"). These Social Policy Requirements can be found in Attachment 1, City's Proposed Agreement Terms. The Social Policy Requirements set forth below are NOT intended to be a complete list of all Social Policy Requirements applicable to this Solicitation and any contracts awarded from it. Proposers are encouraged to carefully review the Social Policy Requirements applicable to this Solicitation contained in Attachment 1, City's Proposed Agreement Terms.

### **A. Proposers Unable to do Business with the City**

#### **1. Generally**

Proposers that do not comply with laws set forth in San Francisco's Municipal Codes may be unable to enter into a contract with the City. Laws applicable to this Solicitation are set forth below and in Attachment 1, City's Proposed Agreement Terms.

## 2. Administrative Code Chapter 12X

Subject to certain exceptions, Proposers are advised that this Solicitation is subject to the requirements of Administrative Code Chapter 12X, which prohibits the City from entering into a contract with a Proposer that (a) has its headquarters in a state that has enacted a law that perpetuates discrimination against LGBT people and/or has enacted a law that prohibits abortion prior to the viability of the fetus, or (b) 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 on the website of the City Administrator (<https://sfgsa.org/chapter-12x-state-ban-list>). Proposers will be required to certify compliance with Chapter 12X as part of their Proposal, unless the City determines that a statutory exception applies. *Refer to Attachment 1, City’s Proposed Agreement Terms for additional details related to the application of this Ordinance to a contract awarded pursuant to this Solicitation.*

## 3. Administrative Code Chapter 12B

A Proposer selected pursuant to this Solicitation may not, during the term of the Agreement, in any of its operations in San Francisco, on real property owned by San Francisco, or where work is being performed for the City elsewhere in the United States, discriminate in the provision of bereavement leave, family medical leave, health benefits, membership or membership discounts, moving expenses, pension and retirement benefits or travel benefits, as well as any benefits other than the benefits specified above, between employees with domestic partners and employees with spouses, and/or between the domestic partners and spouses of such employees, where the domestic partnership has been registered with a governmental entity pursuant to state or local law authorizing such registration, subject to the conditions set forth in §12B.2(b) of the San Francisco Administrative Code. *Refer to Attachment 1, City’s Proposed Agreement Terms for additional details related to the application of this Ordinance to a contract awarded pursuant to this Solicitation.*

- B. Reserved (Payment of Prevailing Wages).**
- C. Reserved (Health Care Accountability Ordinance).**
- D. Reserved (Minimum Compensation Ordinance).**
- E. First Source Hiring Program**

A Proposer selected pursuant to this Solicitation shall comply with all of the provisions of the First Source Hiring Program, Chapter 83 of the San Francisco Administrative Code that apply to this Agreement and an awarded Proposer is subject to the enforcement and penalty provisions in Chapter 83. *Refer to Attachment 1, City’s Proposed Agreement Terms for additional details related to the application of this Ordinance to a contract awarded pursuant to this Solicitation.*

- F. Reserved (Sweatfree Procurement).**
- G. Other Social Policy Provisions**

Attachment 1, City’s Proposed Agreement Terms, identifies the City’s applicable social policy provisions related to a contract awarded pursuant to this Solicitation. Proposers are encouraged to carefully review these terms and ensure they are able to comply with them.

## III. LOCAL BUSINESS ENTERPRISE (LBE) PROGRAM REQUIREMENTS

LBE Bid Discounts/Rating Bonuses shall be applicable to at each phase of the Solicitation evaluation and selection process, in accordance with the values shown below.



1. **General and Professional Services**

Estimated Contract Value	Small/Micro LBEs Rating Bonus	SBA LBEs Rating Bonus
Greater than \$10,000 but less than or equal to \$400,000.	10%	0%

2. **General and Professional Services by Joint Ventures**

Estimated Contract Value	Small/Micro LBE Subcontracting Level	Rating Bonus
Greater than \$10,000 but less than or equal to \$10,000,000.	Equals or exceeds 35%, but less than 40%	5%
	Equals or exceeds 40%, but less than 100%	7.5%
	100%	10%

**B. LBE Subcontracting Requirements**

The LBE Subcontracting Requirement for this RFP has been waived.

Although LBE Subcontracting Participation Requirements have been waived, Proposers responding to this Solicitation must submit response packages that include CMD Forms included in Attachment 4, *with the exception of CMD Form 2B entitled “Good Faith Outreach Form”*. The applicable forms are:

- (a) **CMD Form 2A:** CMD Contract Participation Form
- (b) **CMD Form 3:** Compliance Affidavit
- (c) **CMD Form 4:** Joint Venture Form (if applicable)
- (d) **CMD Form 5:** Employment Form

Failure to complete, sign and submit each of the required LBE Subcontracting Requirements and Good Faith Outreach Forms with Proposers’ Proposals may result in the response package being deemed non-responsive and rejected.

1. **CMD Compliance Officer**

The CMD Compliance Officer (CCO) for this Solicitation and any Contract awarded pursuant to this Solicitation is:

Dalmar Ismail  
 Contract Monitoring Division  
 City and County of San Francisco  
 Tel: 415.581.2322  
 Email: [dalmar.ismail@sfgov.org](mailto:dalmar.ismail@sfgov.org)  
 Website: [www.sfgov.org/cmd](http://www.sfgov.org/cmd).

2. **LBE Payment and Utilization Tracking**

If LBE Subcontracting Participation Requirements apply to a Contract awarded pursuant to this Solicitation, the Awarded Contractor shall agree to:

- (a) Within three (3) business days of City’s payment of any invoice to Contractor, pay LBE subcontractors as provided under Chapter 14B.7(H)(9); and

- (b) Within ten (10) business days of City’s payment of any invoice to Contractor, confirm its payment to subcontractors using the City’s Supplier Portal Payment Module, unless instructed otherwise by CMD.

Failure to submit all required payment information to the City’s Supplier Portal Payment Module with each payment request may result in the withholding of 20% of subsequent payments due. Self-Service Training is located at this link: <https://sfcitypartnersgov.org/pages/training.aspx>.

#### **IV. GOODS AND SERVICES REQUESTED**

##### **A. Goods and/or Services Requested**

This Solicitation is being issued by SF Environment. SF Environment is seeking qualified Proposers to provide proposals for a consultant to lead process design and facilitation, as well as develop the operational framework and sustainability plan for the Climate Equity Hub. In general, the Climate Equity Hub (the “Hub”) is intended to be a central clearinghouse for building decarbonization resources.

##### **Scope of Work**

##### **1. Process Design and Facilitation**

- a. Create an ecosystem map of stakeholders for the Climate Equity Hub (A preliminary list of individuals and organizations will be provided.) An “ecosystem map” is a visual representation of relationships and dependencies between the various actors and parts that contribute to a comprehensive understanding of a particular area of focus.
- b. Learn the stakeholders’ expectations and needs (including via group meetings and individual interviews).
- c. Encourage local cross-sector collaboration (*e.g.*, among community-based orgs, business, government, philanthropy, labor, practitioners, residents, end users) using collective impact, design-thinking, and other innovative principles to determine most beneficial characteristics of the Hub.
- d. Overcome barriers by building trust among stakeholders through empathy and team building activities.
- e. Aggregate a prioritized list of functionalities for the Hub.

##### **2. Operational Framework**

- a. Provide a conceptual design for the Hub based on the outcomes of the Process Design and Facilitation effort.
- b. Compile a list of existing resources and complete a gap analysis. A “gap analysis” is a process that allows organizations to determine how to best achieve their goals. It compares the current state with an ideal state, which highlights shortcomings and opportunities for improvement.
- c. Refine the conceptual design based on findings from the gap analysis.
- d. Propose a governance structure and management practices, together with overarching values, objectives, and participants (*e.g.*, periodic and ongoing contributors).

##### **3. Sustainability Plan**

- a. Document a budget scenario(s) and devise a funding strategy.

b. Recommend approaches to long-term viability.

- B. Reserved (Regulatory and Compliance Requirements Specific to the Goods/Services Solicited).**
- C. Reserved (Articles Furnished).**
- D. Reserved (Alternates).**
- E. Reserved (Samples).**
- F. Reserved (Freight on Board).**
- G. Green Purchasing Requirements**

In preparation for any Proposal submitted in response to this Solicitation, Proposers are required to review the City [Mandatory Green Purchasing Requirements](#) to ensure all goods and services offered to City in response to this Solicitation comply with the City’s Green Purchasing Requirements. In addition, Proposers are encouraged to refer to Attachment 1, City’s Proposed Agreement Terms, for additional details related to the Green Purchasing Requirements applicable to any contract awarded pursuant to this Solicitation.

**V. PROPOSAL EVALUATION CRITERIA**

<b>Evaluation Phase</b>	<b>Maximum Points</b>
Minimum Qualifications Documentation	Pass/Fail
Price Proposal	10 Points
Written Proposal	90 Points
<b>TOTAL POINTS</b>	<b>100</b>

**VI. REQUIRED SUPPORTING DOCUMENTATION**

Proposers must provide each Required Supporting Documentation (“RSD”) identified below with their Proposal. Failure to do so may result in the Proposal being deemed Non Responsive.

<b>RSD1</b>	Evidence that Proposer is 12B compliant or likely to become compliant within 30 days.
<b>RSD2</b>	<p><b>Completed Proposal Attachments:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Attachment 1: Proposer’s Changes to City’s Proposed Agreement Terms (if applicable)</li> <li><input type="checkbox"/> Attachment 2: Proposer Questionnaire and References</li> <li><input type="checkbox"/> Attachment 3: CMD Form 3</li> <li><input type="checkbox"/> Attachment 4: LBE Participation and Good Faith Outreach Forms</li> <li><input type="checkbox"/> Attachment 6: Price Proposal Template</li> <li><input type="checkbox"/> Attachment 7: First Source Hiring Form</li> </ul>
<b>RSD3</b>	Signed copies of all Solicitation Addenda, if any.
<b>RSD4</b>	<p><b>Non Profit Entities:</b> If a Proposer is a non-profit entity that receives a cumulative total per year of at least \$250,000 in City funds or City-administered funds and is a non-profit organization as defined in Chapter 12L of the S.F. Administrative Code, the Proposer must comply with Chapter 12L and include in its Proposal:</p> <p>(1) a statement describing its efforts to comply with the Chapter 12L provisions regarding public access to Proposer’s meetings and records, and</p>

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: FIRE DEPARTMENT -- FIR

Dept. Code: FIR

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

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

Type of Service: Emergency Medical Service (EMS) Billing & Revenue Services

Funding Source: Gov't, private health insurance

PSC Amount: \$7,000,000

PSC Est. Start Date: 07/01/2022

PSC Est. End Date 06/30/2027

**1. Description of Work**

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

Provide complete billing and collection services for all Fire Department paramedic ambulance activities. Receive secured data of Department's Electronic Patient Care Reports and transmittal into billing system; data input, scanning and entry of paper pre-hospital care records; coding and medical necessity leveling of incidents; patient contact for follow-up collections; bill and invoice creation, generation, and distribution; industry research on fee structures and "usual and customary" rates; maintain fluency in payer class allowances, as well as changes and updates in the federal reimbursement structures and fee schedules; analyze revenue and provide assessments and projections to financial staff. Provide and assist with maintaining electronic field data capture system for use by field personnel; collection of Continuous Quality Improvement information.

The duration of the contract is for five years only, through 2027. However, the Department may seek to exercise the two-year extension option in the future by obtaining modification approval from DHR and/or Civil Service Commission.

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

This highly specialized and complex billing services generates revenue to support EMS and paramedic ambulance services in the Fire Department. Denial of this service will result in the loss of revenue exceeding \$20 million annually. Loss of these revenue funds will create the need for a draw on the City's General Fund.

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 been previously provided via a professional services contract in the past, all approved by the Civil Service Commission. Previous iterations of the approval are PSC #s 43352-13/14 and 4117-05/06. The most recent approval is attached to this request for reference.

D. Will the contract(s) be renewed?

The Department's current contract expires at the end of the current PSC approval period (6/30/22). The Department is currently in the midst of an RFP process for this new approval term.

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 service will initially involve large volume of data set-up and transfer of confidential patient and insurance information. Thereafter, there will be a continuous flow of large volumes of data from current, confidential patient and insurance information. Data will come from many sources, such as the Department's ambulance units, Federal Medicare, State Medi-Cal and private insurances. It is critical that the same vendor under the same contract be in place for at least five years to ensure accurate, timely, continuous and consistent billing and collection services for the Department's ambulance activities.

**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 Department does not have sufficient staff, office space, facilities to conduct this work; nor does the specialized expertise exist in the Department.

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

- A. Specify required skills and/or expertise: Please see complete description as an attachment.
- B. Which, if any, civil service class(es) normally perform(s) this work? 1630, Account Clerk; 1635, Health Care Billing Clerk 1; 1636, Health Care Billing Clerk 2; 1637, Patient Accounts Clerk; 1663, Patient Accounts 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?**

There are no available resources within the City that could handle the full range of EMS billing and collection of this scope and magnitude.

**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 cannot perform the full range of EMS billing and collection of this scope and magnitude. The Department generates over 60,000 accounts per year. No infrastructure exists within the City or the Department to support the resources needed for the full range of services (coding, billing, payment, auditing, insurance).
- 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, it would not be operationally prudent and practicable for the City to establish, maintain and staff an infrastructure that could perform the full range of EMS billing and collection duties for 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. There is no training provided to employees. Patients will be dealing directly with contractor for billing issues.
- 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 10/18/2021, the Department notified the following employee organizations of this PSC/RFP request:**

SEIU 1021 Miscellaneous

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

Name: Elaine Walters Phone: (415)558-3418 Email: elaine.walters@sfgov.org

Address: 698 Second Street, Room 209 San Francisco, CA 94107

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 41923 - 21/22

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 02/07/2022

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

**From:** [dhr-psccordinator@sfgov.org](mailto:dhr-psccordinator@sfgov.org) on behalf of [elaine.walters@sfgov.org](mailto:elaine.walters@sfgov.org)  
**To:** [Walters, Elaine \(FIR\)](mailto:Walters, Elaine (FIR)); [Frigault, Noah \(HRC\)](mailto:Frigault, Noah (HRC)); [Meiers, Julie \(HSA\)](mailto:Meiers, Julie (HSA)); [thomas.vitale@seiu1021.org](mailto:thomas.vitale@seiu1021.org); [Ricardo.lopez@sfgov.org](mailto:Ricardo.lopez@sfgov.org); [Basconcillo, Katherine \(PUC\)](mailto:Basconcillo, Katherine (PUC)); [pcamarillo\\_seiu@sbcglobal.net](mailto:pcamarillo_seiu@sbcglobal.net); [Wendy.Frigillana@seiu1021.org](mailto:Wendy.Frigillana@seiu1021.org); [pscreview@seiu1021.org](mailto:pscreview@seiu1021.org); [ted.zarzecki@seiu1021.net](mailto:ted.zarzecki@seiu1021.net); [davidmkersten@gmail.com](mailto:davidmkersten@gmail.com); [xiumin.li@seiu1021.org](mailto:xiumin.li@seiu1021.org); [Poon, Sin Yee \(HSA\)](mailto:Poon, Sin Yee (HSA)); [david.canham@seiu1021.org](mailto:david.canham@seiu1021.org); [jtanner940@aol.com](mailto:jtanner940@aol.com); [Koestenbaum, Elissa \(FIR\)](mailto:Koestenbaum, Elissa (FIR)); [DHR-PSCCoordinator, DHR \(HRD\)](mailto:DHR-PSCCoordinator, DHR (HRD))  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 41923 - 21/22  
**Date:** Monday, October 18, 2021 1:48:45 PM

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RECEIPT for Union Notification for PSC 41923 - 21/22 more than \$100k

The FIRE DEPARTMENT -- FIR has submitted a request for a Personal Services Contract (PSC) 41923 - 21/22 for \$7,000,000 for Initial Request services for the period 07/01/2022 – 06/30/2027. 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/17427> 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

Department of Human Resources

3. DESCRIPTION OF REQUIRED SKILLS/EXPERTISE

A. Specify required skills and/or expertise:

Minimum of 5 years health care receivables industry experience, 2 years must be in EMS collections; provision and implementation of electronic patient data care collection; compliant with all Health Insurance Portability & Accountability Act (HIPAA) and privacy regulations. Proposer and its employees, current and future, cannot be on the Federal Office of Inspector General (OIG) Exclusion list. Specific systems experience in National Highway Transportation Safety Administration Uniform Pre-Hospital EMS dataset P2.1 or higher, including implementation of the standard's XML specifications.

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

Department: FIRE DEPARTMENTDept. Code: FIR

Type of Request:  Initial  Modification of an existing PSC (PSC # 43352 - 13/14)

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

Type of Service: Emergency Medical Service (EMS) Billing & Revenue ServicesFunding Source: Gov't, private health insurance

PSC Original Approved Amount: \$1,500,000 PSC Original Approved Duration: 07/01/14 - 06/30/18 (4 years)

PSC Mod#1 Amount: \$1,500,000 PSC Mod#1 Duration: 07/01/18-06/30/22 (4 years 1 day)

PSC Cumulative Amount Proposed: \$3,000,000 PSC Cumulative Duration Proposed: 8 years 1 day

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

Provide complete billing and collection services for all Fire Department paramedic ambulance activities. Receive secured data of Department's Electronic Patient Care Reports and transmittal into billing system; data input, scanning and entry of paper pre-hospital care records; coding and medical necessity leveling of incidents; patient contact for follow-up collections; bill and invoice creation, generation, and distribution; industry research on fee structures and

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

This highly specialized and complex billing services generates revenue to support EMS and paramedic ambulance services in the Fire Department. Denial of this service will result in the loss of revenue exceeding \$20 million annually. Loss of these revenue funds will create the need for a draw on the City's General Fund.

**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, it has via PSC

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

Yes, up to a seven-year total duration.

**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 service involves large volume of data set-up and transfer of confidential patient and insurance information. Thereafter, there will be a continuous flow of large volumes of data from current, confidential patient and insurance information. Data will come from many sources, such as the Department's ambulance units, Federal Medicare, State Medi-Cal and private insurances. It is critical that the same vendor under the same contract be in place for at least four years to ensure accurate, timely, continuous and consistent billing and collection services for the

Department's ambulance activities. This modification is not for more than four years, but combined with the original approval, the contract term will be eight 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 Department does not have sufficient staff, office space, facilities to conduct this work; nor does the specialized expertise exist in the Department

B. Reason for the request for modification:

This modification is an extension of the original period and an increase to the overall approved contract amount. The actual contract has options to extend that the Department would like to have the opportunity to exercise.

## 3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise: Please see complete description as an attachment.

B. Which, if any, civil service class(es) normally perform(s) this work? 1630, Account Clerk; 1635, Health Care Billing Clerk 1; 1636, Health Care Billing Clerk 2; 1637, Patient Accounts Clerk; 1663, Patient Accounts 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.

Civil service classes cannot perform the full range of EMS billing and collection of this scope and magnitude. The Department generates over 60,000 accounts per year. No infrastructure exists within the City or the Department to support the resources needed for the full range of services (coding, billing, payment, auditing, insurance).

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, it would not be operationally prudent and practicable for the City to establish, maintain and staff an infrastructure that could perform the full range of EMS billing and collection duties for 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.

There is no training provided to employees. Patients will be dealing directly with contractor for billing issues.

- 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.

Fire Commission approval

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

The current contract has options to extend

**7. Union Notification:** On 07/11/18, the Department notified the following employee organizations of this PSC/RFP request:

SEIU 1021 Miscellaneous;

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

Name: Elaine Walters Phone: (415)558-3418 Email: elaine.walters@sfgov.org

Address: 698 Second Street, Room 209, San Francisco, CA 94107

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 43352 - 13/14

DHR Analysis/Recommendation:

10/15/2018

Commission Approval Required

Approved by Civil Service Commission

10/15/2018 DHR Approved for 10/15/2018

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: FIRE DEPARTMENT -- FIR

Dept. Code: FIR

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

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

Type of Service: EHR Software Integration and Implementation

Funding Source: Operating Funds

PSC Amount: \$150,000

PSC Est. Start Date: 12/01/2021

PSC Est. End Date 11/30/2022

**1. Description of Work**

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

Contractor will be responsible for the installation and setup of the EHR Software Integration and Implementation proprietary software, and the conversion of legacy information into the new system for the San Francisco Fire Department - including medical programs and organizational compliance programs.

Software support and maintenance will include upgrades to new software versions of the proprietary EHR system, provide additional licenses, provide an interface to the existing systems used by the Fire Department, and other services necessary to maintain and support system functionality.

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

The contract is necessary for the integration and implementation of the EHR software and to ensure continued maintenance and support. EHR Software Integration and Implementation will improve the workflow and allow internal systems to "talk" to each other and share and/or, if permitted, modify record information and provide statistics. Without approval of these services, the Fire Department will not be able to roll out a new EHR system, resulting in continued dependence on a work process that is inefficient and less secure when it comes to employee health information. Consequences of denial include the SFFD not being able to get real-time updates and information, which could compromise the SFFD's ability to best assist their employees and the public.

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 is a new service.

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.

not applicable

**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:

The services are as-needed services for support and maintenance.

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

- A. Specify required skills and/or expertise: Due to the proprietary nature of this complex system, only trained and certified engineers of the EHR software are able to provide maintenance and support services.
- B. Which, if any, civil service class(es) normally perform(s) this work? 1042, IS Engineer-Journey; 1043, IS Engineer-Senior; 1044, IS Engineer-Principal; 1094, IT Operations Support Admin IV; 1822, Administrative Analyst; 9209, Community Police Services Aide; 1094, IT Operations Support Administrator IV ; 1094, IT Operations Support Administrator IV ;
- 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?**

None, at this time.

**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 are not applicable because the services required must include access to the contractor’s proprietary software.
- 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 the vendor does not release system proprietary information or source code, so civil servants cannot perform the maintenance and support.

**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 of Fire Department personnel will be required. Because the vendor does not release system proprietary information or source code, civil servants cannot perform the maintenance and support.
- 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 10/27/2021, the Department notified the following employee organizations of this PSC/RFP request:  
Prof & Tech Eng, Local 21; SEIU 1021 Miscellaneous**

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

Name: Elaine Walters Phone: (415)558-3418 Email: elaine.walters@sfgov.org

Address: 698 Second Street San Francisco, CA 94107

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 44923 - 21/22

DHR Analysis/Recommendation:  
Commission Approval Required  
DHR Approved for 02/07/2022

Civil Service Commission Action:



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

**From:** [dhr-psccordinator@sfgov.org](mailto:dhr-psccordinator@sfgov.org) on behalf of [elaine.walters@sfgov.org](mailto:elaine.walters@sfgov.org)  
**To:** [Walters, Elaine \(FIR\)](mailto:Walters, Elaine (FIR)); [Frigault, Noah \(HRC\)](mailto:Frigault, Noah (HRC)); [Meiers, Julie \(HSA\)](mailto:Meiers, Julie (HSA)); [thomas.vitale@seiu1021.org](mailto:thomas.vitale@seiu1021.org); [Ricardo.lopez@sfgov.org](mailto:Ricardo.lopez@sfgov.org); [Basconcillo, Katherine \(PUC\)](mailto:Basconcillo, Katherine (PUC)); [pcamarillo\\_seiu@sbcglobal.net](mailto:pcamarillo_seiu@sbcglobal.net); [Wendy.Frigillana@seiu1021.org](mailto:Wendy.Frigillana@seiu1021.org); [pscreview@seiu1021.org](mailto:pscreview@seiu1021.org); [ted.zarzecki@seiu1021.net](mailto:ted.zarzecki@seiu1021.net); [davidmkersten@gmail.com](mailto:davidmkersten@gmail.com); [xiumin.li@seiu1021.org](mailto:xiumin.li@seiu1021.org); [Poon, Sin Yee \(HSA\)](mailto:Poon, Sin Yee (HSA)); [david.canham@seiu1021.org](mailto:david.canham@seiu1021.org); [jtanner940@aol.com](mailto:jtanner940@aol.com); [WendyWong26@yahoo.com](mailto:WendyWong26@yahoo.com); [wendywong26@yahoo.com](mailto:wendywong26@yahoo.com); [tmathews@ifpte21.org](mailto:tmathews@ifpte21.org); [kschumacher@ifpte21.org](mailto:kschumacher@ifpte21.org); [pkim@ifpte21.org](mailto:pkim@ifpte21.org); [amakayan@ifpte21.org](mailto:amakayan@ifpte21.org); [L21PSCReview@ifpte21.org](mailto:L21PSCReview@ifpte21.org); [Koestenbaum, Elissa \(FIR\)](mailto:Koestenbaum, Elissa (FIR)); [DHR-PSCCoordinator, DHR \(HRD\)](mailto:DHR-PSCCoordinator, DHR (HRD))  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 44923 - 21/22  
**Date:** Wednesday, October 27, 2021 10:06:36 AM

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RECEIPT for Union Notification for PSC 44923 - 21/22 more than \$100k

The FIRE DEPARTMENT -- FIR has submitted a request for a Personal Services Contract (PSC) 44923 - 21/22 for \$150,000 for Initial Request services for the period 12/01/2021 – 11/30/2022. 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/17478> 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: 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: Software support and maintenance for Type 2070 D4 Signal Traffic Controller Software

Funding Source: Fed/Gen/Local/Operating/Fed Grant/Prop A

PSC Duration: 10 years 8 weeks

PSC Amount: \$899,760

**1. Description of Work**

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

Continue to maintain and upgrade D4 Traffic Signal Software to provide transit priority and emergency preemption throughout the City, including cable car and LRV locations, and prepare signal-timing cards for various intersections, including integration of Type 2070 controllers and rail detection or future Communications Based Train Control system. Continue to ensure communication between the Transportation Management Center (TMC) and the traffic signals in the field, to ensure integration of D4 Traffic Signal Software with the central software system. Continue to provide technical expertise to San Francisco (SF) go to ensure that the TMC communicates with Caltrans, Muni Central Control, and other transit networks; and provide remote and on-site support and training services to software end-users.

The Project Manager is working with the Contract and Procurement team on developing the RFP. Attached is the detailed Proposed Scope of Work to be used in developing the RFP

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

This agreement is for software support and maintenance for D4 Traffic Signal Software. D4 is the only existing Type 2070 software that meets the City's needs, including providing pedestrian features and Transit Signal Priority as in accordance with the Transit First Policy. Advanced Traffic Solutions is the sole source provider of D4 software and D4 software has been the standard signal controller software for the City since 2004. If this request is denied, the result would be no support, training, or maintenance related to the City's traffic signal software and would prevent the City from incorporating any technological advancements. Additionally, D4 developed unique software to support Cable Car preemption needs, which would also no longer be supported if this contract is not approved. Staff considered not entering this contract with Advanced Traffic Solutions, which would result in no support, training, or maintenance related to the City's traffic signal software and would prevent the City from incorporating any technological advancements or addressing software maintenance needs at existing traffic signals. Therefore, this alternative was rejected by staff.

**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.**

PSC#4122-07/08 was approved in 2008. Advanced Traffic Solutions continues to provide support and maintenance services on D4 software as-needed remotely and on-site.

**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.**

The duration request for this PSC is ten years. If approved, this agreement would be for services similar to those agreed in PSC#4122-07/08, Contract No: SFMTA-2010/11-12 in 2011 and amended in 2015. The 2011 agreement was also for ten years and it was extended for one more year after it expired in 2020. We do not anticipate the need to replace the Type 2070 traffic signal controllers that D4 Traffic Signal Software currently supports in the near future. In the case that the agency pursues upgrading these Type 2070 traffic signal controllers, this new agreement includes in the scope to adapt the D4 Traffic Signal Software to coordinate with any emerging, state-of-the-art traffic control

hardware. Furthermore, in the case that D4 Traffic Signal Software is not compatible with new traffic control hardware, the replacement of such hardware would take years to complete, and the agency would still need software support until all existing 1266 -Type 2070 traffic signal controllers are replaced citywide.

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

B. Explain the qualifying circumstances:

Advanced Traffic Solutions is the only entity able to maintain D4 software, a highly specialized, customized and proprietary software product. D4 is the only existing Type 2070 software that meets the City's needs, including providing pedestrian features and Transit Signal Priority as in accordance with the Transit First Policy. This agreement is for software support and maintenance, as well as as-needed support and training, especially as it relates to the integration of D4 software with the upcoming Communications Based Train Control (CBTC) System or to coordinate with any emerging technology.

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

- A. Specify required skills and/or expertise: Software code development, maintenance, and upgrades, especially as it relates to the D4 Traffic Signal Software.
- 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: No

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

Signal Shop electricians have been trained to program timing changes using D4 software and over the years they have gained enough experience to program complex signal timing changes aimed to improve safety at signalized intersections, as well as programing complex signal timing changes intended to improve transit performance by providing TSP and preemption. However, evolving technology and signal timing standards would make it difficult for electricians and engineers to keep up with the software capabilities. Furthermore, this would not be feasible since the software is proprietary to Advanced Traffic Solutions.

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

- A. Explain why civil service classes are not applicable.  
The City does not have an existing civil service class with the highly specialized knowledge to perform the services provided by Advanced Traffic Solutions, which is the sole provider of D4 software support, as D4 is their proprietary software.
- 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. This would not be practical as the software is proprietary property of Advanced Traffic Solutions.

**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. Advanced Traffic Solutions will train City and County employees on D4 Traffic Signal Software updates, especially as it relates to the integration of D4 software with the upcoming Communications Based Train Control (CBTC) System or to coordinate with any emerging technology. Over the course of the contract, 500 training hours are estimated. Approximately 18 SFMTA traffic signal electricians will be trained in the following classifications: 15- 9145 Traffic Signal Electrician; 2-9147 Traffic Signal Electrician Supervisor I; and 1-9149 Traffic Signal Electrician Supervisor II.

- 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.  
Yes. SFMTA Board Res # 11-026 on 03/11/2011
- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.  
Yes. Yes, Advanced Traffic Solutions supports the current maintenance and support agreement for the D4 software. D4 software vendor information: LCC, 440 Cobia Drive, Suite 1103, Katy Tx 77494-7159, Eric Nelson (President), Avery Rhodes (Proj. Engr.), 832-405-8477.

**7. Union Notification:** On 10/29/2021, 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: Amy NUQUE Phone: 415-646-2802 Email: amy.nuque@sfmta.com

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

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 40680 - 21/22

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 02/07/2022

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

## Nuque, Amy

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**From:** dhr-psccordinator@sfgov.org on behalf of amy.nuque@sfmta.com  
**Sent:** Friday, October 29, 2021 11:09 AM  
**To:** Nuque, Amy; snaranjo@cirseiu.org; mdennis@twusf.org; roger marengo; Pete Wilson - Union 250A VP; cmoyer@nccrc.org; noah.frigault@sfgov.org; sfdpoa@icloud.com; Mjayne@iam1414.org; Emanuel, Rachel (DEM); laborers261@gmail.com; Laxamana, Junko (BOS); jennifer.esteen@seiu1021.org; emathurin@cirseiu.org; abush@cirseiu.org; sbabaria@cirseiu.org; anthony@dc16.us; mlobre@sfpoa.org; @sfpoa.org; tracym@sfpoa.org; mleach@ibt856.org; rooferslocal40@gmail.com; sal@local16.org; Criss@sfmea.com; Julie.Meyers@sfgov.org; seichenberger@local39.org; Camaguey@sfmea.com; 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@sffdlocal798.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; Sin.Yee.Poon@sfgov.org; 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; bart@dc16.us; david.canham@seiu1021.org; jtanner940@aol.com; Osha Ashworth; L21PSCReview@ifpte21.org; laborers261@gmail.com; local200twu; speedy4864@aol.com; Christina@sfmea.com; ecdemvoter@aol.com; thomas.vitale@seiu1021.org; Nuque, Amy; dhr-psccordinator@sfgov.org  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 40680 - 21/22

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

RECEIPT for Union Notification for PSC 40680 - 21/22 more than \$100k

The MUNICIPAL TRANSPORTATION AGENCY -- MTA has submitted a request for a Personal Services Contract (PSC) 40680 - 21/22 for \$899,760 for Initial Request services for the period 11/01/2021 – 12/31/2031. 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/17475> 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)**



MUNICIPAL TRANSPORTATION AGENCY BOARD  
CITY AND COUNTY OF SAN FRANCISCO  
RESOLUTION NO. 11-026

WHEREAS, The San Francisco Transportation Agency currently operates and maintains approximately 1,200 signalized intersections, each run by a signal controller, and the City has adopted Type 2070 traffic signal controllers as the City's standard; and

WHEREAS, Fourth Dimension Traffic's D4 software is the only existing Type 2070 software that meets the needs of the City, including providing pedestrian features and Transit Signal Priority as in accordance with the Transit First Policy; and

WHEREAS, The City has obtained a Citywide license for the Type 2070 D4 signal controller software from Fourth Dimension Traffic through a sole source contract; and

WHEREAS, The existing contract with Fourth Dimension Traffic, which expires in March 2011, was not drafted to include federal contracting requirements since federal funding was not used for this contract; and

WHEREAS, SFMTA has a number of current and upcoming projects that are funded by the Federal Transit Agency, the Federal Highway Administration, and the California Department of Transportation that require continued signal software support and maintenance services, including the Central Subway, Embarcadero, St. Francis Circle, Van Ness and Geary Bus Rapid Transit, Transit Effectiveness Project Rapid Corridors, SFgo and signal improvement projects, and this new contract complies with all federal and state contracting requirements; and

WHEREAS, Fourth Dimension Traffic will provide transit signal priority and other advanced programming, training, and support services over the course of ten years; and

WHEREAS, this work will be completed on a task order basis, and task orders will not be issued until project funding is secured; and

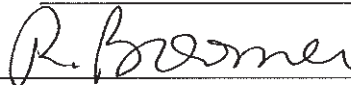
WHEREAS, the SFMTA is under no obligation to expend the entire contract amount; and

WHEREAS, the SFMTA and Fourth Dimension Traffic agree to negotiate an escrow agreement in order to escrow the source codes and other proprietary software information in the event of the unavailability of the Contractor; and

WHEREAS, The Software Support and Maintenance Agreement may be terminated with 30 days notice by the City; now, therefore, be it

RESOLVED, That the Municipal Transportation Agency Board of Directors authorizes the Executive Director/CEO to enter Contract No. SFMTA-2010/11-12, Software Support and Maintenance Agreement with Fourth Dimension Traffic for transit signal priority and other advanced programming training and support services for a total contract amount not to exceed \$1,900,000 and for a term of up to ten years.

I hereby certify that the foregoing resolution was adopted by the Municipal Transportation Agency Board of Directors at its meeting of MAR 01 2011.

  
Secretary, Municipal Transportation Agency Board

# July 19, 2010 Regular Meeting

## MINUTES Regular Meeting July 19, 2010

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

### CALL TO ORDER

2:05 p.m.

### ROLL CALL

President E. Dennis Normandy	Present
Vice President Donald A. Casper	Present
Commissioner Morgan R. Gorrone	Present
Commissioner Mary Y. Jung	Present

President E. Dennis Normandy presided.

### APPROVAL OF MINUTES

Regular Meeting of June 21, 2010

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

**0251-10-1**      **Commendation for Patricia M. Pendergast, Principal Personnel Analyst, upon her retirement after 41 years of service to the City & County of San Francisco. (Item No. 4)**

**Speakers:** Vice President Donald A. Casper

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

**0252-10-1**      **Commendation for Robert B. Sanchelli, Director of Training, upon his retirement after 31 years of service to the City & County of San Francisco. (Item No. 5)**

**Speakers:** Vice President Donald A. Casper

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

**0255-10-1**      **Presentation of Appreciation to Commissioner Morgan R. Gorrone for his leadership as President of the Civil Service Commission from June 2, 2009 to June 7, 2010. (Item No. 6)**

**Speakers:** President E. Dennis Normandy

Action: Adopt. (Vote of 4 to 0)

## 0239-10-8 Review of request for approval of proposed personal services contracts. (Item No. 7)

PSC#	Department	Amount	Type of Service	Type of Approval	Duration
4164-09/10	Police	\$1,500,000	The Controlled Substances Testing that the SFPD is requesting for contract consists of testing substances seized from suspects during arrests. Evidence must be tested and confirmed as narcotics, as well as weighed in order to determine the types of charges and penalties associated with the possession of the controlled substance. Substances are tested through chemical and scientific processes.	Regular	06/30/12

June 21, 2010: The Commission took no action, without prejudice on PSC #4164-09/10 and is postponed to a meeting following the Board of Supervisors' Proposition J determination, if needed.

**Speakers:** Joe Brenner, IFPTE Local 21  
Alice Villagomez, San Francisco Police Department  
Kim Carter, IFPTE Local 21

**Action:** Adopt the report; Approve request for proposed personal services contract on the conditions of the mutual agreement reached by SFPD and Local 21, namely: 1) The Proposition J currently before the Board of Supervisors for Narcotics Testing will be withdrawn (it was withdrawn on June 30, 2010); 2) The duration of the contract be modified to a two (2) year term

through June 30, 2012 and after six (6) months, the San Francisco Police Department (SFPD) will meet and confer with IFPTE Local 21 over an additional six months to one (1) year PSC, if needed; 3) No current staff will be displaced as a result of the PSC; 4) After six (6) months, the SFPD will report to the Civil Service Commission on the status of increasing the SFPD's internal capacity to perform drug testing; 5) The Crime Lab should remain in current location for FY2010-2011, making anticipated short-term fixes for defects and deficiencies; 6) Over the next year, the SFPD will explore and discuss options for relocation of the Crime Lab, including gathering more data to assess the best approach for housing the crime lab. The SFPD will consider existing physical sites which may be retrofitted to house the Crime Lab, or building a new facility, and reviewing cost and financing options and invite input from Local 21; and 7) Within thirty (30) days, SFPD will begin to meet with Local 21 to discuss Crime Lab staffing and workload issues. Notify the Office of the Controller and the Office of Contract Administration. (Vote of 4 to 0)

## 0253-10-8 Review of request for approval of proposed personal services contracts. (Item No. 8)

PSC#	Department	Amount	Type of Service	Type of Approval	Duration
4000-10/11	Fire	\$150,000	Perform maintenance and repair of apparatus doors, controls, and motors at fire facilities as necessary. Provider must be available to perform maintenance and repair 24 hours per day, seven days per week and must be able to respond within a 2-hour window.	Regular	06/30/13
4001-10/11	Fire	\$150,000	Perform maintenance and repair of high pressure compressors at SFFD facilities as necessary, as well as mandatory State and Federal testing of systems.	Regular	06/30/13
4002-10/11	Public Health	\$67,117	This shuttle bus service will operate six hours a day during peak commute times to decrease the number of single-occupancy vehicles travelling to the SFGH campus. This service is intended to positively impact air quality and reduce traffic and congestion related to the Rebuild Environmental Impact Report's Environmental Mitigation Measures. The goal of this project is to reduce motor vehicle emissions.	Regular	07/30/11

4003-10/11	Public Health	\$825,000	Selected contractor(s) will provide same day or expedited (second day) local and out-of-state specimen, regular and after hours package delivery services for Department of Public Health. Pickups will include end of day lab deliveries from multiple sites. End of day pickups require multiple pickups in a short period of time at various clinic locations. Contractor will service all DPH facilities as requested by the Department. Primary users within DPH are San Francisco General Hospital, Laguna Honda Hospital, primary clinics, and the Public Health Laboratory.	Regular	08/31/15
4004-10/11	Public Health	\$200,000	The contractor will pick up and store the bodies of deceased residents of Laguna Honda Hospital (LHH) until the family of the deceased or the State makes arrangements for final disposition. This is needed until a new morgue is built to replace the current morgue, which is expected by approximately two years.	Regular	09/30/12
4005-10/11	Fire	\$60,000	Perform maintenance and repair of all Fire Department gas-powered tools, as necessary.	Regular	06/30/13
4006-10/11	Public Works	\$9,000,000	The Inspector of Record (IOR) will be providing inspection services in support of the construction of the new hospital at San Francisco General Hospital (SFGH) Medical Center (also known as the SFGH Rebuild Project). The role of the IOR is to provide competent and continuous inspection of all phases of the hospital construction process for the SFGH Rebuild Project, allowing the Office of Statewide Health and Planning Development (OSHDP) staff to efficiently monitor the construction process, and assuring that the work is being done in accordance with OSHDP approved plans and applicable codes. An IOR must record all construction activities that occur on site and is responsible for verifying such items such as seismic anchorage and equipment, the bracing of all mechanical, plumbing, and electrical piping and conduits are installed in accordance with the approved documents and installation procedures. The IOR also oversees all inspections and witnesses all sets performed by outside inspectors. As part of the inspection team and as the liaison between the Owner (City), the Architect, and OSHDP, the IOR observes and reports the results of each inspection to all responsible parties. IORs must first be certified by OSHDP to perform the duties of an IOR and MUST be approved by the Architect of Record and OSHDP. The supplemental IORs awarded under this PSC will be working under the direction of the Lead IOR (currently being provided through PSC#4087-07/08- Executive Construction Management Professional Services Contract) and the SFGH Rebuild Project Program Manager. The City intends to issue multiple separate contracts, with each contract having a not-to-exceed contract amount.	Regular	12/31/16
4007-10/11	Public Utilities Commission	\$1,234,050	Work consists of engineering and design services for a 3,000 foot long, 11.5-ft. diameter sewer tunnel in the southeast section of San Francisco.	Regular	08/01/12
4008-10/11	Public Utilities Commission	\$100,000	SFPUC is seeking an expert to provide technical advisory and review services for the New Irvington Tunnel project in specified fields related to construction of tunnels and associated structures/facilities, including but not limited to, tunnel construction and cost estimate, seismology and engineering geology. This expert will advise SFPUC on technical and strategic approach of the project and assist the SFPUC project team in making critical project decisions, during construction.	Regular	12/31/14

4030-05/06	Human Resources	Increase Amount \$0 New Amount \$8,000,000	Will provide a range of managed care and medical cost containment services for the Workers' Comp. Division, including medical bill review and repricing, Preferred Provider Organization (PPO) administration, utilization review, and case management.	Modification	10/31/10
4122-07/08	Municipal Transportation Agency	Increase Amount \$600,000 New Amount \$930,696	Continue to make corrections of Fourth Dimension Traffic (D4) software errors, defects, and malfunctions in the software; perform maintenance on traffic signal cabinet/controller testing software to minimize malfunction in the field. Continue to maintain and upgrade D4 Traffic Signal Software to provide transit priority and emergency preemption throughout the City, including cable car locations, and prepare signal-timing cards for various intersections, including integration of 2070 Controllers. Continue to ensure communication between the Transportation Management Center (TMC) and the traffic signals in the field, to ensure integration of D4 software with central software system. Continue to provide technical expertise to Sfgo to ensure that the TMC communicates with Caltrans, Muni Central Control, and other transit networks; and provide support services to software end users.	Modification	03/30/14
4087-06/07	Public Utilities Commission	Increase Amount \$1,175,000 New Amount \$3,378,501	Original contract provided alternative analyses and conceptual design of various seismic retrofit schemes of the reservoir concrete roof structure, detailed design of the selected scheme, construction drawings and specification for bid and award, and engineering support during construction. In this modification, additional funding is for the completion of design work and engineering support during constructions. This project is part of Water System Improvement Program (WSIP).	Modification	01/01/14
4163-06/07	Department of Technology	Increase Amount \$106,350 New Amount \$206,350	Host internet video streaming of SFGTV, the San Francisco Governmental Channel, cable channel 26, 24/7. Provide monthly usage reports. Host and store up to one year's archive of video on the internet for the Board of Supervisors meetings, City commission meetings, Mayor's press conferences, State of the City Address and others, as necessary. Provide software to index meeting according to agenda items and link documents to streaming video. Provide software to include caption with video streaming content.	Modification	06/30/14
4138-06/07	Public Health	Increase Amount \$0 New Amount \$5,000,000	Contractors will perform environmental and facility assessments, provide project support/oversight, and survey customers who utilize the services at the Community Health Network (CNN) and healthcare providers such as doctors, nurses and administrators) in order to fulfill accreditation and licensing requirements specific to healthcare facilities, and in preparation for replacement or renovation building plans. Contractors will act as consultants with expertise specific to healthcare in one or more of the following: healthcare programs and/or systems, safety management, emergency preparedness, life safety, facility planning, mechanical systems, emergency power systems, environmental control (automation) systems, information systems, hazardous materials management, utility management and security management. With regard to emergency preparedness and security management, the implementation of a medical helipads necessary in order for San Francisco General Hospital (SFGH) to be a complete trauma center. Contractors will share findings with staff; assist in the implementation of changes needed to reduce risks; evaluate the impact of change on both Department staff and clients.	Modification	06/30/15

**Speakers:**

Assistant Deputy Chief Michael Thompson, San Francisco Fire Department spoke on PSC #s 4000-10/11; 4005-10/11; 4012-10/11; and 4010-08/09.

Gregory Cross, SEIU Local 1021, Jacquie Hale and Roland Pickins, Department of Public Health spoke on PSC #4003-10/11.

David Scott and Lori Mitchell, Public Utilities Commission spoke on PSC #4009-10/11.

Adrienne Pon, General Services Agency spoke on PSC #4010-10/11.

Mark Westlund, Department of the Environment spoke on PSC #4015-10/11.

Saed Toloui, Public Utilities Commission spoke on PSC #4087-06/07.

(1) Adopt the report; Approve request for PSC #4003-10/11 on the condition that one year from July 19, 2010, the Department of Public Health apprise the Commission of efforts made to have, as much as possible the proposed work to be contracted out be performed by civil service classifications, principally 1402 Junior Clerks. Notify the Office of the Controller and the Office of Contract Administration. (Vote of 4 to 0)

**Action:**

(2) Adopt the report; Approve request for PSC #4005-10/11. Notify the Office of the Controller and the Office of Contract Administration. (Vote of 3 to 0; Commissioner Gorrone missed vote.)

(3) Adopt the report; Approve request for PSC #4010-10/11 as amended to modify the contract amount from \$600,000 to \$500,000 and the duration from 06/30/14 to 06/30/15. Notify the Office of the Controller and the Office of Contract Administration. (Vote of 4 to 0)

(4) Adopt the report; Approve request for PSC #4010-08/09. Notify the Office of the Controller and the Office of Contract Administration. (Vote of 3 to 0; Commissioner Jung missed vote.)

(5) Adopt the report; Approve request for all remaining proposed personal contracts. Notify the Office of the Controller and the Office of Contract Administration. (Vote of 4 to 0)

0211-10-5

**Rule Amendments to Civil Service Commission Rules applicable to the Uniformed Ranks of the San Francisco Police Department; specifically, Rule 213 – Certification of Eligibles – Police Department. (Item No. 9)**

December 7, 2009: Post for Meet and Confer.

March 15, 2010: No disclosure of any or all discussions held in closed session.

April 19, 2010: No disclosure of any or all discussions held in closed session.

June 7, 2010: Postpone to the meeting of June 21, 2010 at the request of the Department of Human Resources.

June 21, 2010: Continue to the meeting of July 19, 2010, preceded by a closed session Special Meeting.

**Speakers:**

Anita Sanchez, Executive Officer, Civil Service Commission

Micki Callahan, Human Resources Director

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC HEALTH -- DPH

Dept. Code: DPH

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

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

Type of Service: Equipment Maintenance and Support Services - Beds and Gurneys

Funding Source: General Funds

PSC Duration: 6 years 4 weeks

PSC Amount: \$10,000,000

**1. Description of Work**

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

Contractors will perform scheduled and as-needed maintenance and support services for leased and owned hospital beds and gurneys above and beyond routine maintenance and repairs performed by Local 39 members. In addition, the contractors will also integrate, maintain, and support all software that is required to operate the beds and gurneys.

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

This service is necessary in order to maintain owned and leased equipment (Beds and Gurneys) in use at the Department of Public Health. This will prolong the life of the equipment and ensure that it functions properly and at published manufacturer standards to maintain all warranties, performance specifications and tolerances. Further, modern hospital beds and gurney now can monitor, collect, and transmit patient clinical data to the Electronic Health Record System, and devices may connect to the hospital computer network to share the collected data to applicable systems in a secure manner. Denial will result in equipment that does not work and would put the lives of patients at risk. In addition, the Department would not be able to operate and provide for the routine function of operations.

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 services have been provided under standard maintenance contracts, and through the purchase order process. In addition, historically the standard City maintenance contract did not require Commission approval for such services.

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.

The PSC is in excess of five years, because there will be an ongoing need to maintain leased and owned hospital beds and gurneys in use at the Department of public health. The items are generally leased for periods in excess of five years, or have useful product lives, when properly maintained, beyond five years. The equipment is needed to effectively run a modern health network and the City does not have the resources to maintain this equipment above and beyond routine maintenance and repairs performed by Local 39 members.

**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).

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

B. Explain the qualifying circumstances:

Services required on an as-needed, intermittent, or periodic basis (e.g., peaks in workload): The repair and support services are for work as scheduled when City resources are not able to perform the services. Services that require resources that the City lacks (e.g., office space, facilities or equipment with an operator): The services may require specialized tools or access to special software including the source code to effectively develop interfaces and integrations to other systems.

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

- A. Specify required skills and/or expertise: The Contractors must be trained or authorized to repair the equipment in question. In addition, the contractors in many cases are or must be the Original Equipment Manufacturer (OEM).
- B. Which, if any, civil service class(es) normally perform(s) this work? 1041, IS Engineer-Assistant; 1042, IS Engineer-Journey; 1044, IS Engineer-Principal; 1091, IT Operations Support Admin I; 1092, IT Operations Support Admin II; 1093, IT Operations Support Admin III; 1094, IT Operations Support Admin IV; 1095, IT Operations Support Admin V; 7203, Bldg & Grounds Maint Sprv; 7205, Chief Stationary Engineer; 7328, Operating Engineer, Universal; 7333, Apprentice Stationary Engineer; 7334, Stationary Engineer; 7335, Senior Stationary Engineer; 1091, IT Operations Support Administrator I; 1092, IT Operations Support Administrator II; 1093, IT Operations Support Administrator III ; 1094, IT Operations Support Administrator IV ; 1094, IT Operations Support Administrator IV ; 1095, IT Operations Support Administrator V;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes. Contractors will supply personnel and repair facilities, which may include depot repair facilities, all tools, software, parts and other proprietary equipment used to service, upgrade and repair equipment in order to maintain and keep equipment in good working order.

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

When applicable, there are City resources which can repair equipment, however, for the great majority of medical, scientific and priority systems in use by the Department, it would be impractical to have City resources maintain all equipment.

**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 do perform some of the work and Civil Service Employees are always the first responders and they will determine if the required work is beyond their scope or expertise prior to enlisting supporting services.
- 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. Due to as-needed and nature of the work and the specialized nature of the equipment in use by the Department it would be impractical to hire additional staff to service each piece of equipment based on manufacturer standards. City resources do work with manufacturers and may have opportunities to receive training and educational opportunities from manufacturer. Many of these services are highly specialized and require an expertise on specific equipment.

**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.  
No. No formal training program is contemplated. City workers may receive as-needed trainings and certifications by the Original Equipment Manufacturers if offered.
- 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 11/24/2021, the Department notified the following employee organizations of this PSC/RFP request:  
Operating Engineers, Local 3; Prof & Tech Eng, Local 21; Professional & Tech Engrs, Local 21; Stationary Engineers, Local 39

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

Name: Kelly Hiramoto Phone: 415-255-3492 Email: kelly.hiramoto@sfdph.org

Address: 1380 Howard St. San Francisco, CA 94103

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 42459 - 21/22

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 02/07/2022

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

## Receipt of Notice for new PCS over \$100K PSC # 42459 - 21/22

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

on behalf of

kelly.hiramoto@sfdph.org <kelly.hiramoto@sfdph.org>

Wed 11/24/2021 10:30 AM

To: Hiramoto, Kelly (DPH) <kelly.hiramoto@sfdph.org>; seichenberger@local39.org <seichenberger@local39.org>; MRainsford@local39.org <MRainsford@local39.org>; grojo@local39.org <grojo@local39.org>; Laxamana, Junko (BOS) <junko.laxamana@sfgov.org>; WendyWong26@yahoo.com <WendyWong26@yahoo.com>; WendyWong26@yahoo.com <WendyWong26@yahoo.com>; tmathews@ifpte21.org <tmathews@ifpte21.org>; kschumacher@ifpte21.org <kschumacher@ifpte21.org>; pkim@ifpte21.org <pkim@ifpte21.org>; amakayan@ifpte21.org <amakayan@ifpte21.org>; L21PSCReview@ifpte21.org <L21PSCReview@ifpte21.org>; Longhitano, Robert (DPH) <robert.longhitano@sfdph.org>; DHR-PSCCoordinator, DHR (HRD) <dhr-psccordinator@sfgov.org>

RECEIPT for Union Notification for PSC 42459 - 21/22 more than \$100k

The PUBLIC HEALTH -- DPH has submitted a request for a Personal Services Contract (PSC) 42459 - 21/22 for \$10,000,000 for Initial Request services for the period 12/01/2021 – 12/31/2027. 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/17505> 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

## Fw: Receipt of Notice for new PCS over \$100K PSC # 42459 - 21/22

Hiramoto, Kelly (DPH) <kelly.hiramoto@sfdph.org>

Wed 11/24/2021 11:38 AM

To: tneep@oe3.org <tneep@oe3.org>; dtuttle@oe3.org <dtuttle@oe3.org>

Cc: Hale, Jacquie (DPH) <jacquie.hale@sfdph.org>

This is to notify you of the PSC described in the notification below.

*Kelly*

Kelly Hiramoto, LCSW  
Special Projects Manager  
SF Department of Public Health Business Office

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**From:** dhr-psccordinator@sfgov.org <dhr-psccordinator@sfgov.org> on behalf of kelly.hiramoto@sfdph.org <kelly.hiramoto@sfdph.org>

**Sent:** Wednesday, November 24, 2021 10:22 AM

**To:** Hiramoto, Kelly (DPH) <kelly.hiramoto@sfdph.org>; seichenberger@local39.org <seichenberger@local39.org>; MRainsford@local39.org <MRainsford@local39.org>; grojo@local39.org <grojo@local39.org>; Laxamana, Junko (BOS) <junko.laxamana@sfgov.org>; WendyWong26@yahoo.com <WendyWong26@yahoo.com>; wendywong26@yahoo.com <wendywong26@yahoo.com>; tmathews@ifpte21.org <tmathews@ifpte21.org>; kschumacher@ifpte21.org <kschumacher@ifpte21.org>; pkim@ifpte21.org <pkim@ifpte21.org>; amakayan@ifpte21.org <amakayan@ifpte21.org>; L21PSCReview@ifpte21.org <L21PSCReview@ifpte21.org>; Longhitano, Robert (DPH) <robert.longhitano@sfdph.org>; DHR-PSCCoordinator, DHR (HRD) <dhr-psccordinator@sfgov.org>

**Subject:** Receipt of Notice for new PCS over \$100K PSC # 42459 - 21/22

RECEIPT for Union Notification for PSC 42459 - 21/22 more than \$100k

The PUBLIC HEALTH -- DPH has submitted a request for a Personal Services Contract (PSC) 42459 - 21/22 for \$10,000,000 for Initial Request services for the period 12/01/2021 – 12/31/2027. 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/17505> 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: 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 Structural Engineering Services

Funding Source: Interdepartmental Work Orders

PSC Amount: \$10,000,000

PSC Est. Start Date: 01/17/2022

PSC Est. End Date 06/30/2028

**1. Description of Work**

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

Consultants will perform highly specialized structural engineering tasks that include non-linear analysis, condition assessment reports, field investigations, peer reviews, value engineering, and consultation for various types of structures within Seismic Zone 4. The maximum term will be 5 years each. The additional time in the PSC Duration is to allow for any delays in processing and awarding the contracts.

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

Services are needed to assist Department of Public Works on difficult or unique projects that require specialized expertise beyond the capabilities of existing staff and to meet scheduling demands when the workload exceeds department resources. Denial of this service could result in failure to meet client department requirements and project delays that would increase construction costs.

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, this service has been provided in the past. Most recent personal services contract approval number is PSC # 47466 – 17/18 approved on 5/7/2018.

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 required 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, or in case of emergencies/disasters.

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

A. Specify required skills and/or expertise: Requires licensed structural engineers with expertise and familiarity with public works projects; expertise in current engineering and construction practices, such as plan, specification, and cost estimate preparation, field investigation, constructability analysis, peer reviews, reports and studies, and the ability to provide professional services to the City on short notice, such as during mitigation of earthquake emergencies and prevention of impending structural collapses.

B. Which, if any, civil service class(es) normally perform(s) this work? 5174, Administrative Engineer; 5203, Asst Engr; 5207, Assoc Engineer; 5211, Eng/Arch/Landscape Arch Sr; 5218, Structural Engineer; 5219, Senior Structural Engineer; 5241, Engineer;

- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes, the contractor will provide physical modeling software, and testing equipment for specific tasks.

**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 are applicable and City staff will be utilized whenever feasible. Consultants will only be used to augment City staff on as-needed basis to meet abrupt scheduling demands, when the workload exceeds department resources, when specialized expertise is not available through City staff, or during the occurrence of emergency events.
- 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, and emergency situations such as those that occur during an earthquake.

**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. There is no opportunity to train the City staff since these as-needed services will only be utilized to augment City staff during peak workload periods, for those projects that require specialized expertise and knowledge, and emergency situations such as those that occur during an earthquake.
- 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 11/16/2021, 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: Alexander Burns Phone: 415-554-6411 Email: alexander.burns@sfdpw.org

Address: 49 South Van Ness, Suite 1600 San Francisco, CA 94103

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 41039 - 21/22

DHR Analysis/Recommendation:  
Commission Approval Required  
DHR Approved for 02/07/2022

Civil Service Commission Action:

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



**From:** [dhr-psccordinator@sfgov.org](mailto:dhr-psccordinator@sfgov.org) on behalf of [alexander.burns@sfdpw.org](mailto:alexander.burns@sfdpw.org)  
**To:** [Burns, Alexander \(DPW\)](mailto:Burns,Alexander@DPW); [WendyWong26@yahoo.com](mailto:WendyWong26@yahoo.com); [wendywong26@yahoo.com](mailto:wendywong26@yahoo.com); [tmathews@ifpte21.org](mailto:tmathews@ifpte21.org); [kschumacher@ifpte21.org](mailto:kschumacher@ifpte21.org); [pkim@ifpte21.org](mailto:pkim@ifpte21.org); [amakayan@ifpte21.org](mailto:amakayan@ifpte21.org); [L21PSCReview@ifpte21.org](mailto:L21PSCReview@ifpte21.org); [Sy, Don \(DPW\); DHR-PSCCoordinator, DHR \(HRD\)](mailto:Sy_Don(DPW);DHR-PSCCoordinator,DHR(HRD))  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 41039 - 21/22  
**Date:** Tuesday, November 16, 2021 9:27:37 AM

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RECEIPT for Union Notification for PSC 41039 - 21/22 more than \$100k

The GENERAL SERVICES AGENCY - PUBLIC WORKS -- DPW has submitted a request for a Personal Services Contract (PSC) 41039 - 21/22 for \$10,000,000 for Initial Request services for the period 01/17/2022 – 06/30/2028. 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/17540> 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 -- 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 Structural Engineering Services No. 2

Funding Source: Departmental Work Orders

PSC Amount: \$6,000,000

PSC Est. Start Date: 04/01/2018

PSC Est. End Date 12/31/2024

**1. Description of Work**

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

Consultants will perform highly specialized structural engineering tasks that include non-linear analysis, condition assessment reports, field investigations, peer reviews, value engineering, and consultation for various types of structures within Seismic Zone 4. The maximum term will be 5 years each. The additional time in the PSC Duration is to allow for any delays in processing and awarding the contracts.

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

Services are needed to assist DPW on difficult or unique projects that require specialized expertise beyond the capabilities of existing staff and to meet scheduling demands when the workload exceeds department resources. Denial of this service could result in failure to meet client department requirements and project delays that would increase construction costs.

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 Structural Engineering Services were awarded to: Structus, Inc.; Gerwick / OLM, JV; Biggs Cardosa / Ansari, JV; Rutherford + Chekene / Tennebaum – Manheim Engineers, JV; SOHA Engineers / M. Bittleston Engineers, JV under PSC # 4102–10/11.

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.

**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 the City staff does not have the capacity to fulfill all project requests, causing delays, or if specialized services are required, or in case of emergencies/disasters.

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

- A. Specify required skills and/or expertise: Requires licensed structural engineers with expertise and familiarity with public works projects; expertise in current engineering and construction practices, such as plan, specification, and cost estimate preparation, field investigation, constructability analysis, peer reviews, reports and studies, and the ability to provide professional services to the City on short notice, such as during mitigation of earthquake emergencies and prevention of impending structural collapses.
- B. Which, if any, civil service class(es) normally perform(s) this work? 5174, Administrative Engineer; 5203, Asst Engr; 5207, Assoc Engineer; 5211, Eng/Arch/Landscape Arch Sr; 5218, Structural Engineer; 5219, Senior Strucutral Engineer; 5241, Engineer;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes, the contractor will provide physical modeling software, and testing equipment for specific tasks.

**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 are applicable and City staff will be utilized whenever feasible. Consultants will only be used to augment City staff on as-needed basis to meet abrupt scheduling demands, when the workload exceeds department resources, when specialized expertise is not available through City staff, or during the occurrence of emergency events.
- 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, and emergency situations such as those that occur during an earthquake.

**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.  
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 03/08/2018, the Department notified the following employee organizations of this PSC/RFP request:  
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# 47466 - 17/18

DHR Analysis/Recommendation:

action date: 05/07/2018

Commission Approval Required

Approved by Civil Service Commission

05/07/2018 DHR Approved for 05/07/2018

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 Pavement Condition Data Collection Services

Funding Source: Interdepartmental Work Orders

PSC Amount: \$1,600,000

PSC Est. Start Date: 01/17/2022

PSC Est. End Date 06/30/2028

**1. Description of Work**

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

Provide specialized services in pavement condition data collection and surveys to support the Public Works Paving Program on an as-needed basis. Work shall include providing expert examination, analysis, reports, graphs, raw data and other information of San Francisco’s roadway network.

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

This service is necessary for Public Works to ensure effective program delivery, organizational efficiency, and identify cost saving methodologies and technologies to support current and future programs and operations. Denial of these can negatively impact both the day-to-day operations and long-term mission/goals of the Department. Additionally, San Francisco is obligated to abide by the Metropolitan Transportation Commission (MTC) pavement data collection requirements in order to be eligible for regional discretionary and federal funding.

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, this service has been provided in the past. Most recent personal services contract approval number is PSC# 40922 – 14/15 approved on 6/15/2015.

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).

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

B. Explain the qualifying circumstances:

The work only occurs on an intermittent and as-needed basis. Services require personnel certified by the Metropolitan Transportation Commission (MTC).

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

A. Specify required skills and/or expertise: Pavement Condition Data Collection consultant must be certified by the Metropolitan Transportation Commission (MTC) and familiar with MTC software, such as, StreetSaver.

B. Which, if any, civil service class(es) normally perform(s) this work? 5201, Junior Engineer; 5203, Asst Engr; 5207, Assoc Engineer; 5380, StdntDsgnTrain1, Arch/Eng/Plng;

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?**

Public Works had utilized engineers and student interns in the past, but the efficiency, consistency, turnover and protocol of personnel needing to be certified by the Metropolitan Transportation Commission (MTC) make it difficult and not cost effective to use Student Design Trainees. Specialty consultants provide more accurate data collection and information.

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

- A. Explain why civil service classes are not applicable.  
Above civil service classifications apply. However, the certification by the Metropolitan Transportation Commission and expertise needed are not currently core functions of a Civil Service classification and no current employee has the certifications.
  
- 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 work only occurs on an intermittent and as-needed basis. There is not enough work to warrant the use of permanent City employees with the required 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 contact? If so, please explain what that will entail; if not, explain why not.  
No. No training will be provided, as this work can only be completed by someone who is certified by the Metropolitan Transportation Commission (MTC).
  
- 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 11/29/2021, 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: Alexander Burns Phone: 415-554-6411 Email: alexander.burns@sfdpw.org

Address: 49 South Van Ness, Suite 1600 San Francisco, CA 94103

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 43677 - 21/22

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 02/07/2022

# **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:** Monday, November 29, 2021 1:35 PM  
**To:** Burns, Alexander (DPW); 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; Sy, Don (DPW); DHR-PSCCoordinator, DHR (HRD)  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 43677 - 21/22

RECEIPT for Union Notification for PSC 43677 - 21/22 more than \$100k

The GENERAL SERVICES AGENCY - PUBLIC WORKS -- DPW has submitted a request for a Personal Services Contract (PSC) 43677 - 21/22 for \$1,600,000 for Initial Request services for the period 01/17/2022 – 06/30/2028. 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/17581> 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 -- DPW Dept. Code: DPW

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

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

Type of Service: As-Needed Pavement Condition Survey Services

Funding Source: Inter-Departmental Work Orders PSC Duration: 5 years 13 weeks
PSC Amount: \$1,000,000 PSC Est. Start Date: 06/01/2015 PSC Est. End Date: 09/01/2020

1. Description of Work

A. Scope of Work:

Provide specialized services in pavement condition data collection and surveys to support the Public Works Paving Program on an as-needed basis. Work shall include providing expert examination, analysis, reports, graphs, raw data and other information of San Francisco's roadway network. We intend to award one contract with \$1,000,000 limit.

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

This contract will provide important data for the Pavement Management and Mapping System (PMMS), which has to be certified by the Metropolitan Transportation Commission (MTC). Public Works utilizes the PMMS to guide and support its paving program by prioritizing pavement renovation projects. Public Works is required to maintain and update the PMMS and complete surveys of the accepted roads within the Public Works jurisdiction every two (2) years for arterial and collector streets and every five (5) years for residential streets. Denial of this service would result in insufficient data to keep the PMMS up to date and Public Works will not be eligible for regional discretionary funds due to non-compliance with Metropolitan Transportation Commission (MTC) guidelines.

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

This service has been provided by a subconsultant through existing contracts for As-Needed Civil/Structural Engineering Services on approved PSC 4102-10/11.

D. Will the contract(s) be renewed? No, there are no plans to renew this contract at this time.

2. Union Notification: On 04/17/2015, the Department notified the following employee organizations of this PSC/RFP request: Architect & Engineers, Local 21,

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FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 40922 - 14/15

DHR Analysis/Recommendation:

06/15/2015

Commission Approval Required

Approved by Civil Service Commission

DHR Approved for 06/15/2015

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

- A. Specify required skills and/or expertise:  
Pavement Condition Data Collection consultant must be licensed by the Metropolitan Transportation Commission (MTC) and familiar with MTC software, such as, StreetSaver.
  
- B. Which, if any, civil service class(es) normally perform(s) this work?  
5380,
  
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If yes, explain:  
Contractor will provide the equipment required to perform the specific tasks requested.

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

- A. Explain why civil service classes are not applicable:  
The certification by the MTC and expertise needed are not currently core functions of a Civil Service classification.
  
- B. Would it be practical to adopt a new civil service class to perform this work? Explain.  
No, the work only occurs on an intermittent and as needed basis. There is not enough work to warrant the use of permanent City employees with the required expertise.

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

**YES      NO**

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

THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE AND ACCURATE ON BEHALF OF THE DEPARTMENT HEAD ON 05/18/2015 BY:

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

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

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: Project and Construction Management

Funding Source: PW Overhead Fund

PSC Duration: 8 years 1 day

PSC Amount: \$4,500,000

**1. Description of Work**

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

The contract targets licensing/subscription and delivery of configured off-the-shelf software to support Construction and Capital Project Management activities within Public Works, including interactions with construction contractors. The work includes meetings and project management activities to agree upon and deliver the configured and functional solution. The contract also sees as needed customization and integration support to fill gaps in off-the-shelf functionality or integration with related systems.

Depending on the subscription or licensing and hosting model, the contract may also include hosting services. Estimated costs for software subscription and module fees are approximately \$3.3 million over eight years. The remaining \$1.2 million are estimated for implementation and as needed support services with over 70% estimated for the initial phase and major component rollouts in the first two years.

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

The department does not have an existing system and these implementation services and the related software are necessary to support our operations, reporting needs of our and other departments, and collaboration with the contractors that work on the City's street and building portfolios. Denial of this item would result in unnecessary administrative costs and risks around our portfolio's project and construction management and remove an opportunity for savings due to potential reduction in errors and delays.

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, initial and same scope of service approved under PSC 48731-18/19

D. Will the contract(s) be renewed?

Yes, should there be a need to continue services.

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.

While the implementation/configuration includes working with City staff, training, and handoff to IT staff, some occasional services may be needed for the selected product in order to support upgrades, escalation of defects, integration, or customization. Beyond that, the licensing and subscription options vary by vendor, but would be ongoing until another system is acquired or built. As this is a major system impacting hundreds of staff and construction contractors, and it has a multi-year roadmap, it is common to have a term beyond five 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:

In the short term, the department needs experienced resources to lead implementation of the vendor's software. Beyond that and given the lifecycle of software products and that multiple products support the Capital Project domain: Occasional upgrade support may be needed for the specialized software. Regular decisions and upgrades or patches for other products (from Peoplesoft to other systems) may require additional work to occur in the selected tool and need expertise or changes. Resource availability may be a problem given the specialized nature of our needs as we support our own and other department capital projects as well as more operational work.

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

- A. Specify required skills and/or expertise: The selected contractor will need to have experience in the selected product, implementation of the selected product, and experience with public sector implementations in the construction and capital project management domain.
- B. Which, if any, civil service class(es) normally perform(s) this work? 1052, IS Business Analyst; 1053, IS Business Analyst-Senior; 1054, IS Business Analyst-Principal; 1061, IS Program Analyst-Assistant; 1062, IS Programmer Analyst; 1063, IS Programmer Analyst-Senior; 1064, IS Prg Analyst-Principal; 1070, IS Project Director; 1824, Pr Administrative Analyst;
- 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?**

Public Works does not have resources available with the necessary product expertise and has not been able to obtain them through other departments or the hiring process.

**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 product and domain expertise needed 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. The majority of consulting costs are expected in year one and two, supporting the initial configuration and rollout and phased rollout of additional modules in the second year, the 105X and 104X series are appropriate for continued enhancements to the system, with some escalation and outside support for upgrades and integrating additional systems or products on our roadmap.

**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. Approximately four employees will receive train-the-trainer training on the software. (4 hours) Contractor will produce training documentation for all users of the system (~500) which span architect, engineering, construction, inspector, and analyst, roles. (2 hours) Contractor will provide admin training (16+ hours) and hand-off support to 2-3 IT 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 11/29/2021, 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: 49 South Van Ness, Suite 1600 San Francisco, CA 94103

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 49277 - 21/22

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 02/07/2022

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



**From:** [dhr-psccordinator@sfgov.org](mailto:dhr-psccordinator@sfgov.org) on behalf of [alexander.burns@sfdpw.org](mailto:alexander.burns@sfdpw.org)  
**To:** [Burns, Alexander \(DPW\); Laxamana, Junko \(BOS\); WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; kschumacher@ifpte21.org; pkim@ifpte21.org; amakayan@ifpte21.org; L21PSCReview@ifpte21.org; Macaranas, Belle \(DPW\); DHR-PSCCoordinator, DHR \(HRD\)](mailto:Burns, Alexander (DPW); Laxamana, Junko (BOS); WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; kschumacher@ifpte21.org; pkim@ifpte21.org; amakayan@ifpte21.org; L21PSCReview@ifpte21.org; Macaranas, Belle (DPW); DHR-PSCCoordinator, DHR (HRD))  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 49277 - 21/22  
**Date:** Monday, November 29, 2021 1:44:18 PM

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RECEIPT for Union Notification for PSC 49277 - 21/22 more than \$100k

The GENERAL SERVICES AGENCY - PUBLIC WORKS -- DPW has submitted a request for a Personal Services Contract (PSC) 49277 - 21/22 for \$4,500,000 for Initial Request services for the period 03/01/2022 – 02/28/2030. 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/17436> For union notification, please see the TO: field of the email to verify receipt. If you do not see all the unions you intended to contact, the PSC Coordinator must change the state back to NOT

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

# **Additional Attachment(s)**



City and County of San Francisco  
San Francisco Public Works



**Request for Proposals**  
**Construction Management System Software**  
**Sourcing Event ID 0000004279**

**Date issued: October 9, 2020**  
**Submission Deadline: 2:00 PM, November 20, 2020**

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# 1 INTRODUCTION

On behalf of the City and County of San Francisco (“the City”), San Francisco Public Works (“Public Works” or “PW”) requests proposals from qualified vendors for an off-the-shelf, cloud-based Construction Management software solution. Public Works currently does not have a unified software solution and has recognized a need to implement a comprehensive system to support Construction Management and other aspects of Project Delivery.

Proposals should include software, implementation services, in house training, ongoing license/maintenance, and as-needed support components. The selected vendor and any implementation partners (hereafter “Vendor”) will work with Public Works staff to deliver a comprehensive Construction Management software solution (CM+).

## 1.1 Background

San Francisco Public Works (PW) is responsible for managing the planning, design, construction, renovation, and repair of City facilities, streets, and other public spaces.<sup>1</sup> To address these responsibilities, Public Works manages entire projects and also provides a range of services, including project management, architecture, engineering, and construction management. PW thus acts as an owner or owner’s representative for various City assets and capital projects. In order to better support the needs of different clients and assets, PW organizes its responsibilities into two divisions: Building Design and Construction (BDC) and Infrastructure Design and Construction (IDC).

In terms of the systems supporting both of these divisions, PW has several pieces of software in place to support components of project delivery: high level project management (Microsoft Project Server), timesheet tracking (a custom application called MyTime), change orders (a custom application called eCO), and reporting frameworks (a data warehouse with Peoplesoft financials, internal application feeds, and connections to BI tools such as Tableau and PowerBI. Unfortunately, Construction Management does not have a comprehensive software solution to manage the construction phase and related contract, contractor, and internal interactions with the project team.

While the focus is on providing a comprehensive solution for construction and related construction contract management, Public Works is interested in leveraging a best of breed solution to support future roadmap needs and the retirement of other systems. It is the department’s expectation that the solution will replace the eCO system, eventually replace Project Server, and reduce the need for custom development by providing form, workflow, and collaboration functionality throughout the project lifecycle.

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<sup>1</sup> PW does not manage all capital assets; however, it does provide services to and coordinate with the other capital departments, including the Airport, Public Utilities Commission, Recreation and Parks Department, Municipal Transportation Agency, and the Port of San Francisco.

## 1.2 RFP Objective

This Request for Proposals (“RFP”) has been initiated for Public Works to obtain a comprehensive Construction Management software solution (“CM+”) for new capital projects.

Public Works is seeking a Vendor to supply and implement this CM+ software solution. PW is looking for a commercial, off-the-shelf solution that can be implemented quickly with no customization, and that can meet additional project delivery needs in future project phases.

The City will negotiate the budget, specific scope of services, deliverables, and timeline with the selected proposer during contract negotiations.

The term of the contract will be [5] five years with five [5] options to extend the term for a period of [1] one year each, which the City may exercise in its sole, absolute discretion. The City reserves the right to commence, close, reduce, increase the contract amount, and change the Contract duration consistent with City requirements. The actual contract term and amount are subject to availability of funding, proposals, and contract negotiations, as well as future support and professional service needs.

## 1.3 RFP Business Expectations

Public Works’ primary role related to this RFP is to manage, coordinate, design, construct, repair and renew public infrastructure. Key executives, construction management, and project management stakeholders are eager to work with a vendor on configuration and rollout of a construction management software solution that greatly enhances project delivery and:

- Reduces project time spent on administrative processes and project and portfolio reporting
- Provides easy collaboration and tracking of staff, client, and contractor “ball-in-court” issues and documentation
- Supports common CM and contract processes and provides strong search functionality

## 2 SCOPE OF WORK

The Scope of Work shall be used as a general guide and is not intended to be a complete list of all services that may be required or desired.

The Vendor(s) proposing the CM+ solution must possess the expertise and knowledge to analyze requirements and discuss options; configure the solution and train staff; and provide maintenance support and timely system updates.

The Vendor and any implementers should have multiple existing solutions used by comparable municipal agencies and the experience necessary to successfully implement the proposed system in alignment with the requirements described in this RFP (including understanding best practices, configuration, and customization options). In addition, the Vendor shall have the capacity to deploy the system in a timely and cost-effective manner, following all pertinent requirements and security standards.

### 2.1 Project Goals

The goal of the project is to provide a comprehensive Construction Management software solution (CM+) to better manage construction and project delivery. As Public Works collaborates with contractors on behalf of multiple City departments, a comprehensive tool is needed to collect, process and report on the construction phase of our projects and, as a future phase of the project, deliver budget, funding, and scheduling processes and functionality. The CM+ software should satisfy all features, functions, and services identified in the Requirements (Appendix 2). The system will need to be flexible and scalable to support growth and integration with other systems.

Key goals for a successfully delivered solution are:

1. Capture and manage information, communications, and documents generated during the construction process and track the timeliness of said communications.
2. Deliver reporting, including key performance indicators, and analysis capabilities (custom, canned, and ad hoc reports) in the solution and through integrating with the data warehouse to fully support staff and management.
3. Use best practices and strive for consistency in all areas of effort (applications, processes, reporting).
4. Provide automation of integration, notifications, processes, and reporting to better manage "ball in court" issues and to reduce staff time spent on basic administrative activities.
5. Implement a consistent method of managing construction contract(s) (after contract placement and regardless of type) and tracking the timeliness of deliverables outlined in said contract(s).
6. Support project financial data and control processes including budget, funding, contracts, change orders, and payment applications.
7. Serve as a core part of our roadmap, including, but not limited to, providing strong scheduling functionality, resource management, and configurable custom forms and workflow.



8. Provide access and capabilities on mobile devices so that information and actions are available whenever and wherever they are needed.
9. Use a modern support model, such as software as a service, that delivers long-term value and top tier support by providing new features and reducing traditional upgrade, support, and maintenance challenges.

## 2.2 Project Objectives

PW has established the following objectives for this project:

1. Furnish and implement a comprehensive construction management software platform that meets the Requirements (Appendix 2), with construction management activities being the initial focus.
2. Integrate financial data, such as funding, actuals, commitments, and payments of projects from other systems.
3. Provide the ability to manage multiple funding sources on individual Work Breakdown Structure (WBS) elements and resources as well as on Contract and Invoice lines, so that budgets and progress can be documented precisely.
4. Provide robust document management and search functionality, including an archiving process.
5. Provide for mobile capabilities for submittal review/approval, workflow processes, and daily reports.
6. Provide strong analysis and reporting capabilities and the ability to export project data to PW's data warehouse.
7. Provide schedule integration and strong schedule functionality.

While design and configuration decisions will require discussion of financial, document, and reporting components, the Construction Management activities will be the primary focus of the first phase. This will include Document Management, Reporting, and related Project Management functionality (such as project information, meetings, and review of contractor schedules).

Financial components and integration, full Data Warehouse integration, and other non-critical integrations should be in Phase 2.

## 2.3 System Requirements

As part of the proposal, the Vendor must respond to each requirement and indicate if it is met by the proposed solution. Details of requirements are in Requirements and Vendor Response Sheet (Appendix 2). The Vendor should assume and address participation from a core PW business and IT team, potentially including a phased rollout with 2-3 capital projects and related staff as part of an initial/beta deployment.

## 2.4 System Requirements Overview

The comprehensive system must facilitate “collaboration” throughout the project lifecycle and integrate the various activities that occur throughout the project across various project roles. The system must support key activities and roles, including: initial project creation and approval gates; project team management; project management; construction management; project and portfolio dashboards and reporting; contract management; management of project funding, contract setup, and progress payments (with multiple funding sources per line item/bid line item); scheduling; document management; and planning and design development.

### **Construction Management Processes:**

The proposed system shall support communications, approvals, notifications, and logs to facilitate collaboration, review and approval, and “ball in court” tracking for Public Works staff and interactions with contractors. This includes providing configurable forms and user configurable workflow, logs, reports, and search in various common areas, including but not limited to: various types of meetings and related minutes and action items; daily reports and daily labor reports; handling processes and forms such as RFIs, Submittals, Proposed Change Orders, Change Orders, Payment Applications, Inspections, Incidents, Deliveries, Notices, Punch lists, Force Account Work, Retention, and construction phase closeout.

### **Document Management:**

Though core processes shall be supported with configurable forms and workflow, the system shall support strong document management features, including upload, versioning and access control, linking to issues and CM process, packaging/bundling/linking documents, document metadata, and search of PDF and MS Office file contents. Users shall have the ability to upload and view key project documents and any supporting attachments used in construction processes mentioned above. File upload formats should be configurable and have viewing support for basic office documents, photos, videos, as well as ACAD, PDF, Revit. Markup support for PDF and integration with Bluebeam and DocuSign is also desirable. Document workflow management should be provided, allowing a user to upload a new document, notify appropriate users, and conduct a review, comment, and approval process. Each project team member or collaborator shall have the ability to view all associated documents based on security roles and document status.

### **Schedule/Milestone Management**

Public Works currently uses Microsoft Project for developing project schedules but is open to considering other scheduling software that may be included in vendor’s solution. The introduction of a stand-alone scheduling software is not encouraged. PW is seeking a solution that provides functionality to easily summarize data into programs and clients; identify key project milestones; associate related projects; view draft, Project, and contractor schedules; manage, track, and notify overdue tasks; assign resources; etc. Integration support for Microsoft Project and P6 is desired and upload and import options must be available for Microsoft and P6 Project files.

### **Project Budget and Funding Management**

Public Works seeks a solution that supports its needs for detailed financial management and tracking of budget, expenditures, and encumbrances of public funds and progress against cost share allocations. At a

minimum, the solution shall support assigning and adjusting single and multiple funding sources *on each line item* (i.e. throughout the construction contract and PW side of the payment application process). PW staff shall be able to assign and adjust funding sources throughout the system at the lowest level (such as by WBS, contract schedule of values, and resource allocation). The system shall also support integration so that approved and available funding, expenses, and committed funding are pulled from a system of record and are accurately displayed in each applicable data view within the system and so that pertinent changes can be pushed to other systems.

### **User Information**

Each Public Works project has between 5-15 users or Project Collaborators with varying levels of access. The system shall support the creation and assignment of roles, including granting internal and external system users access rights (read, read/write, or no access) at different levels within the application. The system shall also support configurable data specific access rights, such that the user's role, the project, item and item status determine their access to projects, documents, and other objects or items in the system. Certain roles shall also be able to assign, update, and delegate access, as well as monitor system users. The system shall provide auditing and change tracking functionality, which will allow administrators to identify modifications or deletions by user. Actions such as managing subscriptions to events and items in various modules; notifying system and external users; and adding or removing members of a project team shall be assignable and available for non-system administrator roles.

### **Project Reporting**

The system shall have the ability to generate reports summarizing the status and trends of individual and multiple projects and programs as well as the ability to create ad hoc reports and user dashboards. PW requires both summary and detail cost reports by attributes that include, but are not limited to, project status, funding source, project type, underlying asset, supervisorial district, division, and fiscal year.

## **2.5 Vendor Implementation Scope of Services**

Vendor shall provide, *at a minimum*, the following services:

1. SOFTWARE
  - a. License or Subscription model with hosting or online application for a production and non-production environment.
2. PROJECT MANAGEMENT
  - a. Project Planning
    - i. Project Management Plan/Implementation Plan
    - ii. Roles and Responsibilities, including a RACI model
    - iii. Scope Change Management
    - iv. Configuration Management plan for system

- v. Develop project schedule that will be updated weekly.
- vi. Provide weekly project reports highlighting work accomplished, what is on deck for the following week, report against major milestones, identify issues and risk.
- vii. Attend weekly project status meetings
- viii. Develop Issues, Risks, and Change Control Logs (reviewed with client on weekly basis)
- ix. Kick off Meeting/explain implementation plan to PW

b. Monthly Status Reporting to include:

- i. Percent Complete by WBS
- ii. Accomplishments achieved during the month
- iii. Major issues/showstoppers that need management attention
- iv. Change Management Log
- v. Forecast of completion dates/major milestones
- vi. Narrative analysis of work completed to support the invoice.
- vii. Progress measurement sign off from the PW representative

3. DISCOVERY

- a. Onsite Interviews
- b. Requirements clarification
- c. Architecture diagram
- d. Any required software installation

4. DESIGN

- a. Develop Configuration Design Document
- b. Proof of Concept (simple PW data processing within system)
- c. Finalize Configuration Design Document

5. BUILD/CONFIGURE

- a. PW prefers to be part of the build solution and to be involved along the way. Multiple sprints and design reviews are preferred.
- b. Interfaces with other PW systems (as required by the approved design)

- i. Price of Integration tools if required, provide rate but do not include cost of integration implementation services. Once defined, the addition of integration scope will be managed through a change order.
- c. Vendor unit testing in accordance with configuration design document. (Ready for PW testing)
- d. Vendor present solution (demo) that system is ready for User Acceptance Testing (UAT)

## 6. TESTING

- a. Develop QA plan and scripts
- b. Core team training, to enable testing.
- c. Remote support of UAT
- d. Remedies
- e. Testing Acceptance

## 7. DEPLOYMENT

- a. Consultant on site one week prior to the primary Go Live and one week after Go Live (if no major issues)
- b. Remote, as needed support, for 60 days.

## 8. TRAINING & DOCUMENTATION

- a. Vendor prepared Training Plan based on PW Training Strategy
- b. Training is required to be onsite at PW.
- c. End user training shall teach the users how to execute their job duties within the system and NOT simply teach the end users about the entire solution. Thus, the training must have a role-based focus.
- d. Vendor to prepare Training Course Materials.
- e. Vendor to provide a Train-The-Trainer methodology
  - i. For each role-based class for end user training:
    - 1. Teach the trainers class,
    - 2. Teach 1 class of each topic PW observes
  - ii. Observe 1 class PW trains

## 9. SUPPORT & MAINTENANCE

- a. Ongoing support

- i. Escalation process
- ii. As needed technical support and rates
- iii. Maintenance and upgrade support and procedures

## 2.6 Vendor Deliverables

Following vendor selection, the deliverables listed below will be needed as part of the Implementation process:

1. Proposer shall provide a detailed timeline and delivery model that illustrates iterative deployment of functional production software throughout the project.
2. Project Plan that contains the following:
  - a. All the required tasks, identify critical path and which group is responsible for each task
  - b. Description of the deliverables as they relate to the tasks in the Project Plan
  - c. Include the following milestones in the Plan:
    - i. Data clean up
    - ii. System configuration
    - iii. Custom fields and drop downs
    - iv. Design workflows, email alerts, triggers
    - v. System Installation
    - vi. Data migration/project set-up
    - vii. Initial testing
    - viii. Data load and integration testing
    - ix. User acceptance testing
    - x. User training
    - xi. Go Live
    - xii. Live System Testing and Optimization
    - xiii. System acceptance and sign off
3. System configuration Plan that includes User interface
4. Data access by Roles/security Plan
5. Test Plan including Integration, Load and User Acceptance Testing
6. Training (end user training and technical/infrastructure training) and online help Program
7. Maintenance Contract with SLAs (Service Level Agreements) definition
8. Support Contract

## 3 TECHNICAL INFORMATION

### 3.1 Overview of Current Environment

The environment includes several .net applications, a Citywide instance of Peoplesoft FSCM 9.2, financial and other business system data pushed to a Public Works data warehouse (Azure SQLDB), Microsoft Project Server, and PowerBI used for reporting. Oracle Identity and Access Management with Multi-Factor Authentication is required for managing authentication. The City leverages both its own hosting and Microsoft's cloud services. In terms of connected systems and processes, PW uses DocuSign for digital signatures and leverages Bluebeam in some groups. MS Project Server is used for high level schedules and as a container for custom applications. Primavera (P6 desktop only), is used solely for claims analysis on some IDC projects.

### 3.2 Current System Architecture

With the recent replacement of the City's financial system, multiple systems have been retired.

The current architecture is composed of:

- Peoplesoft Facilities and Supply Chain Management 9.2 as the City's financial system (FS).
- PW Data Warehouse using Azure SQLDB (DW) that includes financials and operational data
- PowerBI and Tableau Reporting through the DW
- Microsoft Project Server-based Enterprise Project Management system (EPM)
- P6 (Desktop usage only) for claims analysis on IDC linear asset projects
- Custom .net Applications including Project Portal and eChange Order
- PW Forms/Orders (a document template app to generate printable/PDF documents and, where needed, sign with DocuSign)

Public Works capital improvement projects are entered directly into the Enterprise Project Management System (EPM) and, when funded, the project is then created in the financial system (FS). As PW works on projects across multiple departments and structures, data is pulled from the FS and loaded into the DW for internal application and reporting needs. Project Portal assists in this process through linking projects across systems and providing additional metadata and abstraction on top of FS.

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: Construction Management System Software

Funding Source: Public Works Overhead Fund

PSC Amount: \$4,300,000

PSC Est. Start Date: 07/14/2020

PSC Est. End Date 07/14/2028

**1. Description of Work**

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

The contract targets licensing/subscription and delivery of configured off-the-shelf software to support Construction and Capital Project Management activities within Public Works, including interactions with construction contractors. The work includes meetings and project management activities to agree upon and deliver the configured and functional solution. The contract also sees as needed customization and integration support to fill gaps in off-the-shelf functionality or integration with related systems. Depending on the subscription or licensing and hosting model, the contract may also include hosting services. Estimated costs for software subscription and module fees are approximately \$3.2 million over ten years. The remaining \$1.1 million are estimated for implementation and as needed support services with over 70% estimated for the initial phase and major component rollouts in the first two years.

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

The department does not have an existing system and these implementation services and the related software are necessary to support our operations, reporting needs of our and other departments, and collaboration with the contractors that work on the City's street and building portfolios. Denial of this item would result in unnecessary administrative costs and risks around our portfolio's project and construction management and remove an opportunity for savings due to potential reduction in errors and delays.

**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.**

No

**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.  
While the implementation/configuration includes working with City staff, training, and handoff to IT staff, some occasional services may be needed for the selected product in order to support upgrades, escalation of defects, integration, or customization. Beyond that, the licensing and subscription options vary by vendor, but would be ongoing until another system is acquired or built. As this is a major system impacting hundreds of staff and construction contractors, and it has a multi-year roadmap, it is common to have a term beyond five 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:

In the short term, the department needs experienced resources to lead implementation of the vendor's software. Beyond that and given the lifecycle of software products and that multiple products support the Capital Project domain: Occasional upgrade support may be needed for the specialized software. Regular decisions and upgrades or patches for other products (from Peoplesoft to other systems) may require additional work to occur in the selected tool and need expertise or changes. Resource availability may be a problem given the specialized nature of our needs as we support our own and other department capital projects as well as more operational work.

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

- A. Specify required skills and/or expertise: The selected contractor will need to have experience in the selected product, implementation of the selected product, and experience with public sector implementations in the construction and capital project management domain.
- B. Which, if any, civil service class(es) normally perform(s) this work? 1051, IS Business Analyst-Assistant; 1052, IS Business Analyst; 1053, IS Business Analyst-Senior; 1054, IS Business Analyst-Principal; 1061, IS Program Analyst-Assistant; 1062, IS Programmer Analyst; 1063, IS Programmer Analyst-Senior; 1064, IS Prg Analyst-Principal; 1070, IS Project Director; 1824, Pr Administrative Analyst;
- 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?**

Public Works does not have resources available with the necessary product expertise and has not been able to obtain them through other departments or the hiring process.

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

A. Explain why civil service classes are not applicable.

A mix of IT classifications from 105X series (or 104X) and some 1070 series work. However, we are not aware of any City civil service staff that have the product and domain expertise needed 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. The majority of consulting costs are expected in year one and two, supporting the initial configuration and rollout and phased rollout of additional modules in the second year, the 105X and 104X series are appropriate for continued enhancements to the system, with some escalation and outside support for upgrades and integrating additional systems or products on our roadmap.

**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. Contractor will produce training documentation for all users of the system (~500) which span architect, engineering, construction, inspector, and analyst, roles. (2 hours) Contractor will provide admin training (16+ hours) and hand-off support to 2-3 IT 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.  
Yes. There is a chance that the firms selected after an RFP may currently have or may have had contracts with Public Works.

**7. Union Notification: On 06/09/2020, 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: 49 South Van Ness Avenue, Suite 1600 San Francisco, CA 94102  
\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 48731 - 19/20

DHR Analysis/Recommendation:

Commission Approval Required

08/17/2020 DHR Approved for 08/17/2020

action date: 08/17/2020

Approved by Civil Service Commission with conditions

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 Waterproofing Consultation Services

Funding Source: Interdepartmental Work Orders

PSC Amount: \$1,500,000

PSC Est. Start Date: 01/17/2022

PSC Est. End Date 06/30/2028

**1. Description of Work**

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

Provide specialized services in Waterproofing Consultation to support Public Works design staff on an as-needed basis. The Consultants will provide expert waterproofing consultation services to ensure that our projects are designed and constructed to the best quality standards of waterproofing. Periodically, provide independent third-party evaluation of design prepared by City staff from waterproofing perspective.

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

Waterproofing consultants are highly specialized consultants who are experts in the area of construction details and specifications that are geared towards minimizing the risk of water intrusion in buildings. Waterproofing Consultants are experts who are knowledgeable about all aspects of waterproofing. The scope of work for the waterproofing consultant is to recommend systems and review drawings and specifications of waterproofing details and specifications to reduce the risk of water intrusion. In addition, the Waterproofing Consultant provides field observations during construction to ensure that the construction is proceeding per the drawings and specifications in relation to waterproofing. This is a specialized consulting service outside our area of expertise. Denial may cause delays to design and construction of City projects and may increase risk of water leaks/intrusions, which would in turn result in additional costs to the City.

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, this service has been provided in the past. Most recent personal services contract approval number is PSC#4040-13/14 approved on 11/14/2013.

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).

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

Cases where future funding is so uncertain that the establishment of new civil service positions, classes or programs is not feasible (including situations where there is grant funding).

B. Explain the qualifying circumstances:

This service will only be required on an as-needed basis when either City staff don't have the capacity to fulfill all project requests, causing delays, or if high quality specialized services are required. Periodically, it is in the City's best interest to hire independent third party waterproofing experts to evaluate the designs prepared by City staff or to inspect and test the construction completed by Contractors hired by the City, especially where water intrusion has occurred and damages to structures and harm to staff and/or public are possible.

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

A. Specify required skills and/or expertise: Consultants must have extensive knowledge, experience, and expertise on waterproofing materials, installation methods, preparation of plans, details, specifications, and cost estimates. Consultants must also have extensive experience in assessments, inspection, and testing of waterproofing installations, and writing assessment and recommendation reports. Consultants shall be architects or engineers licensed in the state of California and must be experts in the waterproofing field.

B. Which, if any, civil service class(es) normally perform(s) this work? 5120, Architectural Administrator; 5211, Eng/Arch/Landscape Arch Sr; 5212, Engineer/Architect Principal; 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 City does not have resources or expertise available to perform all required work due to current and on-going workload. The Department is in the process of hiring more people for above civil service classes. As-needed contract services will only be utilized when and if the work cannot be prudently performed by internal staff. It is also noted that the use of this consultant's level of expertise is part of our Quality Control/Quality Assurance process to ensure we have a high level of technical drawings as they provide a peer review of our contract documents prepared in house and provide comments and/or edits. This consultant also acts as a Subject Matter Expert when waterproofing issues come up during the construction document phase and during construction as required.

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

A. Explain why civil service classes are not applicable.

Where applicable, civil service classifications will be utilized; these consultant services will be utilized when the following conditions exist: (1) City staff is working at full capacity and postponement of pending projects would be contrary to the public interest, or (2) Project requires third party waterproofing expert to ensure that a high quality project is achieved.

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. There is no ongoing demand that justifies hiring of permanent City staff.

**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.  
No. No. The services are only going to be utilized on an as-needed basis. There is no ongoing demand for this work. Periodically, Consultant is to provide independent third-party evaluation of designs prepared by City staff for waterproofing purposes.

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 11/16/2021, 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: Alexander Burns Phone: 415-554-6411 Email: alexander.burns@sfdpw.org

Address: 49 South Van Ness, Suite 1600 San Francisco, CA 94103

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 49451 - 21/22

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 02/07/2022

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

**From:** [dhr-psccordinator@sfgov.org](mailto:dhr-psccordinator@sfgov.org) on behalf of [alexander.burns@sfdpw.org](mailto:alexander.burns@sfdpw.org)  
**To:** [Burns, Alexander \(DPW\)](mailto:Burns,Alexander@DPW); [ecassidy@ifpte21.com](mailto:ecassidy@ifpte21.com); [WendyWong26@yahoo.com](mailto:WendyWong26@yahoo.com); [wendywong26@yahoo.com](mailto:wendywong26@yahoo.com); [tmathews@ifpte21.org](mailto:tmathews@ifpte21.org); [kschumacher@ifpte21.org](mailto:kschumacher@ifpte21.org); [kpage@ifpte21.org](mailto:kpage@ifpte21.org); [eerbach@ifpte21.org](mailto:eerbach@ifpte21.org); [pkim@ifpte21.org](mailto:pkim@ifpte21.org); [L21PSCReview@ifpte21.org](mailto:L21PSCReview@ifpte21.org); [Sy, Don \(DPW\)](mailto:Sy,Don@DPW); [DHR-PSCCoordinator, DHR \(HRD\)](mailto:DHR-PSCCoordinator,DHR@HRD)  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 49451 - 21/22  
**Date:** Tuesday, November 16, 2021 9:31:38 AM

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RECEIPT for Union Notification for PSC 49451 - 21/22 more than \$100k

The GENERAL SERVICES AGENCY - PUBLIC WORKS -- DPW has submitted a request for a Personal Services Contract (PSC) 49451 - 21/22 for \$1,500,000 for Initial Request services for the period 01/17/2022 – 06/30/2028. 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/17543> For union notification, please see the TO: field of the email to verify receipt. If you do not see all the unions you intended to contact, the PSC Coordinator must change the state back to NOT READY, make sure the classes and unions you want to notify are selected and SAVE. Then VIEW the record and verify the list of unions and emails. EDIT the document again , change the state back START UNION NOTIFICATION and SAVE. You should receive the email with all unions to the TO: field as intended



# **Additional Attachment(s)**



# CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

EDWIN M. LEE  
MAYOR

November 6, 2013

*Sent via Electronic Mail*

SCOTT R. HELDFOND  
PRESIDENT

## NOTICE OF CIVIL SERVICE COMMISSION ACTION

E. DENNIS NORMANDY  
VICE PRESIDENT

**SUBJECT: REVIEW OF REQUEST FOR APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACT NUMBERS 4033-13/14 THROUGH 4042-13/14.**

DOUGLAS S. CHAN  
COMMISSIONER

KATE FAVETTI  
COMMISSIONER

At its meeting of **November 4, 2013** the Civil Service Commission had for its consideration the above matter.

GINA M. ROCCANOVA  
COMMISSIONER

The Commission:

- 1) Approved PSC numbers 4036-13/14 through 4042-13/14 with the condition that Mark Dorian submits the agreement from Ging Louie, IFPTE Local 21 to Commission staff.
- 2) Adopted the report. Approved the request for all remaining personal services contracts; notified the Office of the Controller and the Office of Contract Administration.

JENNIFER C. JOHNSTON  
EXECUTIVE OFFICER

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

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

CIVIL SERVICE COMMISSION

JENNIFER JOHNSTON  
Executive Officer

Cc: Parveen Boparai, Municipal Transportation Agency  
Cynthia Avakian, Airport Commission  
Micki Callahan, Department of Human Resources  
Thomas DiSanto, Planning Department  
Sung Kim, Department of Public Works  
Ben Rosenfield, Controller's Office  
Jaci Fong, Office of Contract Administration  
Commission File  
Chron

POSTING FOR

11/04/2013

PROPOSED PERSONAL SERVICES CONTRACTS - Regular

PSC No	Dept No.	Dept Name	Approval Type	Contract Amount	Description of Work	Duration
4039-13/14	90	Public Works	Regular	\$600,000	Provide specialized services in Elevator Design to support Department of Public Works (DPW) design staff on an as-needed basis. The Consultants will provide expert elevator design consultation services to ensure that our projects achieve the highest quality in elevator design. The City intends to award two (2) contracts for \$300,000 each.	12/1/2013 - 12/31/2018
4040-13/14	90	Public Works	Regular	\$400,000	Provide specialized services in Waterproofing Consultation to support Department of Public Works (DPW) design staff on an as-needed basis. The Consultants will provide expert waterproofing consultation services to ensure that our projects are designed and constructed to the best quality standards of water proofing. DPW intends to award two (2) contracts for \$200,000 each.	12/1/2013 - 12/31/2018
4041-13/14	90	Public Works	Regular	\$400,000	Provide specialized services in Specifications Writing and Hardware Design to support Department of Public Works (DPW) design staff on an as-needed basis. The Consultants will provide expert advice and services to ensure that the most up to date products are utilized in our specifications. The City intends to award two (2) contracts for \$200,000 each.	12/1/2013 - 12/31/2018
4042-13/14	90	Public Works	Regular	\$400,000	Provide specialized services in Professional Rendering to support Department of Public Works (DPW) design staff on an as-needed basis. The Consultants will provide expert professional rendering services when our staffs are at full capacity and project schedule requires a quick turnaround. The City intends to award two (2) contracts for \$200,000 each.	12/1/2013 - 12/31/2018

Total Amount - Regular: \$5,680,000

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: Architectural and Engineering Design Services

Funding Source: FPUC Capital Funds, Water Enterprise

PSC Duration: 5 years 25 weeks

PSC Amount: \$30,000,000

**1. Description of Work**

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

The project will replace CDD's aging facilities with more efficient facilities that meet current safety standards and offer the opportunity to consolidate CDD operations at a centralized location. The new facilities that will provide operational space needs for 490 employees, will include five structures totaling just under 400,000 gross square, for administrative offices, eight industrial shops, a warehouse and parking garage.

The duration for preparation of design documents will be 24 months. During construction, the design team reviews requests for information and submittals, which will exceed the end of design an additional 30 months. The project includes industrial structures that require specialized technical consultants, and the size and scope of the project necessitates augmented city staff, in order to deliver the project on budget and on time.

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

Public Works is preparing schematic design on this project. For a project of this size and scope, the success of the project will require a large, multidisciplinary team, inclusive of industrial engineering, parking design consultant, and other technical consultants and specialists essential to complete design of the industrial shops, warehouse and garage. The extraordinary level of coordination required to complete design for multiple structures requires augmentation of city staff to complete the project. Further, the sequencing of design and construction work required to deliver the project on budget and on time, requires design support experienced in alternative delivery methods, in order to release sequential design packages for early construction start and to release trade packages for multiple buildings simultaneously. Effective execution of sequencing requires a high level of coordination across disciplines and the engagement of core subcontractors during design. A design team experienced in alternative delivery is essential for controlling cost and schedule risks on a project of this scale. Consequences of denial would result in increased project costs and a significantly longer project schedule at the risk of maintaining operations for the City's central distribution system in the event of growing climate change or a significant earthquake event.

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.

No

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.

substantial completion of the construction project will be in 2027.

**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.

B. Explain the qualifying circumstances:

This is a unique large-scale project with specialized building types. It is essential for the city to augment the design

team with a multi-disciplinary team that includes required specialized expertise, and the ability to manage high level of coordination across multiple design teams and execute on sequencing of trade packages.

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

- A. Specify required skills and/or expertise: The project requires several technical experts in areas outside the expertise of city staff, specifically industrial engineering required for the eight shops and warehouse, and parking consultant because garages are designed by specialized consultants. Additionally, there are several challenging site conditions on this project and complex mechanical systems required for the shops, that will require civil and mechanical engineers with experience in projects of this complexity. The contracting process to engage the experts required as individual contracts would be onerous and the benefits of having an umbrella team under one entity would be lost. The project requires several technical experts not available under existing city classifications, including industrial, acoustical, waterproofing, communications, elevator, fire, and lighting specialists. This large, complex project, with multiple types of buildings, not only necessitates having an umbrella team to achieve a high level of coordination across multiple disciplines, but it also requires a design team with expertise in alternative delivery, including experience in sequencing trade packages and direct and current experience in completing a project of this magnitude. While city staff are becoming more familiar with alternative delivery, there is not sufficient experience to complete the design development and construction document phases of the project.
- B. Which, if any, civil service class(es) normally perform(s) this work? 5211, Eng/Arch/Landscape Arch Sr; 5241, 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 SFPUC has been working with Public Works on the project for the last 2 years, and will continue to work with them throughout the duration of the project. Public Works is completing the Programming, Conceptual and Schematic design phases for the project and they will remain involved, providing landscaping design for the project, in addition to Project Management and Construction Management services.

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

- A. Explain why civil service classes are not applicable.  
While existing architectural and engineering classifications have been and will continue to support the project as evidenced above, the scale of the project and the expertise required to complete the project necessitates bringing on a team that is able to provide umbrella design services, inclusive of the technical experts required, and essential to achieving highly coordinated design on a project of this scale and a team that's able to sequence the delivery of design documents for integrated project delivery. City staff doesn't currently have the capacity to provide this level of service on this complex, one-time type of project.
- 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. This is a singular project that does not require a new civil service class.

### **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. No, while no specific trainings will be provided, city staff and Public Works will have a role in the project from which there will be an opportunity to gain knowledge and experience.
- 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 12/06/2021, 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: Shawndrea Hale Phone: (415) 551-4540 Email: shale@sfgwater.org

Address: 525 Golden Gate Ave 8th FL San Francisco, CA 94102

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 41734 - 21/22

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 02/07/2022

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

**From:** [dhr-psccordinator@sfgov.org](mailto:dhr-psccordinator@sfgov.org) on behalf of [shale@sfgwater.org](mailto:shale@sfgwater.org)  
**To:** [Hale, Shawndrea M.](mailto:Hale,Shawndrea.M.); [WendyWong26@yahoo.com](mailto:WendyWong26@yahoo.com); [wendywong26@yahoo.com](mailto:wendywong26@yahoo.com); [tmathews@ifpte21.org](mailto:tmathews@ifpte21.org); [kschumacher@ifpte21.org](mailto:kschumacher@ifpte21.org); [pkim@ifpte21.org](mailto:pkim@ifpte21.org); [amakayan@ifpte21.org](mailto:amakayan@ifpte21.org); [L21PSCReview@ifpte21.org](mailto:L21PSCReview@ifpte21.org); [Hale, Shawndrea M.](mailto:Hale,Shawndrea.M.); [dhr-psccordinator@sfgov.org](mailto:dhr-psccordinator@sfgov.org)  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 41734 - 21/22  
**Date:** Monday, December 6, 2021 12:15:51 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 41734 - 21/22 more than \$100k

The PUBLIC UTILITIES COMMISSION -- PUC has submitted a request for a Personal Services Contract (PSC) 41734 - 21/22 for \$30,000,000 for Initial Request services for the period 02/07/2022 – 08/06/2027. 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/17621> 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: Construction Management

Funding Source: PUC Infrastructure

PSC Duration: 5 years

PSC Amount: \$20,000,000

**1. Description of Work**

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

The San Francisco Public Utilities Commission (SFPUC) intends to award up to five (5) agreements at \$4 million each to provide construction management (CM) services on an as-needed basis to augment existing SFPUC and City CM teams working on construction projects.

The programs/projects that will require CM services include, but are not limited to, the following: Sewer System Improvement Program (SSIP); Hetchy Capital Improvement Program (HCIP); Emergency Firefighting Water System (EFWS); Water and Wastewater Renewal & Replacement (R&R) Programs; Water System Improvement Program (WSIP); and other water, power, and wastewater construction projects.

These CM services include, but are not limited to, the following: construction contract administration, construction change management; construction inspection; specialty inspection (e.g., coating, welding, geotechnical, marine, tunnel, etc.); environmental inspection; project controls; supplier quality surveillance; special laboratory testing; testing, startup, and commissioning; surveying; construction safety inspection; and technical data entry and document control including engineering archives.

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

If these services are denied, there will be an impact to project CM staffing levels for the departmental programs and projects listed above, thus resulting in construction delays, unmanaged and uninspected construction work, and increased construction costs. The SFPUC currently does not have sufficient staffing resources to handle peak workloads and specialized technical knowledge (e.g., coating, welding, geotechnical, marine, tunnel, etc.) to perform the work that will be required. The SFPUC currently coordinates with San Francisco Public Works (SFPW) for CM services on construction projects, and SFPW, too, does not have enough staff to fulfill the projections for the upcoming CM work.

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 were previously approved under PSC #4100-12/13 (CS-297) and under PSC #49210-19/20 (PRO.160).

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.

Contract No. PRO.0233 is a Public Works As-Needed Professional Services Contract subject to a maximum contract term of not more than five (5) years per the San Francisco Administrative Code Section 6.43.

**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:

The skills needed for these as-needed CM services are specialized. For example, Resident Engineers require years of specialized CM experience to manage the SFPUC's complex infrastructure utility projects, and Specialty Construction Inspectors, e.g., marine or tunnel inspectors, provide the required expertise to support the delivery of quality projects. In addition, City staff will be utilized to provide CM services for the SFPUC's departmental programs and projects to the extent possible based on availability. However, additional resources will still be required on an as-needed basis to help accommodate peak workloads during short-term infrastructure capital projects and to provide specialized expertise for the anticipated work. Furthermore, these additional as-needed resources will also be used in cases where SFPUC and SFPW resources would have been used but are currently unavailable due to attrition.

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

- A. Specify required skills and/or expertise: The skills and expertise required for this scope are directly related to construction management (CM) work in the following CM areas: construction contract administration, construction change management; construction inspection; specialty inspection (e.g., coating, welding, geotechnical, marine, tunnel, etc.); environmental inspection; project controls; supplier quality surveillance; special laboratory testing; testing, startup, and commissioning; surveying; construction safety inspection; and technical data entry and document control including engineering archives.
- B. Which, if any, civil service class(es) normally perform(s) this work? 1823, Senior Administrative Analyst; 5201, Junior Engineer; 5203, Asst Engr; 5207, Assoc Engineer; 5216, Chief Surveyor; 5241, Engineer; 5298, Planner 3-Environmental Review; 5304, Materials Testing Aide; 5305, Materials Testing Technician; 5310, Survey Assistant I; 5314, Survey Associate; 5601, Utility Analyst; 5602, Utility Specialist; 6130, Safety Analyst; 6317, Assistant Const Inspector; 6318, Construction Inspector; 6319, Senior Const Inspector;
- 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 SFPUC's Construction Management Bureau (CMB) has made efforts to obtain these services through coordination with San Francisco Public Works (SFPW) and currently uses SFPW staff on its construction projects. Furthermore, the SFPUC internally coordinates work assignments for its engineering designers who are interested in rotating into CM roles for construction experience. However, based on review CM staffing plans of both departments, CMB has confirmed that its current City resources are still insufficient to fulfill all the necessary CM positions in order to meet the large volume of upcoming construction work, specifically the planned, upcoming SSIP construction projects. Additionally, the SFPUC has limited resources to provide construction inspection services, which are critical to maintaining work quality and to controlling cost and schedule.

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

- A. Explain why civil service classes are not applicable.  
The resources listed above are needed to perform work for the various departmental programs and projects listed under Part 1A, but the level of resources is not a long-term need warranting the hiring of additional permanent Civil Service personnel. Current civil service staff are not always able to perform the scope of services required for projects covered by this contract because they don't always have the specialized experience and/or knowledge required. Additionally, these resources with specific skills and expertise will be needed only on a project-by-project basis and will span only the duration of a project activity, the project life, or the duration of the as-needed CM services contracts.
- 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 various types of skills and expertise to be included in the as-needed CM services contracts are found in the existing civil service classes specified in this PSC. As indicated above, the City will not always have sufficient staff to perform work nor have the capacity to hire new City staff that could meet the requirements of timing, limited duration, and specialized expertise for the anticipated work effort.

**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. City will not always have sufficient staff to perform work nor have the capacity to hire new City staff that could meet the requirements of timing, limited duration, and specialized expertise for the anticipated work effort.

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 12/07/2021, 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: Shawndrea Hale Phone: (415) 551-4540 Email: shale@sfgwater.org

Address: 525 Golden Gate Ave 8th FL San Francisco, CA 94102

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 44735 - 21/22

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 02/07/2022

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

**From:** [dhr-psccordinator@sfgov.org](mailto:dhr-psccordinator@sfgov.org) on behalf of [shale@sfgwater.org](mailto:shale@sfgwater.org)  
**To:** [Hale, Shawndrea M.](mailto:Hale,Shawndrea.M.); [Laxamana, Junko \(BOS\)](mailto:Laxamana,Junko); [WendyWong26@yahoo.com](mailto:WendyWong26@yahoo.com); [wendywong26@yahoo.com](mailto:wendywong26@yahoo.com);  
[tmathews@ifpte21.org](mailto:tmathews@ifpte21.org); [kschumacher@ifpte21.org](mailto:kschumacher@ifpte21.org); [pkim@ifpte21.org](mailto:pkim@ifpte21.org); [amakayan@ifpte21.org](mailto:amakayan@ifpte21.org);  
[L21PSCReview@ifpte21.org](mailto:L21PSCReview@ifpte21.org); [Hale, Shawndrea M.](mailto:Hale,Shawndrea.M.); [dhr-psccordinator@sfgov.org](mailto:dhr-psccordinator@sfgov.org)  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 44735 - 21/22  
**Date:** Tuesday, December 7, 2021 3:20:04 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 44735 - 21/22 more than \$100k

The PUBLIC UTILITIES COMMISSION -- PUC has submitted a request for a Personal Services Contract (PSC) 44735 - 21/22 for \$20,000,000 for Initial Request services for the period 09/01/2022 – 08/31/2027. 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/17639> 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 COMMISSIONDept. Code: PUCType of Request:  Initial  Modification of an existing PSC (PSC # 49210 - 19/20)Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)Type of Service: As-Needed Construction Management (CM) Services (PRO.0160;Rebid of PRO.0095 and PRO.0149)Funding Source: CIP Project Funds & PUC Project FundsPSC Original Approved Amount: \$16,000,000PSC Original Approved Duration: 03/03/20 - 03/02/25 (5 years)PSC Mod#1 Amount: \$8,000,000PSC Mod#1 Duration: 03/03/25-04/20/25 (6 weeks 6 days)PSC Cumulative Amount Proposed: \$24,000,000PSC Cumulative Duration Proposed: 5 years 6 weeks**1. Description of Work****A. Scope of Work/Services to be Contracted Out:**

The San Francisco Public Utilities Commission (SFPUC) intends to award up to four (4) agreements at \$4 million each to perform construction management (CM) services on an as-needed basis to supplement existing SFPUC and other City staff working on construction projects.

The programs/projects that may be served fall under, but are not limited to, the following: Sewer System Improvement Program (SSIP); Water System Improvement Program (WSIP) – 2 remaining projects; Hetchy Capital Improvement Projects; Emergency Firefighting Water System; Water and Wastewater Renewal & Replacement Programs; and other water, power, and wastewater capital projects.

Work includes: construction administration and change management; construction inspection (general, warranty, & specialty); project controls (cost and schedule); special inspection (coating, welding, geotechnical, marine, tunnel, etc.); environmental compliance monitoring; supplier quality surveillance; special laboratory testing; testing, startup, and commissioning assistance; surveying; construction safety inspection; and technical data entry and document control including engineering archives.

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

If these services are denied, there will be an impact to CM project staffing levels for the programs and departmental projects listed above, thus resulting in construction delays, unmanaged and uninspected construction work, and increased construction costs. The SFPUC currently does not have sufficient staff to handle peak workloads and specialized technical knowledge (code required special inspection, welding, coating, geotechnical, marine, and tunnel) to perform the work that will be required. The SFPUC currently coordinates with San Francisco Public Works (SFPW) for CM services on construction

projects, and SFPW, too, does not have enough staff to fulfill the upcoming CM work. Internally, the SFPUC coordinates assignments for engineers and designers interested in rotating into CM roles.

- 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 49210 - 19/20

- 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:

Contract No. PRO.0160 is a Public Works As-Needed Professional Services Contract that is subject to a maximum contract term of not more than five (5) years per the San Francisco Administrative Code, §6.43.

## 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:

The skills and expertise required for this scope are directly related to construction management (CM) work in the following CM areas: construction administration and change management; construction inspection (general, warranty, & specialty); project controls (cost and schedule); environmental compliance monitoring; special inspection (coating, welding, geotechnical, marine, tunnel, etc.); supplier quality surveillance; special laboratory testing; testing, startup, & commissioning assistance; surveying; construction safety inspection; and technical data entry and document control including engineering archives. In addition, City staff will be utilized to provide CM services for the SFPUC's programs and departmental projects. However, additional resources will be required on an as-needed basis to help accommodate peak workloads during relatively short-term capital projects and to provide specialized expertise for the anticipated work.

- B. Reason for the request for modification:

PRO.0160 was rebid three (3) different times: the first time as PRO.0095 (advertised on 11/27/2018), the second time as PRO.0149 (advertised on 3/6/2019), and the third time as PRO.0160 (advertised on 10/3/2019). Given these procurement delays, CMB had to access SFPW's as-needed CM services contracts for SFPUC construction projects until CMB had successfully procured its own set of contracts. Once CMB's contracts were finally awarded at the end of May/beginning of June 2020, SFPW instructed the SFPUC to terminate its existing task orders being used to provide CM services. As the process of terminating SFPW task orders unfolded, the SFPUC's demand to use CMB's as-needed CM services contracts became so extensive that the majority of the existing contract capacities was consumed in approximately nine months. At this present moment, only PRO.0160.C and PRO.0160.D have any capacity remaining at roughly \$1M each; PRO.0160.A and PRO.0160.B do not have enough capacity remaining to issue any new CM task orders. CMB relies heavily on these contracts to augment its current project CM teams working on SFPUC construction projects. As soon as the contracts can be amended, the better; this



will help CMB avoid any CM staffing issues. A lack of adequate CM staff on construction projects may lead to delays, quality issues, large change orders, and/or costly claims.

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

- A. Specify required skills and/or expertise: The skills and expertise required for this scope are directly related to construction management (CM) work in the following CM areas: construction administration and change management; construction inspection (general, warranty, & specialty); project controls (cost and schedule); special inspection (coating, welding, geotechnical, marine, tunnel, etc.); environmental compliance monitoring; supplier quality surveillance; special laboratory testing; testing, startup, and commissioning assistance; surveying; construction safety inspection; and technical data entry and document control including engineering archives.
- B. Which, if any, civil service class(es) normally perform(s) this work? 1823, Senior Administrative Analyst; 5201, Junior Engineer; 5203, Asst Engr; 5207, Assoc Engineer; 5216, Chief Surveyor; 5241, Engineer; 5298, Planner 3-Environmental Review; 5304, Materials Testing Aide; 5305, Materials Testing Technician; 5310, Survey Assistant I; 5314, Survey Associate; 5601, Utility Analyst; 5602, Utility Specialist; 6130, Safety Analyst; 6317, Assistant Const Inspector; 6318, Construction Inspector; 6319, Senior Const Inspector;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain:

### **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 resources listed above are needed to perform work for the various programs and departmental projects listed under Section 1.A., but the level of resources is not a long-term need warranting the hiring of additional permanent Civil Service personnel. CMB anticipates hiring 10 permanent Civil Service positions in the Fiscal Year 2019-2020. Resources with specific skills and expertise will be needed only on a project by project basis and will span only the duration of the project CM activity, the projects' duration, or the duration of the As-Needed CM Services contract.
- 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 various types of skills and expertise to be included in the As-Needed CM Services contract are found in the existing Civil Service positions specified in this PSC. As indicated in Section 4.A., the City will not always have sufficient staff to perform work nor have the capacity to hire new City staff that could meet the requirements of timing, limited duration, and specialized expertise for the anticipated work effort.

### **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.

Training is not part of the PRO.0160 scope of 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 03/31/21, the Department notified the following employee organizations of this PSC/RFP request:

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

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

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 49210 - 19/20

DHR Analysis/Recommendation:

Commission Approval Not Required

Approved by DHR on 04/09/2021

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

Department: PUBLIC UTILITIES COMMISSIONDept. Code: PUCType of Request:  Initial  Modification of an existing PSC (PSC # 49210 - 19/20)Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)Type of Service: As-Needed Construction Management (CM) Services (PRO.0160;Rebid of PRO.0095 and PRO.0149)Funding Source: CIP Project Funds & PUC Project FundsPSC Original Approved Amount: \$16,000,000PSC Original Approved Duration: 03/03/20 - 03/02/25 (5 years)PSC Mod#1 Amount: \$8,000,000PSC Mod#1 Duration: 03/03/25-04/20/25 (6 weeks 6 days)PSC Cumulative Amount Proposed: \$24,000,000PSC Cumulative Duration Proposed: 5 years 6 weeks**1. Description of Work****A. Scope of Work/Services to be Contracted Out:**

The San Francisco Public Utilities Commission (SFPUC) intends to award up to four (4) agreements at \$4 million each to perform construction management (CM) services on an as-needed basis to supplement existing SFPUC and other City staff working on construction projects.

The programs/projects that may be served fall under, but are not limited to, the following: Sewer System Improvement Program (SSIP); Water System Improvement Program (WSIP) – 2 remaining projects; Hetchy Capital Improvement Projects; Emergency Firefighting Water System; Water and Wastewater Renewal & Replacement Programs; and other water, power, and wastewater capital projects.

Work includes: construction administration and change management; construction inspection (general, warranty, & specialty); project controls (cost and schedule); special inspection (coating, welding, geotechnical, marine, tunnel, etc.); environmental compliance monitoring; supplier quality surveillance; special laboratory testing; testing, startup, and commissioning assistance; surveying; construction safety inspection; and technical data entry and document control including engineering archives.

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

If these services are denied, there will be an impact to CM project staffing levels for the programs and departmental projects listed above, thus resulting in construction delays, unmanaged and uninspected construction work, and increased construction costs. The SFPUC currently does not have sufficient staff to handle peak workloads and specialized technical knowledge (code required special inspection, welding, coating, geotechnical, marine, and tunnel) to perform the work that will be required. The SFPUC currently coordinates with San Francisco Public Works (SFPW) for CM services on construction

projects, and SFPW, too, does not have enough staff to fulfill the upcoming CM work. Internally, the SFPUC coordinates assignments for engineers and designers interested in rotating into CM roles.

- 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 49210 - 19/20

- 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:

Contract No. PRO.0160 is a Public Works As-Needed Professional Services Contract that is subject to a maximum contract term of not more than five (5) years per the San Francisco Administrative Code, §6.43.

## 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:

The skills and expertise required for this scope are directly related to construction management (CM) work in the following CM areas: construction administration and change management; construction inspection (general, warranty, & specialty); project controls (cost and schedule); environmental compliance monitoring; special inspection (coating, welding, geotechnical, marine, tunnel, etc.); supplier quality surveillance; special laboratory testing; testing, startup, & commissioning assistance; surveying; construction safety inspection; and technical data entry and document control including engineering archives. In addition, City staff will be utilized to provide CM services for the SFPUC's programs and departmental projects. However, additional resources will be required on an as-needed basis to help accommodate peak workloads during relatively short-term capital projects and to provide specialized expertise for the anticipated work.

- B. Reason for the request for modification:

PRO.0160 was rebid three (3) different times: the first time as PRO.0095 (advertised on 11/27/2018), the second time as PRO.0149 (advertised on 3/6/2019), and the third time as PRO.0160 (advertised on 10/3/2019). Given these procurement delays, CMB had to access SFPW's as-needed CM services contracts for SFPUC construction projects until CMB had successfully procured its own set of contracts. Once CMB's contracts were finally awarded at the end of May/beginning of June 2020, SFPW instructed the SFPUC to terminate its existing task orders being used to provide CM services. As the process of terminating SFPW task orders unfolded, the SFPUC's demand to use CMB's as-needed CM services contracts became so extensive that the majority of the existing contract capacities was consumed in approximately nine months. At this present moment, only PRO.0160.C and PRO.0160.D have any capacity remaining at roughly \$1M each; PRO.0160.A and PRO.0160.B do not have enough capacity remaining to issue any new CM task orders. CMB relies heavily on these contracts to augment its current project CM teams working on SFPUC construction projects. As soon as the contracts can be amended, the better; this

will help CMB avoid any CM staffing issues. A lack of adequate CM staff on construction projects may lead to delays, quality issues, large change orders, and/or costly claims.

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

- A. Specify required skills and/or expertise: The skills and expertise required for this scope are directly related to construction management (CM) work in the following CM areas: construction administration and change management; construction inspection (general, warranty, & specialty); project controls (cost and schedule); special inspection (coating, welding, geotechnical, marine, tunnel, etc.); environmental compliance monitoring; supplier quality surveillance; special laboratory testing; testing, startup, and commissioning assistance; surveying; construction safety inspection; and technical data entry and document control including engineering archives.
- B. Which, if any, civil service class(es) normally perform(s) this work? 1823, Senior Administrative Analyst; 5201, Junior Engineer; 5203, Asst Engr; 5207, Assoc Engineer; 5216, Chief Surveyor; 5241, Engineer; 5298, Planner 3-Environmental Review; 5304, Materials Testing Aide; 5305, Materials Testing Technician; 5310, Survey Assistant I; 5314, Survey Associate; 5601, Utility Analyst; 5602, Utility Specialist; 6130, Safety Analyst; 6317, Assistant Const Inspector; 6318, Construction Inspector; 6319, Senior Const Inspector;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain:

### **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 resources listed above are needed to perform work for the various programs and departmental projects listed under Section 1.A., but the level of resources is not a long-term need warranting the hiring of additional permanent Civil Service personnel. CMB anticipates hiring 10 permanent Civil Service positions in the Fiscal Year 2019-2020. Resources with specific skills and expertise will be needed only on a project by project basis and will span only the duration of the project CM activity, the projects' duration, or the duration of the As-Needed CM Services contract.
- 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 various types of skills and expertise to be included in the As-Needed CM Services contract are found in the existing Civil Service positions specified in this PSC. As indicated in Section 4.A., the City will not always have sufficient staff to perform work nor have the capacity to hire new City staff that could meet the requirements of timing, limited duration, and specialized expertise for the anticipated work effort.

### **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.

Training is not part of the PRO.0160 scope of 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 03/31/21, the Department notified the following employee organizations of this PSC/RFP request:

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

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

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 49210 - 19/20

DHR Analysis/Recommendation:

Commission Approval Not Required

Approved by DHR on 04/09/2021

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

Funding Source: SFPUC Water Enterprise CIP

PSC Duration: 8 years 1 day

PSC Amount: \$7,000,000

**1. Description of Work**

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

The consultant will provide civil, electrical, mechanical, and other specialized engineering services for the planning, design, and support during construction of new laboratory and maintenance shop buildings and as-needed improvements of the existing facilities within the Millbrae Yard campus for the Millbrae Yard Laboratory and Shop Improvements 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 design support, campus utility design, traffic engineering design, laboratory design, fire protection design, vertical transportation design, security design, system integration design, communications (AV/IT/Telecom) design, code consulting, hazardous materials and environmental remediation design, resilience design, industrial engineering design, moving coordination, 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, Sewer System Improvement Program, Hetch Capital Improvement Program, and Water Enterprise Capital Improvement Programs. The engineering workload has substantially increased and consultants are needed to meet peak workload demands for engineering planning, design, and support during construction services on projects. Also, this project requires special expertise in design of laboratory buildings, which is not available from City employees, as well as other specialized services such as geotechnical design support, campus utility design, traffic engineering design, fire protection design, vertical transportation design, security design, communications (AV/IT/Telecom) design, systems integration design, code consulting, hazardous materials and environmental remediation design, resilience design, industrial engineering design, and moving coordination. These specialty consultants will augment the City design team. Therefore, disapproval of this contract will deny City staff the opportunity to work on state-of-the-art facilities. City staff will serve as project manager, project engineer, civil engineer, structural engineer, mechanical engineer for the shop building, project architect, and project landscape architect for the project and will manage and work in conjunction with the consultants providing specialized engineering services.

**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. Completion of planning and the design phase will take 2.5 years and includes 50% and 100% Schematic Design, 50% and 100% Design Development, 50%, 95%, and 100% Construction Documents design milestones, preparation of Arts Commission Civic Design Review documents, engineer's estimates, construction schedules, and documents needed for the California Environmental Quality Act (CEQA) and permitting process. The bid and award phase will be 0.5 years and includes addendum preparation, response of Questions on Bid Documents (QBDs), review of bids, and participation in pre-construction meetings and activities. The construction phase will be 3.5 years and includes construction support services, review of Requests for Information (RFIs), Submittals, and Requests for Substitutions (RFSs), attending weekly construction meetings and site visits, and preparing designs and revised contract documents related to change orders. The closeout phase will be 0.5 year and will include review of closeout documents, and preparation of as-built drawings and closeout reports. Consultant services are also required for the year post-occupancy to provide commissioning support and assist with potential warranty issues.

## 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 design particularly of laboratory buildings, which is not available from City employees.

## 3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise: Professional mechanical and electrical engineers with extensive experience in the design of new laboratory and industrial shop buildings, fire protection, vertical transportation, security, communications (AV/IT/Telecom), and system integration. Professional civil engineers with extensive experience in campus utility design and traffic engineering. Professional engineers experienced in geotechnical engineering, hazardous materials and environmental remediation design, resilience design, and industrial engineering design.

B. Which, if any, civil service class(es) normally perform(s) this work? 5203, Asst Engr; 5207, Assoc Engineer; 5211, Eng/Arch/Landscape Arch Sr; 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 staff in the SF Public Utilities Commission and SF Public Works do not have the necessary knowledge and experience needed to provide the specialized design and engineering support services for the work of this contract such as the laboratory design and the campus utility design. City resources will be utilized for



various scope based on availability and the project schedule. SFPUC staff will fill the roles of Project Manager, Project Engineer, Civil Engineer, Structural Engineer, and Mechanical Engineer for the shop building, SFPW staff will fill the roles of Project Architect and Project Landscape Architect.

**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 laboratory building 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 practical.

**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. 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 consultant firm, the consultant will also provide technology transfer presentations and training. The target audience will be SFPUC operations and engineering staff. Planned topics will include in-depth presentations on laboratory, campus utility, 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 11/23/2021, 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: Shawndrea Hale Phone: (415) 551-4540 Email: shale@sfgwater.org

Address: 525 Golden Gate Ave 8th FL San Francisco, CA 94102

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 45357 - 21/22

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 02/07/2022

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

**From:** [dhr-psccordinator@sfgov.org](mailto:dhr-psccordinator@sfgov.org) on behalf of [shale@sfgwater.org](mailto:shale@sfgwater.org)  
**To:** [Hale, Shawndrea M.](mailto:Hale,Shawndrea.M.); [Laxamana, Junko \(BOS\)](mailto:Laxamana,Junko); [WendyWong26@yahoo.com](mailto:WendyWong26@yahoo.com); [wendywong26@yahoo.com](mailto:wendywong26@yahoo.com);  
[tmathews@ifpte21.org](mailto:tmathews@ifpte21.org); [kschumacher@ifpte21.org](mailto:kschumacher@ifpte21.org); [pkim@ifpte21.org](mailto:pkim@ifpte21.org); [amakayan@ifpte21.org](mailto:amakayan@ifpte21.org);  
[L21PSCReview@ifpte21.org](mailto:L21PSCReview@ifpte21.org); [Hale, Shawndrea M.](mailto:Hale,Shawndrea.M.); [dhr-psccordinator@sfgov.org](mailto:dhr-psccordinator@sfgov.org)  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 45357 - 21/22  
**Date:** Tuesday, November 23, 2021 12:58:13 PM

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RECEIPT for Union Notification for PSC 45357 - 21/22 more than \$100k

The PUBLIC UTILITIES COMMISSION -- PUC has submitted a request for a Personal Services Contract (PSC) 45357 - 21/22 for \$7,000,000 for Initial Request services for the period 07/01/2022 – 06/30/2030. 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/17576> 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 -- 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 Sunol Valley Water Treatment Plant Long Term Taste & Odor (PRO.0120)

Funding Source: SFPUC Water Enterprise CIP

PSC Amount: \$19,000,000

PSC Est. Start Date: 10/01/2019

PSC 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 contact? 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

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**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



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: FIXED GAS MONITORING SYSTEM MAINTENANCE

Funding Source: Wastewater Enterprise Operating Budget PSC Duration: 5 years 1 day

PSC Amount: \$700,000

**1. Description of Work**

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

The purpose of this contract is to provide a semi-annual routine maintenance service for five (5) years for the inspection, testing, maintenance, repair of the fixed gas monitoring system. The contract scope also provides all calibration/test materials, labor, equipment and service necessary for inspection and testing of the fixed gas monitoring system at the eight (8) wastewater facilities for the San Francisco Public Utilities Commission (SFPUC) Wastewater Enterprise (WWE).

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

The fixed gas monitoring systems are necessary to ensure the safety of staff working in a wastewater environment where dangerous gases may be present, and to provide continuous monitoring of facilities to prevent explosion hazards, injuries, or loss of life due to the present of toxic gases in the facilities. Failure to deny this service would impact the gas monitoring systems and jeopardize the safety of City staff.

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.

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.

This PSC is to augment current City staff for intermittent, short term fixed gas monitoring tasks for semi-annual maintenance, calibration and as-needed repair services.

**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.

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

B. Explain the qualifying circumstances:

Calibration and testing of gas detectors semi-annually for their sensitivity, damage and deterioration to avoid any interruption to performance of the fixed gas monitoring system to prevent explosion hazards and continue provide the safety of the City staff.

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

- A. Specify required skills and/or expertise: The contractor shall be trained, certified, and authorized by the manufacturer-supplied Fixed Gas Monitoring System and Drager Supplied Fixed Gas Monitoring System Instrumentation. They shall have proven record of similar fixed gas monitoring system maintenance service for the last five (5) years.
- B. Which, if any, civil service class(es) normally perform(s) this work? 7336, Electr Instrmntn Tech Wtr Poll;
- 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?**

SFPUC - WWE is the only agency that has job class 7336, Electronic Instrumentation Technician that supports this work. There are no other City agencies to contact.

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

- A. Explain why civil service classes are not applicable.  
Currently our City Staff does perform some repairs, and troubleshooting on some of the fixed gas monitoring systems as required. However, this PSC is to provide supplemental semi-annual maintenance, calibration and as-needed repair services at times when current staff cannot perform due to the staff shortage and other work has higher priority. As future hires fill these vacant positions, the work will be reassessed to determine if staffing levels can support this work.
- 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. N/A

**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.  
No. As civil service resources increase in this classification, the work may be performed by in-house staff but it will need to be evaluated and prioritized among other work. No training is needed.
- 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 11/23/2021, 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: Shawndrea Hale Phone: (415) 551-4540 Email: shale@sflower.org

Address: 525 Golden Gate Ave 8th FL San Francisco, CA 94102

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 45910 - 21/22

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 02/07/2022

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

**From:** [dhr-psccordinator@sfgov.org](mailto:dhr-psccordinator@sfgov.org) on behalf of [shale@sfwater.org](mailto:shale@sfwater.org)  
**To:** [Hale, Shawndrea M.](mailto:Hale,Shawndrea.M.); [Laxamana, Junko \(BOS\)](mailto:Laxamana,Junko(BOS)); [WendyWong26@yahoo.com](mailto:WendyWong26@yahoo.com); [wendywong26@yahoo.com](mailto:wendywong26@yahoo.com);  
[tmathews@ifpte21.org](mailto:tmathews@ifpte21.org); [kschumacher@ifpte21.org](mailto:kschumacher@ifpte21.org); [pkim@ifpte21.org](mailto:pkim@ifpte21.org); [amakayan@ifpte21.org](mailto:amakayan@ifpte21.org);  
[L21PSCReview@ifpte21.org](mailto:L21PSCReview@ifpte21.org); [Hale, Shawndrea M.](mailto:Hale,Shawndrea.M.); [dhr-psccordinator@sfgov.org](mailto:dhr-psccordinator@sfgov.org)  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 45910 - 21/22  
**Date:** Tuesday, November 23, 2021 11:14:10 AM

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

RECEIPT for Union Notification for PSC 45910 - 21/22 more than \$100k

The PUBLIC UTILITIES COMMISSION -- PUC has submitted a request for a Personal Services Contract (PSC) 45910 - 21/22 for \$700,000 for Initial Request services for the period 03/01/2022 – 03/01/2027. 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/17550> 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: Biosolids Management

Funding Source: Wastewater Enterprise Biosolids Management

PSC Duration: 5 years

PSC Amount: \$9,900,000

**1. Description of Work**

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

This contract entails the processing of Class B biosolids into Class A biosolids. Class B biosolids have undergone a reduction in pathogen content to the point where they are safe for certain types of reuse while Class A biosolids have had pathogen content eliminated. There are several technologies which can be used to achieve this under Code of Federal Regulations Title 40 Part 503, the federal regulations which govern biosolids. Once the Class A biosolids product is produced, the contractor is responsible for the distribution of the product to farmers and ranchers. New regulations stemming from SB 1383 restrict the use of biosolids used as cover material in landfills. Alternative, non-landfill uses for biosolids are needed and Contract 63002 ensures there is a management option for biosolids during certain parts of the year.

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

The City's wastewater treatment plants separates solids out from influent and sends them to anaerobic digesters where they are biologically treated. The resulting material is called biosolids, a nutrient rich material which is used as a fertilizer. Management options are required for biosolids on a daily basis as 250 tons are produced each day. Solano County agriculture, which accounts for a third of SFPUC biosolids management, cannot accept biosolids fertilizer on weekends or during the 6 month wet weather season from October 15-April 15. During these periods of time, Contract 63002 is the primary management option for biosolids. The alternative option is landfill disposal, which is only used as a last resort. With the restriction of biosolids use at landfills under SB 1383, Contract 63002 will be needed to provide biosolids management options on weekends and during the 6 month wet weather season. Without this contract, the City will not have a management option for biosolids during the 6 month wet weather season which complies with SB 1383.

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 been provided in the past through a contract. The previous PSC for Contract #63001 was PSC # 43232 - 18/19. Contract #63002 is being bid out because the term for contract #63001 is expiring.

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.

This PSC will be for five years. This is the stated term limit for PSCs. Five years is a standard term for large, critical contracts where limited disruption in service is desired.

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

B. Explain the qualifying circumstances:

This service requires a large facility to process Class B biosolids into a Class A biosolid fertilizer which the City does not possess. The service also requires agreements with farmers and ranchers and specialized equipment to use the fertilizer created.

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

A. Specify required skills and/or expertise: This service requires a facility capable of converting Class B biosolids to Class A biosolids. The service also requires agreements with farmers and ranchers for the reuse of the Class A biosolids products as a fertilizer. The application of the Class A biosolids requires specialized equipment and an agronomist to determine application rates.

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 provides a facility capable for processing Class B biosolids into a Class A biosolids fertilizer.

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

There is no facility capable of performing this through available resources.

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

A. Explain why civil service classes are not applicable.

The City does not own the specialized facility which performs this service, does not have agreements with farmers and ranchers, and does not have specialized application equipment.

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. It would not be practical or feasible as the City does not have the requisite facility or equipment to accomplish this 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 contact? If so, please explain what that will entail; if not, explain why not.  
No. No, there is no facility capable of performing this through available resources.

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 12/03/2021, 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: Shawndrea Hale Phone: (415) 551-4540 Email: shale@sfgwater.org

Address: 525 Golden Gate Ave 8th FL San Francisco, CA 94102

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 47589 - 21/22

DHR Analysis/Recommendation:  
Commission Approval Required  
DHR Approved for 02/07/2022

Civil Service Commission Action:



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

**From:** [dhr-psccoordinator@sfgov.org](mailto:dhr-psccoordinator@sfgov.org) on behalf of [shale@sfwater.org](mailto:shale@sfwater.org)  
**To:** [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.](mailto:Hale,Shawndrea.M.;snaranjo@cirseiu.org;mdennis@twusf.org;rmarenco@twusf.org;pwilson@twusf.org;cmoyer@nccrc.org;noah.frigault@sfgov.org;sfdpoa@icloud.com;Mjayne@iam1414.org;Emanuel.Rachel(DEM);laborers261@gmail.com;Laxamana_Junko(BOS);jennifer.esteen@seiu1021.org;emathurin@cirseiu.org;abush@cirseiu.org;sbabaria@cirseiu.org;anthony@dc16.us;mlobre@sfpoa.org;tracym@sfpoa.org;mleach@ibt856.org;rooferslocal40@gmail.com;sal@local16.org;Criss@sfmea.com;Julie.Meyers@sfgov.org;seichenberger@local39.org;Camaguey@sfmea.com;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;Basconillo,Kathy;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@opcmllocal300.org;ramonliuna261@gmail.com;ablood@cirseiu.org;pkarinen@nccrc.org;tony@dc16.us;stevek@bac3-ca.org;xiumin.li@seiu1021.org;Sin.Yee.Poon@sfgov.org;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;bart@dc16.us;david.canham@seiu1021.org;jtanner940@aol.com;oashworth@ibew6.org;L21PSCReview@ifpte21.org;laborers261@gmail.com;local200twu@sbcglobal.net;speedy4864@aol.com;Christina@sfmea.com;ecdemvoter@aol.com;thomas.vitale@seiu1021.org;Hale,Shawndrea.M.;dhr-psccoordinator@sfgov.org</a><br/><b>Subject:</b> Receipt of Notice for new PCS over $100K PSC # 47589 - 21/22<br/><b>Date:</b> Friday, December 3, 2021 2:43:37 PM</p><hr/></div><div data-bbox=)

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

RECEIPT for Union Notification for PSC 47589 - 21/22 more than \$100k

The PUBLIC UTILITIES COMMISSION -- PUC has submitted a request for a Personal Services Contract (PSC) 47589 - 21/22 for \$9,900,000 for Initial Request services for the period 05/15/2022 – 05/14/2027. 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/17620> 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)**

Code of Federal Regulations Title 40 Part 503 is the federal regulation which governs the use of biosolids (the nutrient rich solids produced through treating wastewater). This regulation describes reporting requirements, requirements for reducing or eliminating pathogens, and requirements for the use of biosolids as a fertilizer. The full text of the regulation can be found here: <https://www.ecfr.gov/current/title-40/chapter-I/subchapter-O/part-503>

SB 1383 is a California Senate Bill that was approved in 2016 and went into effect on January 1<sup>st</sup>, 2022. The bill seeks to reduce methane emissions from various sources, including landfills. Because the anaerobic decomposition of organic materials in landfills is a significant source of methane, part of SB 1383 deals with organic materials being sent to landfills. By 2025, the state must achieve a 75% reduction in the disposal of organic waste in landfills. The bill has other requirements designed to reduce methane emissions but these are not pertinent to the contract being brought before the Civil Service Commission. The full text of the bill can be found here:

[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201520160SB1383](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB1383)

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

Department: PUBLIC UTILITIES COMMISSIONDept. Code: PUCType of Request:  Initial  Modification of an existing PSC (PSC # 43232 - 18/19)Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)Type of Service: Biosolids Beneficial ReuseFunding Source: WWE Biosolids Management Operating BudgetPSC Original Approved Amount: \$1,000,000PSC Original Approved Duration: 05/15/19 - 05/14/22 (3 years)PSC Mod#1 Amount: \$2,900,000PSC Mod#1 Duration: no duration addedPSC Mod#2 Amount: \$1,800,000PSC Mod#2 Duration: no duration addedPSC Cumulative Amount Proposed: \$5,700,000PSC Cumulative Duration Proposed: 3 years**1. Description of Work****A. Scope of Work/Services to be Contracted Out:**

This contract entails the processing of Class B biosolids (Class B levels have trace amounts of pathogens) into Class A biosolids (Class A Biosolids have been treated to eliminate pathogens). Class B biosolids have undergone a reduction in pathogen content to the point where they are safe for certain types of reuse while Class A biosolids have had pathogen content eliminated. There are several technologies which can be used to achieve this under Code of Federal Regulations Title 40 Part 503 (the criteria that refers to the elimination of pathogens), the federal regulations which govern biosolids. The current contractor uses a proprietary technology to process Class B biosolids into Class A biosolids at a facility in Fairfield. This technology uses heat, alkali and high shear forces to create a Class A biosolids liquid fertilizer. Once the Class A biosolids product is produced, the contractor is responsible for the distribution of the product to farmers and ranchers. The contractor must ensure all pertinent regulations are adhered to.

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

The City's wastewater treatment plants separates solids out from influent and sends them to anaerobic digesters where they are biologically treated. The resulting material is called biosolids, a nutrient rich material which is used as a fertilizer. On average the city produces 175 wet tons of biosolids a day. It is important to have diverse outlets for the reuse of this material. By creating a Class A liquid fertilizer, the Wastewater Enterprise further diversifies the use of biosolids. Additionally, Solano County ordinances require the Wastewater Enterprise to convert a portion of the biosolids produced to a Class A product in order to use biosolids for agriculture in the county. Agricultural use of biosolids in Solano County is an important part of Wastewater Enterprise's (WWE) biosolids management. This service is necessary to ensure compliance with the Solano County ordinance which requires SFPUC WWE to convert a portion of the biosolids produced to a Class A product in order to use biosolids for agriculture in the county. Without this service the WWE enterprise will not have an economically viable outlet for their biosolids.

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 43232 - 18/19

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:

This PSC request is for three years. It is possible a modification to increase the sum of the contract would be made towards the end of this contract's term limit to ensure continued service. Not extension in the duration of the contract would be made past the requested PSC duration of 5/14/2022 as this is the term limit of the contract.

## 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:

This service requires a large, technologically advanced facility to process Class B biosolids into a Class A biosolid liquid fertilizer which the City does not possess. The City also does not possess the equipment needed for subsurface injection of this fertilizer.

B. Reason for the request for modification:

The City's wastewater treatment plants separates solids out from influent and sends them to anaerobic digesters where they are biologically treated. The resulting material is called biosolids, a nutrient rich material which is used as a fertilizer. On average the city produces 175 wet tons of biosolids a day. It is important to have diverse outlets for the reuse of this material. By creating a Class A liquid fertilizer, the Wastewater Enterprise further diversifies the use of biosolids. Additionally, Solano County ordinances require the Wastewater Enterprise to convert a portion of the biosolids produced to a Class A product in order to use biosolids for agriculture in the county. Agricultural use of biosolids in Solano County is an important part of Wastewater Enterprise's biosolids management and this contract ensures compliance with the Solano County ordinance. Most importantly, Solano County agriculture, which accounts for a third of SFPUC biosolids management, cannot accept biosolids on the weekends or during the 6 month wet weather season from October 15-April 15. During these periods of time, Contract 63001 and use of biosolids in landfills are the primary management options for biosolids. With the restriction of biosolids use for landfill cover under SB 1383, Contract 63001 will be needed to provide biosolids management options on weekends and during the 6 month wet weather season. On August 19th, 2019 the Civil Service Commission approved this contract for a cumulative amount of \$3,900,000. This current modification is being requested because the contract is being extended for an additional year and additional funding is needed for the contract. The SFPUC has been steadily reducing the use of biosolids for landfill cover since 2017, however with covid-19, there was a substantial drop in the quantity of biosolids produced at the Southeast Plant as there was a reduction in commuters and other visitors to the downtown core of San Francisco. Due to this reduction in biosolids being produced, the SFPUC phased out the use of biosolids for landfill cover

entirely during the winter of 2020-2021, one year ahead of schedule. This meant that Contract 63001 was used to a greater extent than previously forecast.

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

- A. Specify required skills and/or expertise: This service requires a facility capable of converting Class B biosolids to Class A biosolids. The service also requires agreements with farmers and ranchers for the reuse of the Class A biosolids products as a fertilizer. The application of the Class A biosolids requires specialized equipment and an agronomist to determine application rates.
- 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 provides a facility capable for processing Class B biosolids into a Class A biosolids liquid fertilizer. The contractor also has specialized application equipment for subsurface injection of this fertilizer and agreements with farmers and ranchers.

### **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 city does not own the specialized facility which performs this service, does not have agreements with farmers and ranchers, and does not have specialized application equipment.
- 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, since the city would still not have the requisite facilities and equipment to fully accomplish this work and meet the regulatory standards.

### **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 not train City employees as there is no intention for this service to be performed by City employees nor a facility which City employees could operate.
- 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 04/27/21, 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: Shawndrea Hale Phone: (415) 551-4540 Email: shale@sfgwater.org

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

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 43232 - 18/19

DHR Analysis/Recommendation:

Commission Approval Not Required

Approved by DHR on 05/18/2021

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

Department: PUBLIC UTILITIES COMMISSIONDept. Code: PUCType of Request:  Initial  Modification of an existing PSC (PSC # 43232 - 18/19)Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)Type of Service: Biosolids Beneficial ReuseFunding Source: WWE Biosolids Management Operating BudgetPSC Original Approved Amount: \$1,000,000PSC Original Approved Duration: 05/15/19 - 05/14/22 (3 years)PSC Mod#1 Amount: \$2,900,000PSC Mod#1 Duration: no duration addedPSC Cumulative Amount Proposed: \$3,900,000PSC Cumulative Duration Proposed: 3 years**1. Description of Work****A. Scope of Work/Services to be Contracted Out:**

This contract entails the processing of Class B biosolids (Class B levels have trace amounts of pathogens) into Class A biosolids (Class A Biosolids have been treated to eliminate pathogens). Class B biosolids have undergone a reduction in pathogen content to the point where they are safe for certain types of reuse while Class A biosolids have had pathogen content eliminated. There are several technologies which can be used to achieve this under Code of Federal Regulations Title 40 Part 503 (the criteria that refers to the elimination of pathogens), the federal regulations which govern biosolids. The current contractor uses a proprietary technology to process Class B biosolids into Class A biosolids at a facility in Fairfield. This technology uses heat, alkali and high shear forces to create a Class A biosolids liquid fertilizer. Once the Class A biosolids product is produced, the contractor is responsible for the distribution of the product to farmers and ranchers. The contractor must ensure all pertinent regulations are adhered to.

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

The City's wastewater treatment plants separates solids out from influent and sends them to anaerobic digesters where they are biologically treated. The resulting material is called biosolids, a nutrient rich material which is used as a fertilizer. On average the city produces 175 wet tons of biosolids a day. It is important to have diverse outlets for the reuse of this material. By creating a Class A liquid fertilizer, the Wastewater Enterprise further diversifies the use of biosolids. Additionally, Solano County ordinances require the Wastewater Enterprise to convert a portion of the biosolids produced to a Class A product in order to use biosolids for agriculture in the county. Agricultural use of biosolids in Solano County is an important part of Wastewater Enterprise's (WWE) biosolids management. This service is necessary to ensure compliance with the Solano County ordinance which requires SFPUC WWE to convert a portion of the biosolids produced to a Class A product in order to use biosolids for agriculture in the county. Without this service the WWE enterprise will not have an economically viable outlet for their biosolids.

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 43232 - 18/19

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:  
This PSC request is for three years. It is possible a modification to increase the sum of the contract would be made towards the end of this contract's term limit to ensure continued service. Not extension in the duration of the contract would be made past the requested PSC duration of 5/14/2022 as this is the term limit of the contract.

## 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:

This service requires a large, technologically advanced facility to process Class B biosolids into a Class A biosolid liquid fertilizer which the City does not possess. The City also does not possess the equipment needed for subsurface injection of this fertilizer.

B. Reason for the request for modification:

Contract 63001 is being modified to increase the amount of the contract. Due to changes in the regulatory landscape, Contract 63001 is needed to manage a larger portion of the SFPUC's biosolids production. Solano County agriculture, which accounts for a third of SFPUC biosolids management, cannot accept biosolids on the weekends or during the 6 month wet weather season from October 15-April 15. During these periods of time, Contract 63001 and use of biosolids in landfills are the primary management options for biosolids. New state regulations are being phased in which will restrict the use of biosolids for landfill cover and additional capacity is needed on Contract 63001 to provide biosolids management options on weekends and during the 6 month wet weather season.

## 3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise: This service requires a facility capable of converting Class B biosolids to Class A biosolids. The service also requires agreements with farmers and ranchers for the reuse of the Class A biosolids products as a fertilizer. The application of the Class A biosolids requires specialized equipment and an agronomist to determine application rates.

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 provides a facility capable for processing Class B biosolids into a Class A biosolids liquid fertilizer. The contractor also has specialized application equipment for subsurface injection of this fertilizer and agreements with farmers and ranchers.

**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 city does not own the specialized facility which performs this service, does not have agreements with farmers and ranchers, and does not have specialized application equipment.

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, since the city would still not have the requisite facilities and equipment to fully accomplish this work and meet the regulatory standards.

**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.

The contractor will not train City employees as there is no intention for this service to be performed by City employees nor a facility which City employees could operate.

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 07/15/19, 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: Bill Irwin Phone: 415-934-3975 Email: wirwin@sfgwater.org

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

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 43232 - 18/19

DHR Analysis/Recommendation:

08/19/2019

Commission Approval Required

Approved by Civil Service Commission

08/19/2019 DHR Approved for 08/19/2019

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: Water & Sewer Rate Consulting Services

Funding Source: SFPUC General Fund PSC Duration: 2 years 17 weeks

PSC Amount: \$350,000

**1. Description of Work**

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

An independent review of revenue requirements, costs of service, and rates for the utilities under the jurisdiction of the San Francisco Public Utilities Commission (SFPUC).

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

An independent external cost of service and rate study is required at least every five years by the San Francisco Charter Section 8B.125. The last study was completed in 2018; this PSC will be for a study to propose rates beginning July 1, 2023.

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 became necessary after the approval of the City Charter Section 8B.125 in 2002. This service was provided in the past via PSC No.47343-15/16 PUC.PRO.0034.

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.

N/A

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

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

Regulatory or legal requirements, or requirements or mandates of funding source(s) which limit or preclude the use of Civil Service Employees. Include a copy of the applicable requirement or mandate.

B. Explain the qualifying circumstances:

An independent external cost of service and rate study is required at least every five years by the San Francisco Charter Section 8B.125. The last study was completed in 2018; this PSC will be for a study to propose rates beginning July 1, 2023.

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

A. Specify required skills and/or expertise: Knowledge of utility design and operation, economic theory, cost accounting, and rate principles.

- 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: no

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

None, because the City Charter requires the study be done by an independent rate consultant.

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

- A. Explain why civil service classes are not applicable.  
The City Charter specifies the study be done by an independent rate consultant.
- 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 it would not meet the City Charter requirement.

**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 City Charter specifies the study be done by an independent rate consultant.
- C. Are there legal mandates requiring the use of contractual services?  
Yes. This service became necessary after the approval of the City Charter Section 8B.125 in 2002.
- 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 12/06/2021, 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: Shawndrea Hale Phone: (415) 551-4540 Email: shale@sfgwater.org

Address: 525 Golden Gate Ave 8th FL San Francisco, CA 94102

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 47657 - 21/22

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 02/07/2022



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

**From:** [dhr-psccoordinator@sfgov.org](mailto:dhr-psccoordinator@sfgov.org) on behalf of [shale@sfwater.org](mailto:shale@sfwater.org)  
**To:** [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.](mailto:Hale,Shawndrea.M.;snaranjo@cirseiu.org;mdennis@twusf.org;rmarenco@twusf.org;pwilson@twusf.org;cmoyer@nccrc.org;noah.frigault@sfgov.org;sfdpoa@icloud.com;Mjayne@iam1414.org;Emanuel.Rachel(DEM);laborers261@gmail.com;Laxamana_Junko(BOS);jennifer.esteen@seiu1021.org;emathurin@cirseiu.org;abush@cirseiu.org;sbabaria@cirseiu.org;anthony@dc16.us;mlobre@sfpoa.org;tracym@sfpoa.org;mleach@ibt856.org;rooferslocal40@gmail.com;sal@local16.org;Criss@sfmea.com;Julie.Meyers@sfgov.org;seichenberger@local39.org;Camaguey@sfmea.com;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;Basconillo_Kathy;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@opcmllocal300.org;ramonliuna261@gmail.com;ablood@cirseiu.org;pkarinen@nccrc.org;tony@dc16.us;stevek@bac3-ca.org;xiumin.li@seiu1021.org;Sin.Yee.Poon@sfgov.org;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;bart@dc16.us;david.canham@seiu1021.org;jtanner940@aol.com;oashworth@ibew6.org;L21PSCReview@ifpte21.org;laborers261@gmail.com;local200twu@sbcglobal.net;speedy4864@aol.com;Christina@sfmea.com;ecdemvoter@aol.com;thomas.vitale@seiu1021.org;Hale,Shawndrea.M.;dhr-psccoordinator@sfgov.org</a><br/><b>Subject:</b> Receipt of Notice for new PCS over $100K PSC # 47657 - 21/22<br/><b>Date:</b> Monday, December 6, 2021 11:26:52 AM</p><hr/></div><div data-bbox=)

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RECEIPT for Union Notification for PSC 47657 - 21/22 more than \$100k

The PUBLIC UTILITIES COMMISSION -- PUC has submitted a request for a Personal Services Contract (PSC) 47657 - 21/22 for \$350,000 for Initial Request services for the period 03/01/2022 – 06/30/2024. 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/17636> 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 -- 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: Water & Sewer Rate Consulting Services (PRO.0034)

Funding Source: SFPUC General Fund

PSC Duration: 3 years 10 weeks

PSC Amount: \$400,000

**1. Description of Work**

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

An independent review of revenue requirements, costs of service, and rates for the utilities under the jurisdiction of the San Francisco Public Utilities Commission(SFPUC).

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

An independent external cost of service and rate study is required at least every five years by the SF Charter Section 8B.125. The last study was completed in 2014; this PSC will be for a study to propose rates beginning July 1, 2018.

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 became necessary after the approval of the Charter Section 8B.125 in 2002. This service was provided in the past via PSC No. 4015-12/13 (CS-261).

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.

not applicable

**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).

Regulatory or legal requirements, or requirements or mandates of funding source(s) which limit or preclude the use of Civil Service Employees. Include a copy of the applicable requirement or mandate.

B. Explain the qualifying circumstances:

The City Charter requires that the study be done by an independent rate consultant at least every 5 years.

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

- A. Specify required skills and/or expertise: Knowledge of utility design and operation, economic theory, cost accounting, and rate principles.
- B. Which, if any, civil service class(es) normally perform(s) this work? 0923, Manager II;
- 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?**

None, because the City Charter requires that the study be done by an independent rate consultant.

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

- A. Explain why civil service classes are not applicable.  
The City Charter requires that the study be done by an independent rate consultant.
- 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 it would not meet the City Charter requirement.

**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, because the City Charter requires that the study be done by an independent rate consultant.
- C. Are there legal mandates requiring the use of contractual services?  
Yes. This service became necessary after the approval of San Francisco Charter Section 8B.125 in 2002.
- 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 01/27/2016, the Department notified the following employee organizations of this PSC/RFP request:  
Municipal Executive Association**

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

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

Address: 525 Golden Gate Ave., 8th FL San Francisco, CA 94102

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 47343 - 15/16

DHR Analysis/Recommendation:

action date: 03/07/2016

Commission Approval Required

Approved by Civil Service Commission

03/07/2016 DHR Approved for 03/07/2016

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: Federal Legislative Representation and Advocacy Services

Funding Source: SFPUC External Affairs Operating Budget PSC Duration: 5 years

PSC Amount: \$2,000,000

**1. Description of Work**

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

Contractor shall develop and implement a comprehensive federal lobbying strategy for the San Francisco Public Utilities Commission (SFPUC) on legislative and regulatory issues related to water, wastewater, power, infrastructure and other issues as directed. Scope includes identifying and advocating for or against legislative and regulatory items of interest; drafting legislative language, comment letters and other materials; and representing the SFPUC before the United States Congress, Federal Administration, regulatory agencies, industry associations and other entities as needed.

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

A lobbyist is best positioned to perform legislative representation and advocacy services before the U.S. Congress and Federal Administration in areas of interest to SFPUC. Without these services, the SFPUC is at risk of costly operational impacts to its water, wastewater and power enterprises resulting from legislative and administrative actions. SFPUC is also at risk of losing out on critical funding opportunities to support its operations and infrastructure.

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.

SFPUC has contracted for these services in the past, most recently through PRO.0061.

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.

This PSC is five years exactly, to allow for continuity in the SFPUC's representation at the federal level.

**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).

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

B. Explain the qualifying circumstances:

The service is required intermittently; most lobbyists represent multiple clients and thus the position could not be fulfilled by a fulltime City employee. Additionally, the City does not currently have this capacity, nor do we have employees or resources based in Washington, DC.

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

A. Specify required skills and/or expertise: Seven (7) years of lobbyist experience specializing in the areas of water, wastewater, power and infrastructure; expert knowledge of relevant legislation and initiatives that directly or indirectly affect the SFPUC; and established relationships with members of the U.S. Congress, the Federal Administration and appropriate government agencies.

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: No, the SFPUC will not own or possess the office in DC used by this contractor.

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

The level of legislative representation needed in Washington, DC for this work do not currently exist within the City. These services would require dedicated staff to be based in the federal capitol in order to attend meetings with federal public officials and administrators, and testify at hearings on behalf of the Department.

**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 may be relevant to portions of the work, but there is no one particular class or group of classes that encompasses the specific qualifications and expertise required for these services, and the work must be performed in Washington, DC on a daily basis. Civil service staff in house will be working closely with this contractor, i.e. in analyzing, tracking, and providing strategy around legislation.

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. Adopting a new civil service class would not address the advantages of hiring a specialist who has the resources and level of contact with Congressional and Administrative staff required to effectively advocate on behalf of the Department. These services are best performed by a lobbyist located in Washington, DC. Building internal capacity for a permanent lobbying presence based in Washington, DC would not be practical, cost-effective or in the best interest of the SFPUC at this time.

**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.

No. No, because these services are best performed by a lobbyist located in Washington, DC.

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 11/18/2021, 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: Shawndrea Hale Phone: (415) 551-4540 Email: shale@sfgwater.org

Address: 525 Golden Gate Ave 8th FL San Francisco, CA 94102

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 48330 - 21/22

DHR Analysis/Recommendation:  
Commission Approval Required  
DHR Approved for 02/07/2022

Civil Service Commission Action:

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



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: Monitoring system for San Joaquin Pipeline # 3

Funding Source: 24970-298646-10000-10029984+0004-527610  
PSC Amount: \$200,000

PSC Duration: 3 years 21 weeks

**1. Description of Work**

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

This AFO system is a full-time monitoring system that detects, records, and locates acoustic events associated with the breaking of pre-stressing wires found in the Pre-stressed Concrete Cylinder Pipe (PCCP) that makes up the San Joaquin Pipeline #3. This system allows Hetch Hetchy to monitor potential failures and respond to repairs quickly.

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

This is necessary, to allow CCSF to repair pipeline failures at the point of failure by detecting failures immediately. Denial of this would result in potential catastrophic failure, replacement of possibly miles of pipeline, costing the City millions of dollars in repair and possible interruption of water delivery to the City.

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, this has been used for the past 10+ years. The most recent agreement governing it's maintenance covered the term October 4, 2015 to October 4, 2020. This was done through a City Contract Blanket Authorization # BPUH16000064.

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.

N/A

**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.

B. Explain the qualifying circumstances:

The service provided by this pipeline monitoring system is immediately needed to prevent potential catastrophic failure of San Joaquin Pipeline #3. This will allow the City to repair any damage at a small scale, before a larger, more impactful damage may occur.

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

A. Specify required skills and/or expertise: This is proprietary equipment that monitors the pipeline.

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, this entire pipeline monitoring system is not currently possessed by the City. It is proprietary equipment used specifically for pipeline failure monitoring.

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

**City?**

No service is available within the City resources.

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

A. Explain why civil service classes are not applicable.

Civil Service does not have this product or do this type of monitoring.

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 specific monitoring equipment and is not needed anywhere else in the city 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.

No. Civil Service does not have this product or do this type of monitoring.

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 12/10/2021, 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: Shawndrea Hale Phone: (415) 551-4540 Email: shale@sfgwater.org

Address: 525 Golden Gate Ave 8th FL San Francisco, CA 94102

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 48868 - 21/22

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 02/07/2022

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

**From:** [dhr-psccoordinator@sfgov.org](mailto:dhr-psccoordinator@sfgov.org) on behalf of [shale@sfwater.org](mailto:shale@sfwater.org)  
**To:** [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.](mailto:Hale,Shawndrea.M.;snaranjo@cirseiu.org;mdennis@twusf.org;rmarenco@twusf.org;pwilson@twusf.org;cmoyer@nccrc.org;noah.frigault@sfgov.org;sfdpoa@icloud.com;Mjayne@iam1414.org;Emanuel.Rachel(DEM);laborers261@gmail.com;Laxamana_Junko(BOS);jennifer.esteen@seiu1021.org;emathurin@cirseiu.org;abush@cirseiu.org;sbabaria@cirseiu.org;anthony@dc16.us;mlobre@sfpoa.org;tracym@sfpoa.org;mleach@ibt856.org;rooferslocal40@gmail.com;sal@local16.org;Criss@sfmea.com;Julie.Meyers@sfgov.org;seichenberger@local39.org;Camaguey@sfmea.com;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;Basconillo_Kathy;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@opcmllocal300.org;ramonliuna261@gmail.com;ablood@cirseiu.org;pkarinen@nccrc.org;tony@dc16.us;stevek@bac3-ca.org;xiumin.li@seiu1021.org;Sin.Yee.Poon@sfgov.org;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;bart@dc16.us;david.canham@seiu1021.org;jtanner940@aol.com;oashworth@ibew6.org;L21PSCReview@ifpte21.org;laborers261@gmail.com;local200twu@sbcglobal.net;speedy4864@aol.com;Christina@sfmea.com;ecdemvoter@aol.com;thomas.vitale@seiu1021.org;Hale,Shawndrea.M.;dhr-psccoordinator@sfgov.org</a><br/><b>Subject:</b> Receipt of Notice for new PCS over $100K PSC # 48868 - 21/22<br/><b>Date:</b> Friday, December 10, 2021 8:57:31 AM</p><hr/></div><div data-bbox=)

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RECEIPT for Union Notification for PSC 48868 - 21/22 more than \$100k

The PUBLIC UTILITIES COMMISSION -- PUC has submitted a request for a Personal Services Contract (PSC) 48868 - 21/22 for \$200,000 for Initial Request services for the period 03/01/2022 – 08/01/2025. 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/17615> 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: SFPUC Right of Way Services

Funding Source: Capital Programs; Water Enterprise; Wastew PSC Duration: 4 years

PSC Amount: \$3,000,000

**1. Description of Work**

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

The proposed work would include ROW acquisition services for the projects and programs of the Infrastructure Division, such as the Sewer System Improvement Program and other SFPUC projects that require ROW activities. A full range of ROW work is required, including planning and budgeting, pre-CEQA activities such as obtaining Permits to Enter, ROW estimates, and appraisals; and post-CEQA activities such as acquisitions, relocation services, clerical support services, project tracking, and other, as-needed work.

Acquisition work includes, but is not limited to, acquisition of fee and easements, as well as leases, permits, and licenses. Additional work to be performed as needed includes ROW encroachment clearance, condemnation services, land surveying services, property rights research and title services, and support of public meetings and presentations.

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

The services to be provided through the contract are necessary for several large current and upcoming Infrastructure projects, as well as for SFPUC Real Estate Services and the Water, Power, and Wastewater Enterprises. The City and the SFPUC do not have the staff necessary to provide these services in-house in the time or manner necessary to deliver the SFPUC projects. Denial would result in significant delays to critical SFPUC projects, risking contract delays and associated cost increases, as well as potential fines and other negative consequences associated with delays in meeting regulatory compliance metrics and goals.

**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.**

With the exception of the surveying, property research, and title services, the services provided through this contract were provided through contract CS-200. PSC #4126-10/11.

**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.  
Term is five years. The Infrastructure Division will always have various projects that will require Right of Way (ROW) acquisition, appraisal services, title searches, and survey work. The services provided under this contract are highly specialized and will be used to meet project needs when they exceed existing staff resources or skillsets. A modification will be requested for this PSC if the SFPUC wishes to extend the contract beyond the initial five 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).
- Circumstances where there is a demonstrable potential conflict of interest (e.g., independent appraisals, audits, inspections, third party reviews and evaluations).
- Cases where future funding is so uncertain that the establishment of new civil service positions, classes or programs is not feasible (including situations where there is grant funding).

- B. Explain the qualifying circumstances:

Services are used for short-term and capital projects requiring diverse skills, expertise, and/or knowledge. In this case, ROW acquisition services, title services, and appraisal services. Services are needed on an as-needed basis for capital projects and other infrastructure projects. Circumstances where there is a demonstrable potential conflict of interest. In this case independent appraisals. Cases where future funding is uncertain that the establishment of new positions/classes is not feasible. In this case, funding is project based.

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

- A. Specify required skills and/or expertise: ROW experience and expertise in preparing appraisal reports; acquisition of fee, temporary construction easements, permanent infrastructure and access easements; relocation assistance programs, ROW estimating, scheduling, and budgeting; knowledge of all federal and state regulations, including the Uniform Act; ability to work with title companies and to understand all manner of title issues and preliminary title reports; ability to provide surveying quality documents, including maps and legal descriptions; and all related aspects of ROW work.
- B. Which, if any, civil service class(es) normally perform(s) this work? 4143, Principal Real Property Ofc; 5216, Chief Surveyor;
- 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?**

N/A

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

A. Explain why civil service classes are not applicable.

The Real Property classifications primarily handle leasing and development transactions and do not have the experience and expertise necessary for ROW acquisition and relocation services. City does not have the in-depth staff or the resources necessary to handle ROW appraisals, property research and title services, and surveying work.

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 assignments and services are project specific with limited duration. It would not be practical to adopt a new civil services class, as the work is not guaranteed to be needed for a long term and funding is project based.

**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.  
No. No, because the assignments and services are project specific with limited duration.

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 11/23/2021, 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: Shawndrea Hale Phone: (415) 551-4540 Email: shale@sfgwater.org

Address: 525 Golden Gate Ave 8th FL San Francisco, CA 94102

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 49296 - 21/22

DHR Analysis/Recommendation:  
Commission Approval Required  
DHR Approved for 02/07/2022

Civil Service Commission Action:

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

**From:** [dhr-psccordinator@sfgov.org](mailto:dhr-psccordinator@sfgov.org) on behalf of [shale@sfgwater.org](mailto:shale@sfgwater.org)  
**To:** [Hale, Shawndrea M.](mailto:Hale,Shawndrea.M.); [Laxamana, Junko \(BOS\)](mailto:Laxamana,Junko); [WendyWong26@yahoo.com](mailto:WendyWong26@yahoo.com); [wendywong26@yahoo.com](mailto:wendywong26@yahoo.com); [tmathews@ifpte21.org](mailto:tmathews@ifpte21.org); [kschumacher@ifpte21.org](mailto:kschumacher@ifpte21.org); [pkim@ifpte21.org](mailto:pkim@ifpte21.org); [amakayan@ifpte21.org](mailto:amakayan@ifpte21.org); [L21PSCReview@ifpte21.org](mailto:L21PSCReview@ifpte21.org); [Hale, Shawndrea M.](mailto:Hale,Shawndrea.M.); [dhr-psccordinator@sfgov.org](mailto:dhr-psccordinator@sfgov.org)  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 49296 - 21/22  
**Date:** Tuesday, November 23, 2021 11:41:47 AM

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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 49296 - 21/22 more than \$100k

The PUBLIC UTILITIES COMMISSION -- PUC has submitted a request for a Personal Services Contract (PSC) 49296 - 21/22 for \$3,000,000 for Initial Request services for the period 04/01/2022 – 03/31/2026. 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/17572> 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)**

# June 20, 2011 Regular Meeting

AMENDED

## MINUTES

**Regular Meeting**

**June 20, 2011**

**2:00 p.m.**

**ROOM 400, CITY HALL**

**1 Dr. Carlton B. Goodlett Place**

CALL TO ORDER

2:07 p.m.

ROLL CALL

President E. Dennis Normandy	Not present (Notified absence)
Vice President Donald A. Casper	Present
Commissioner Morgan R. Gorrone	Not present (Notified absence)
Commissioner Mary Y. Jung	Present
Commissioner Lisa Seitz Gruwell	Present

Vice President Donald A. Casper presided.

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

Steve Zeltzer, retired City worker and a member of United Public Workers for Action expressed his objection of a personal services contract in the amount of \$100,000 approved by the Commission at the meeting of April 4, 2011, for the Municipal Transportation Agency to hire a public relations firm. He also stated that a labor representative should be on the Commission and that the meetings should be available on video.

**APPROVAL OF MINUTES**

Regular Meeting of June 6, 2011

**Action:** Adopt. (Vote of 3 to 0)

**HUMAN RESOURCES DIRECTOR'S REPORT (Item No. 5)**

No report.

**EXECUTIVE OFFICER'S REPORT (Item No. 6)**

The Executive Officer informed the Commission about AB 455 which is at its third reading on the Senate Floor and if approved by the full Senate, will be forwarded to the Governor for his signature. The proposed legislation will affect the process by which appointments are made to merit system boards and commissions. It provides that one half will be appointed by the governing body (in our case, the Board of Supervisors) and the other half, nominated by the recognized employee organization. Currently, Civil Service Commissioners are appointed by the Mayor to six-year terms.

The Commission directed the Executive Officer to communicate its concerns and coordinate with City agencies in conveying its opposition to AB 455.

**0154-11-8**      **Review of request for approval of proposed personal services contract.**  
 (Item No. 7)

PSC#	Department	Amount	Type of Service	Type of Approval	Duration
Page 247					



4115-10/11	Public Works	\$2,500,000	<p>The Forensic Services Division (FSD) of the SF Police Department and the Office of Chief Medical Examiner (OCME) require specialized facilities that meet requirements of accreditation agencies for autopsy complexes and forensic science laboratories and that can ensure the chain-of-custody for evidence</p> <p>expectation of the courts of law. The original PSC #4065-07/08 was approved on 12/03/2007 for \$450,000, and modified on 10/20/2008 for \$950,000. In this regard, a consultant has been under contract and has thus far provided specialized architectural, engineering, and related professional services for programming the facilities and the development of essential design criteria. The services proposed within this PSC will enable the further development of both specialized facilities through the Schematic Design Phase and the work products of this effort will assist City staff in preparing for the Bond Measure scheduled for the November 2013 Ballot.</p>	Regular	12/31/17
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June 6, 2011: Postpone to the meeting of June 20, 2011 with the presence of a DPW representative.

**Speakers:** Jim Buker, Department of Public Works

**Action:** Adopt the report; Approve request for proposed personal service contract. Notify the Office of the Controller and the Office of Contract Administration. (Vote of 3 to 0)

0166-11-8 **Review of request for approval of proposed personal services contract.**  
(Item No. 8)

PSC#	Department	Amount	Type of Service	Type of Approval	Duration
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4116-10/11	General Services Agency	\$300,000	<p>Replacement of only the audio portion of a highly integrated audio/video/remote control system. San Francisco City Hall uses a complex audio-visual system to provide sound and video services to the City Hall hearing rooms, SFG-TV broadcast facilities, in-house TV systems and Civic events held throughout the building. The AV system was custom designed in 1997 and installation completed in 1998. Many of the components are obsolete and no longer supported by the manufacturer. At this time only the audio portion of a highly integrated system is to be replaced. All new equipment must be compatible with and fully operational with unchanged components.</p>	Regular	12/31/11
4117-10/11	Municipal Transportation Agency	\$53,000,000	<p>The SMTA in cooperation with the Risk Management Division of the Office of the City Administrator seeks broker(s) to establish an Owner Controlled Insurance Program (OCIP) for the Third Street Light Rail Transit Project, Phase 2 - Central Subway Project. The broker(s) will market and place insurance coverages for worker's compensations, general liability, excess liability and builder's risk. The broker(s) will administer the OCIP for 5 Central Subway Project construction contracts - Tunneling, Moscone Station, Union Square/Market Street Station, Chinatown Station, and Surface Station/ Systems with a total construction cost of \$700 million. In addition, the broker(s) will provide services for risk control, claims management, loss control and safety, and risk management information system. The approximate cost for premium and administrative services during the contract period of 8 years is \$53 million.</p>	Regular	05/31/19
4118-10/11	Port Commission	\$596,000	<p>Develop a Waterborne All-Hazard Response Plan for the San Francisco Bay Region. Identify gaps in response responsibilities, authorities, coordination structures, location and ownership of assets. This plan will address gaps by identifying pertinent waterborne and land-based assets; clarifying responsibilities, authorities and coordination structures by disaster type and geographic location. The completed work product will be classified as Security Sensitive.</p>	Regular	03/31/12
4119-10/11	Port Commission	\$662,357	<p>The scope of services under this PSC includes preparation and implementation of BORP plans for Port's critical and essential facilities. The consulting engineers will assess the Port's critical facilities and prepare BORP plans; including facility-specific post-earthquake inspection plans. The Port will seek assistance from the Structural Engineers Association of Northern California (SEAONC) BORP Subcommittee under the guidance of San Francisco Department of Building Inspection (DBI) to assist in review and acceptance of these written BORP inspection plans. The BORP Subcommittee is comprised of qualified volunteer engineers. This BORP Program requires consulting engineering to be available to provide post disaster inspection services.</p>	Regular	03/31/16

4120-10/11	Public Health	\$1,550,000	<p>Provision of intermittent, as needed, temporary, on-call professional, licensed Physical, Occupational and</p> <p>Speech Therapists and Occupational Therapy Assistants, 7 days a week, 8:00 AM to 4:30 PM. Therapists will be available on a 24 hour basis to provide back-up coverage to Civil Service staff positions during scheduled and unscheduled staff absences.</p>	Regular	06/30/16
4121-10/11	Public Health	\$890,000	<p>As needed, temporary, supplemental transcription and credential verification registry personnel services for</p> <p>the Medical Staff Services Department of San Francisco General Hospital (SFGH). This service provides temporary staff during unanticipated peaks in demand and whenever full time staff is unavailable to attend standing meetings of eleven (11) SFGH medical committees. Temporary staff track medical staff attendance, prepare agenda and provide transcriptions of the meeting minutes. Temporary staff also verifies provider licenses, certificates and board certifications of physicians, dentists, nurse practitioners, nurse anesthetists and midwives on an as needed basis.</p>	Regular	12/31/16
4122-10/11	Public Health	\$1,260,000	<p>The contractor will provide expert consultation and project management implementation assistance to the</p> <p>Department for the eClinical Works Ambulatory Electronic Medical Record (EMR) in Primary Care and Specialty Clinics. The contractor is a Certified eClinical Works implementation specialist and will address specific areas of the implementation including system design, build and integration as well as project management functions to coordinate the efforts of multiple project work teams. This engagement will be limited to the time request to implement the system at Departmental clinical sites over a 42 month period subject to project funding.</p>	Regular	12/31/14
4123-10/11	Elections	\$95,000	<p>The consultant will provide the Redistricting Task Force with technical assistance in redrawing San</p> <p>Francisco's supervisorial districts. Services include, but are not limited to, data gathering, database</p> <p>construction, data analysis, mapping, public education on redistricting, and consulting during the Task Force's public meetings. To provide these services, the consultant must have professional knowledge of and experience in cartography, demography, statistical analysis, and federal and state redistricting law.</p>	Regular	04/15/12
4124-10/11	Public Utilities Commission	\$96,000	<p>Contractor shall implement the following: (1) transport San Mateo thorn mint seeds from California Dept of Fish and Game (CDFG) and US Fish and Wildlife Service (USFWS)-approved nursery; (2) plant seeds at sites designated by SFPUC Natural Resources; and (3) monitor and document the survivorship and reproductive fitness of the plants at each site. Contractor must have specialized experience working with individuals of this species; Contractor must carry a 2081(a) permit from CDFG authorizing the contractor to possess/handle San Mateo thorn mint individuals.</p>	Regular	07/01/17

4125-10/11	Public Utilities Commission	\$2,300,000	The Upper Alameda Creek Filter Gallery Project (UACFG) project would design and construct a water collection facility beneath the streambed of Alameda Creek near its confluence with San Antonio Creek. The primary purpose of the UACFG project is to capture water from below Alameda Creek for diversion into the SFPUC regional water system.	Regular	06/01/16
4126-10/11	Public Utilities Commission	\$3,500,000	A full range of Right of Way work is required. This includes Planning and Budgets, Pre-CEQA activities such as obtaining Permits to Enter, Right of Way Estimates, Appraisals, POST-CEQA Acquisitions, Relocation Services, clerical support services, project tracking, and as-needed work. Property Management and Lease Negotiations services shall be limited to non Sewer System Improvement Program projects.	Regular	08/31/16
4080-08/09	Port Commission	Increase Amount \$0 New Amount \$400,000	This work is Phase 3 of a three phase project which was authorized under PSC #4080-08/09 and awarded to Coast and Harbor Engineering, Inc. This work requires that the Engineer of Record (EOR) participate in the preconstruction meeting for the commencement of project construction and be available throughout construction to review and approve shop drawings, respond to contractor's request for interpretation (RFI) of plans and specifications, review change order requests, final walk-through for punch list, etc. This work is necessary to complete the construction phase of the project work involving shoreline protection work in preparation for the development of MissionBayPark. Due to difficulties securing the project permit, an additional 18 months is required to finish the project.	Modification	06/30/12
4015-06/07	Public Utilities Commission	Increase Amount \$1,000,000 New Amount \$8,500,000	In order to manage mosquito populations associated with all of San Francisco's 23,000 catch-basins and to limit the spread of West Nile Virus and other mosquito-borne diseases, services includes monthly or bimonthly inspections depending on conditions, pesticide applications as needed using only pesticide products listed on the latest SF Reduced Risk Pesticide list, and tracking of all monitoring and treatment activities.	Modification	12/31/11
4059-08/09	Public Utilities Commission	Increase Amount \$3,000,000 New Amount \$6,000,000	Work consists of system-wide removal, replacement, testing and disposal of carbon and/or potassium permanganate odor control unite media throughout the City and County of San Francisco Public Utilities Commission Wastewater Enterprise.	Modification	12/01/14

4147-08/09	Public Health	<p>Increase Amount</p> <p>\$325,400</p> <p>New Amount</p> <p>\$650,800</p>	<p>DPH needs specialized review and further development of its protocols and tools for surveillance and investigation of urgent cases and outbreaks of</p> <p>disease, including data forms and the Integrated Case and Outbreak Management system. (ICOMS) This will include review of existing protocols and tools developed for both normal operations and for the Departments Infectious Disease Emergency Response Plan. (IDER)This requires a special technical writer and documentation specialist to create documentation to support disease control and immunization record keeping systems (ICOMS and ICMS). Consulting organizations will create functional descriptions,</p> <p>detailed specifications, and guides for configuring, administering, and troubleshooting record systems, will purchase, package and inventory Point of</p> <p>Dispension (POD) equipment and supplies for all POD trailers, will create multilingual signs for use in POD sites , will develop traffic routes and cubic</p> <p>footage requirements for antibiotic distribution between the storage and POD sites, and regionally agreed upon mass prophylaxis training modules, a</p> <p>website, and internet screening process to provide anti biotic prophylaxis.</p>	Modi- fication	08/09/13
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**Rohan Lane**

, General Services Agency spoke on PSC #4116-10/11.

**Speakers:**

Norma Nelson and Andres Acevedo, Port Commission spoke on PSC #4118-10/11 and 4119-10/11.

Jacque Hale, Department of Public Health spoke on PSC #4121-10/11.

Pauson Yun and Jessica Appel (Shors) spoke on PSC #4124-10/11.

Pauson Yun and Chris Geiger, Ph.D. spoke on PSC #4015-06/07.

**Action:**

Adopt the report; Approve request for proposed personal service contracts. Notify the Office of the Controller and the Office of Contract Administration. (Vote of 3 to 0)

**Review of request for approval of proposed personal services contract.  
(Item No. 9)**

0167-11-8

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: GENERAL SERVICES AGENCY - TECHNOLOGY -- TIS

Dept. Code: TIS

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

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

Type of Service: ServiceNow Professional Services

Funding Source: General Fund

PSC Amount: \$2,500,000

PSC Est. Start Date: 05/01/2022

PSC Est. End Date 04/30/2031

**1. Description of Work**

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

1. To provide professional services to implement and configure modules and processes within the City ServiceNow platform.

2. Attain a high level of user adoption

Prospective vendors shall provide project plan that would describe how they will guide Project execution. This should include clear outline of the project methodology and approach that will be used along with listing of all the assumptions the vendor makes in preparing the plan/proposal. Furthermore, to gain the full understanding of the overall scope of the project, if selected, prospective vendors are required to:

1. Develop Technical Requirements - Conduct/facilitate a Process Workshop to confirm business and technical requirements by analyzing the CCSF business processes and documenting functional requirements. This shall include business analysis and requirements definition, data migration analysis and planning, interface analysis and planning, functional design considerations, as well as training framework/training plan followed by defining the design approach for the functional requirements

2. Design and Develop Solution - Provide detailed designs, configuration of any identified gaps that were agreed to proceed, followed by building and configuring the solution. The proposed design must also be able to scale to meet CCSF's future needs in any of ServiceNow™ categories,

3. Conduct Unit, System and User Acceptance Testing - Provide test plan with use cases tracing back to business/functional requirements for testing, incorporating changes as required.

4. Training – Participate in knowledge transfer sessions and provide inputs into training plan.

5. Solution Implementation/Deployment – Perform dry-run activities, provide detailed deployment plan, preparing users to go live and going live with the solution.

6. Post Implementation Support – Monitoring system/application(s) performance and performing necessary action(s) to mitigate any observed, reported issues (showstoppers items) post deployment (deployment of emergency fixes).

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

The City does not have employees with technical expertise to configure and implement the catalog of modules offered by ServiceNow. City staff is expected to assume the low level configuration and maintenance, however, only ServiceNow engineers have access source codes to configure the software. Numerous City departments including the Airport, Public Utilities Commission and the Department of Health have invested in various ServiceNow platforms to fulfill their business needs and if this request is denied it could severely impact their ability to perform their responsibilities to serve the public.

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 service was provided by the City's Technology Marketplace reseller who responded to individual solicitations offered by the individual departments.

D. Will the contract(s) be renewed?

Yes, the City expects to renew agreement.

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 City does not have employees with technical expertise or knowledge to configure and implement the specific ServiceNow modules that City departments may want to deploy for their organization. While the City will receive knowledge transfer to conduct ongoing maintenance, it does not have technical expertise nor the software source codes to configure the catalog of modules from ServiceNow that City departments could implement.

## 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:

The City needs configuration services for the ServiceNow software since City employees do not have access to the source codes to configure the software.

## 3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise: The supplier is expected to demonstrate each of the following pre-requisites:

1. Proven expertise and relevant experience in the following areas:
  - a. Proven/verifiable experience successfully implementing a minimum of four (4) ServiceNow™ Applications Professional Package (or Enterprise Package) within the last three (3) years
  - i. Two (2) customer references preferably in the public sector within the last three (3) years
  - b. Proven experience implementing ServiceNow™ Applications for a State/Local Government (Public Sector) is a plus
  - i. State/Local Government utilizing Oracle PeopleSoft systems a plus
  - c. Demonstrate capability to:
    - i. Deliver quality solutions to CCSF that are well designed and coordinated from conception through live production use
    - ii. Perform effective periodic and ongoing knowledge transfer (joint development session with CCSF/DT project/technical staff) and training for; and change management and communications with the relevant constituents and users during the project and service periods as well as at the end of the contract
    - iii. Provide effective project management from design through development, testing, deployment, and project completion for all Implementation based work.
2. Proven experience implementing ServiceNow™ modules
3. Data migration from 3rd parties' core and/or CCSF internally developed systems to ServiceNow™ platforms
4. Staffing plan with Project team composition and related experience – An organizational chart depicting project team - details to include:
  - a) Project team member names and individual's role and responsibilities on the project
  - i. A minimum of two references for each named Key Project Personnel
  - b) Project team members experience level implementing ServiceNow - highlighting any specific examples or custom roles the individual will have on this project
  - i. Listings of completed projects that are comparable to this Project or required skills based on the person's assigned role/responsibility on this Project. Each project listed should include at a minimum the beginning and ending dates, client/company name for which the work was performed, client contact information for sponsoring Directors, Managers or equivalent position (name, phone number, email address, company name, etc.), project title, project description, and a detailed description of the person's role/responsibility on the project.
  - c) All application, security, and industry certifications which detail the project team's ability to execute on

our objectives d) Provide any service level agreements or expectation setting documents required for completion of this implementation e) A contingency plan that shows the ability to add more staff if needed to ensure meeting the project schedule/needs f) Statement indicating to what extent, if any, the Contractor Project Manager, or other Key Project Personnel may work on other projects or assignments unrelated to the CCSF Project during the term of the Contract/Service

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

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 has built capacity for in house staff to complete low-level configuration services and ongoing maintenance, but City employees do not have access to the manufacturer's source code to configure the modules to fit the City's business needs.

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

A. Explain why civil service classes are not applicable.

The City has built capacity for in house staff to complete low-level configuration services and ongoing maintenance, but City employees do not have access to the manufacturer's source code to configure the modules to fit the City's business needs.

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 classes exist but City employees do not have access to the source codes of the software to configure the software.

**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 vendor is expected to conduct no less than 40 hours of knowledge transfer sessions and provide inputs into training plan for each module configured and implemented for a City Department.

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 12/09/2021, the Department notified the following employee organizations of this PSC/RFP request:

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: Jolie Gines Phone: 628 652 5074 Email: jolie.gines@sfgov.org

Address: One South Van Ness Ave., 2nd Floor San Francisco, CA 94103



\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 45627 - 21/22

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 02/07/2022

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

**From:** [dhr-psccordinator@sfgov.org](mailto:dhr-psccordinator@sfgov.org) on behalf of [jolie.gines@sfgov.org](mailto:jolie.gines@sfgov.org)  
**To:** [Gines, Jolie \(TIS\)](mailto:Gines, Jolie (TIS)); [Laxamana, Junko \(BOS\)](mailto:Laxamana, Junko (BOS)); [WendyWong26@yahoo.com](mailto:WendyWong26@yahoo.com); [wendywong26@yahoo.com](mailto:wendywong26@yahoo.com); [tmathews@ifpte21.org](mailto:tmathews@ifpte21.org); [kschumacher@ifpte21.org](mailto:kschumacher@ifpte21.org); [pkim@ifpte21.org](mailto:pkim@ifpte21.org); [L21PSCReview@ifpte21.org](mailto:L21PSCReview@ifpte21.org); [Gines, Jolie \(TIS\)](mailto:Gines, Jolie (TIS)); [DHR-PSCCoordinator, DHR \(HRD\)](mailto:DHR-PSCCoordinator, DHR (HRD))  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 45627 - 21/22  
**Date:** Thursday, December 9, 2021 5:10:25 PM

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RECEIPT for Union Notification for PSC 45627 - 21/22 more than \$100k

The GENERAL SERVICES AGENCY - TECHNOLOGY -- TIS has submitted a request for a Personal Services Contract (PSC) 45627 - 21/22 for \$2,500,000 for Initial Request services for the period 05/01/2022 – 04/30/2031. 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/17665> 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: 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: Train control system long-term maintenance and support

Funding Source: Funds: Federal/General/Local/Operating

PSC Amount: \$100,000,000

PSC Est. Start Date: 05/04/2023

PSC Est. End Date: 05/04/2035

**1. Description of Work**

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

The Train Control Upgrade Project (TCUP) is a ten-year capital program that will procure a new Communications Based Train Control (CBTC) system to replace the aging train control signal system currently installed in the Market Street Subway and expand CBTC to the surface. It will provide operations and service planning staff with the tools necessary to deliver reliable, speedy, high-frequency rail transit to, from, and within downtown San Francisco. When installed, the new CBTC system will cover the entire Muni Metro railway. This system will require long-term support from the supplier in order to meet SFMTA's requirements and ensure safety, reliability, availability, and maintainability at all times.

This contract will formalize an agreement to provide technical services, new and refurbished parts, and support for the new CBTC system following its procurement. The services must be provided by the CBTC system supplier, as only the original supplier has detailed knowledge of their own proprietary system, including access to proprietary design documents and software code. The scope of this proposed services contract will include technical support, refurbishment of defective/worn/damaged parts, software updates, obsolescence management, and spare part management. The contract will be performance-based with predefined metrics and service levels that the contractor must meet to receive full payment and may also contain provisions for additional incentives for exceeding these performance requirements.

City employees currently maintain the existing train control system. The SFMTA has a support agreement with our current supplier which covers roughly the same scope of work as will be in the new contract. This contract will continue the status quo where city employees maintain the train control system but are able to use the provisions of this contract to obtain parts and technical support they need from the manufacturer.

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

The primary requirements of this support services contract (technical support, software updates, parts refurbishment, obsolescence management, and spare parts) are necessary to keep the future CBTC system in a state of good repair. Most on-site equipment maintenance will be performed by SFMTA maintenance staff, as they do today. However, given the proprietary elements of the system, the supplier must be contracted long-term to provide technical support when needed. Additionally, defective parts that cannot be repaired on-site by SFMTA staff must be sent to the supplier, in exchange for new or refurbished parts. Even though the new CBTC system will use state of the art equipment, many components will become obsolete over the course of the system's useful life. A long-term support contract will obligate the supplier to manage obsolescence and work with SFMTA to provide timely updates to system components and software, while maintaining system performance. This approach to providing support services, which is typical in the software industry, will allow SFMTA to rely on the supplier for parts availability. Denying this service would result in SFMTA not having long-term supplier support for its new CBTC system. SFMTA would be responsible for all levels of maintenance, obsolescence management, and spare part availability. Because of the proprietary nature of CBTC systems, SFMTA will not have the full technical

ability to adequately fulfill these needs, which could result in costly breakdowns or extended loss of functionality of this 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.

The existing train control system was originally procured from a third-party train control vendor, Thales, through Personal Service Contract Approval # 46973-18/19. City employees maintain the train control system but have an ongoing need for software updates, technical support, and parts. Thales continues to provide support through as-needed contracts and are also the sole source for spare equipment. Currently, support, software updates, and parts are obtained on an "a la carte" basis, meaning they are ordered and priced when they are needed. This approach results in more service disruptions than are necessary because in part we wait until we experience system failures before obtaining support, and in part because the transactional friction of ordering parts and services through purchase orders delays when these parts and services can be brought to bear on the problem. As a result, train control-related delays are one of the top two causes of subway delays. Averaged out, SFMTA is currently spending up to \$5M annually on the signaling system to keep it operational and to implement changes and upgrades. These costs are likely to rise as hardware deteriorates further, requiring increasing amounts of money to maintain daily operations. This new performance-based approach will reduce delays by enabling proactive management of the system so that failures are less likely to occur, rather than waiting for them to happen, as well as reducing the difficulty in obtaining support and parts when they do happen.

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

Yes, the initial scope of the contract is 10 years, with two options to renew for 5 years each. Depending on the state of the CBTC system, the contract may be renewed beyond that 20 years, or a new contracting process may be initiated.

- 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 SFMTA is in the process of drafting and issuing one RFP to select a Communications-Based Train Control (CBTC) Supplier, and the SFMTA intends to award two contracts to the Supplier at the same time, one contract for system design and procurement, and another contract for the long-term maintenance and support of the system. The SFMTA will enter into both of these agreements in 2023. However, the services under the support agreement will not start until after the warranty period has ended. This support contract is for at least 10 years, with two options to renew for 5 years each, starting after the end of warranty period. The start date is yet to be determined, because it depends on negotiations as to when the warranty period ends. The estimated end date will be 20 years from the start date, which is 05/04/2043.

## 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:

As stated previously, the train control system supplier is best positioned to provide long-term technical support for the one-time CBTC system procurement. The supplier has extensive proprietary knowledge of their own system for technical support purposes and the manufacturing capability to refurbish failed components that cannot be repaired on-site by SFMTA staff.

## 3. Description of Required Skills/Expertise

- A. Specify required skills and/or expertise: The SFMTA will require expertise in technical support for the specific train control system, software development skills, as well as experience managing obsolescence and spare part availability. The train control system supplier will have successfully provided these services to agencies of similar size and complexity as SFMTA and adequately supported their CBTC systems after delivery. Train control systems are proprietary technology and require special knowledge of the system, which is known only to the train control system supplier.

- 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 provide modern Communications Based Train Control (CBTC) spare parts, diagnostic equipment and software that the City does not currently possess. The spare parts are specially manufactured and only available through third-party train control vendors.

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

None. The City does not have the capacity or an existing civil service classification for the long-term technical support of proprietary train control systems.

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

- A. Explain why civil service classes are not applicable.  
 Providing long-term support for proprietary train control systems is a specialty service that the City does not have an applicable civil service class to provide. Long-term technical support for the existing proprietary train control system has been provided by the original system supplier, so the City has not had a need to establish classifications to perform this work.
- 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. Even if a new civil service class were to be established, only the suppliers of proprietary train control systems are able to effectively provide long-term technical support. In addition to that, SFMTA does not have access to that proprietary knowledge, and there is generally a lack of train control expertise in the United States; transit agencies must rely on international corporations to support this technology. Many transit agencies contract out all maintenance tasks for train control systems to their train control supplier. In contrast, SFMTA staff will continue to self-perform maintenance work in support of daily operations. First- and second-level maintenance of the existing train control system is performed by SFMTA engineers and maintenance staff under existing civil service classifications with technical support from the existing supplier. These same classifications will perform similar work needed on a future system. First-level maintenance is the immediate repair and/or replacement of a failed component during revenue service and second-level maintenance is the repair of failed components that have been swapped out and removed from service. The long-term technical support contract is needed to support third-level maintenance (offsite refurbishment of damaged/defective/failed parts) and to ensure the supplier is available for technical system expertise when necessary. In addition, the long-term support contract provides for regular software updates to keep the system in a state of good repair, to correct for bugs, and to add new features and capabilities. The train control system supplier employs software developers to work with their proprietary code in order to provide SFMTA with those updates.

**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. The train control system supplier will train SFMTA maintenance staff responsible for first- and second-level maintenance. This is because onsite maintenance of a proprietary train control system will require special instruction, techniques, or tools that only the train control supplier can provide. To facilitate this, the supplier will provide maintenance manuals and training materials describing the principles of operation of the system, explanations of errors and alarms, instructions for performing first- and second- level maintenance, detailed schematics and diagrams of system hardware, and any other information needed for system maintenance. The number of hours required for training SFMTA employees by the contractor has yet to be determined. Training details will be based on the specific design of the CBTC system, which has not yet occurred. However, the civil service classifications that typically perform train control maintenance work are listed below: 7430 – Assistant Electronic Maintenance Technician 7318 – Electronic Maintenance Technician 7329 – Electronic Maintenance Technician Assistant Supervisor 7287 – Supervising Electronic Maintenance Technician 7262 – Maintenance Planner

- 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 12/15/2021, 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: Amy NUQUE Phone: 415-646-2802 Email: amy.nuque@sfmta.com

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

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 41562 - 21/22

DHR Analysis/Recommendation:  
Commission Approval Required  
DHR Approved for 02/07/2022

Civil Service Commission Action:

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



## Nuque, Amy

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**From:** dhr-psccoordinator@sfgov.org on behalf of amy.nuque@sfmta.com  
**Sent:** Wednesday, December 15, 2021 2:16 PM  
**To:** Nuque, Amy; snaranjo@cirseiu.org; mdennis@twusf.org; roger marengo; Pete Wilson - Union 250A VP; cmoyer@nccrc.org; noah.frigault@sfgov.org; sfdpoa@icloud.com; Mjayne@iam1414.org; Emanuel, Rachel (DEM); laborers261@gmail.com; Laxamana, Junko (BOS); jennifer.esteen@seiu1021.org; emathurin@cirseiu.org; abush@cirseiu.org; sbabaria@cirseiu.org; anthony@dc16.us; mlobre@sfpoa.org; @sfpoa.org; tracym@sfpoa.org; mleach@ibt856.org; rooferslocal40@gmail.com; sal@local16.org; Criss@sfmea.com; Julie.Meyers@sfgov.org; seichenberger@local39.org; Camaguey@sfmea.com; 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@sffdlocal798.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; Sin.Yee.Poon@sfgov.org; 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; bart@dc16.us; david.canham@seiu1021.org; jtanner940@aol.com; Osha Ashworth; L21PSCReview@ifpte21.org; laborers261@gmail.com; local200twu; speedy4864@aol.com; Christina@sfmea.com; ecdemvoter@aol.com; thomas.vitale@seiu1021.org; Nuque, Amy; dhr-psccoordinator@sfgov.org  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 41562 - 21/22

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

RECEIPT for Union Notification for PSC 41562 - 21/22 more than \$100k

The MUNICIPAL TRANSPORTATION AGENCY -- MTA has submitted a request for a Personal Services Contract (PSC) 41562 - 21/22 for \$100,000,000 for Initial Request services for the period 05/04/2023 – 05/04/2035. 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/17707> 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)**

SAN FRANCISCO  
MUNICIPAL TRANSPORTATION AGENCY  
BOARD OF DIRECTORS

RESOLUTION No. 09-071

WHEREAS, The existing Advanced Train Control System (“ATCS”) is a proprietary system supplied to the SFMTA by Thales Transport & Security, Inc.; and

WHEREAS, The SFMTA seeks to secure the reliability of the ATCS for its design life by obtaining from Contractor maintenance support services, including remote support, notification and provision of Software Updates and Software Upgrades, bi-annual support visits, emergency on-site support, ATCS asset evaluations and training; and,

WHEREAS, The ATCS is a specialized system critical to the functioning and control of the City's public transit system and will require software maintenance support to realize its performance for its design life; and,

WHEREAS, Due to the proprietary nature of the ATCS, no vendor other than Contractor can supply the necessary maintenance services to the SFMTA, and this Agreement is necessarily therefore a sole source contract; and,

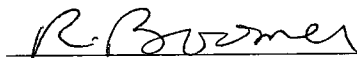
WHEREAS, Contractor desires to supply the SFMTA, and the SFMTA desires to purchase, maintenance services for the ATCS including remote support, emergency on-site support, bi-annual support visits, ATCS asset evaluations, training, and notification and provision of Software Updates and Upgrades for the ATCS; and,

WHEREAS, Pricing for both Included Support Services and Additional Support Services will be as stated in Appendix A to the Contract, the “Calculation of Charges for Included and Additional Maintenance Services” for the five year Term of the Agreement and subject to an annual 3% increase, exclusive of Taxes; and,

WHEREAS, Contract No. SFMTA 2008/09-23 is contingent upon approval by the Civil Service Commission; now, therefore, be it

RESOLVED, That the SFMTA Board of Directors authorizes the Executive Director/CEO to execute Contract No. SFMTA 2008/09-23, Advanced Train Control System Maintenance Support Services Agreement, with Thales Transport & Security, Inc., for an amount not to exceed \$5,000,000 and an initial term of five years with an option to extend the Contract for an additional five years.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of APR 30 2009.

  
\_\_\_\_\_  
Secretary to the Board of Directors  
San Francisco Municipal Transportation Agency

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: MUNICIPAL TRANSPORTATION AGENCY Dept. Code: MTA

Type of Request: [ ] Initial [x] Modification of an existing PSC (PSC # 46973 - 18/19)

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

Type of Service: As-Needed Specialized Engineering Services

Funding Source: Funds: Federal and Local

PSC Original Approved Amount: \$3,500,000 PSC Original Approved Duration: 07/01/19 - 06/30/26 (7 years 1 day)

PSC Mod#1 Amount: \$4,000,000 PSC Mod#1 Duration: no duration added

PSC Mod#2 Amount: PSC Mod#2 Duration:

PSC Cumulative Amount Proposed: \$7,500,000 PSC Cumulative Duration Proposed: 7 years 1 day

1. Description of Work

A. Scope of Work:

Thales shall provide SFMTA the Base Support Services described herein to secure the reliability of the Automatic Train Control System (ATCS) for its design life by obtaining from Contractor maintenance support services.

Base Support Services:

- \* Maintenance Services Management
\* On-Call Remote Support
\* Emergency On-Site Support
\* Remote Technical Support
\* Obsolescence Management Report
\* Software Updates and Hardware Upgrades

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

The ATCS is a specialized system critical to the functioning and control of the City's public transit system and will require software maintenance support to realize its performance for its design life. Due to the proprietary nature of the ATCS, no vendor other than Contractor can supply the necessary maintenance services to the San Francisco Municipal Transportation Agency (SFMTA), and this Agreement is necessarily, therefore, a sole source contract. In instances where independent review and inspection services are required, denial of the service will prevent project and service upkeep and operation.

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

Yes - SFMTA 2008/09-23

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

2. Union Notification: On 10/31/19, the Department notified the following employee organizations of this PSC/RFP request: Management & Superv Local 21; Architect & Engineers, Local 21;

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FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 46973 - 18/19

DHR Analysis/Recommendation:

12/02/2019

Commission Approval Required

Approved by Civil Service Commission

DHR Approved for 12/02/2019

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

A. Specify required skills and/or expertise:

Knowledge of proprietary train control system technology, software code, and hardware circuits, 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 in a rail environment, relevant regulatory requirements, complex performance simulation, tests, and commissioning experience.

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

5502,5504,5201,5203,5207,5241,1041,1042,1051,1052,

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:

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 electronic circuits.

B. Would it be practical 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 short-term ad-hoc projects, it is not practical to adopt a new civil service class to perform the highly specialized nature of the work defined by each project manager.

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

**YES NO**

- A. Will the contractor directly supervise City and County employee?  YES  NO
- B. Will the contractor train City and County employee?  
Please see attached - Modification 1 - Describe Training  YES  NO
- C. Are there legal mandates requiring the use of contractual services?  YES  NO
- D. Are there federal or state grant requirements regarding the use of contractual services? No  YES  NO
- E. Has a board or commission determined that contracting is the most effective way to provide this service? No  YES  NO
- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? Yes,Thales Trans. & Sec. West Portal Optimization for Crossover  YES  NO

THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE AND ACCURATE ON BEHALF OF THE DEPARTMENT HEAD ON 10/31/19 BY:

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

Address: 1 South Van Ness, HR, 6th Fl San Francisco, CA 94103

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: Drug Testing and Substance Abuse Professional Services

Funding Source: Operating Budget

PSC Duration: 5 years

PSC Amount: \$2,700,000

**1. Description of Work**

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

The contractor will provide comprehensive drug and alcohol testing services for taxicab drivers in compliance with the Department of Transportation (DOT) and non-DOT Drug and Alcohol Testing Regulations. The contractor will provide off-site facilities to collect urine and breath samples to conduct pre-employment, post-accident, reasonable suspicion and random testing for taxicab drivers in accordance with Federal and State regulations. California's Government Code section 53075.5 requires a drug and alcohol testing program for taxicab drivers to be substantially consistent with testing requirements of the Federal Code of Regulations, Title 49, Part 40 and Part 382. The contractor will also Substance Abuse Professional (SAP) services to any taxicab or SFMTA driver/operator following a positive test result.

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

The objective of the program is to ensure driver fitness for duty and to protect drivers, passengers, and the public from risks posed by the use of prohibited drugs and abuse of alcohol. Denial would result in non-compliance with state regulations.

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 been provided in past by a contractor during the past 5 years. This was previously approved under PSC 49011 - 13/14.

D. Will the contract(s) be renewed?

Yes, this is an ongoing service required by federal and state regulations.

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

- B. Explain the qualifying circumstances:  
SFMTA does not have the facilities or staff to perform these services.

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

- A. Specify required skills and/or expertise: The contractor must be a U.S. Department of Health and Human Services (DHHS) certified laboratory with a qualified Medical Review Officer (MRO) and referral Substance Abuse Professional (SAP). The contractor is required to comply with all applicable medical standards and federal, state, and local government safety codes, laws, and regulations related to drug and alcohol testing, for drivers. This includes the services of Substance Abuse Professionals and Medical Review Officers as determined by federal law.
- B. Which, if any, civil service class(es) normally perform(s) this work? 2220, Physician; 2230, Physician Specialist; 2416, Laboratory Technician II; 9177, Manager III, MTA;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes. The contractor will provide DHHS-certified laboratory facilities and/or equipment for the collection and testing of specimens and collection sites must comply with all requirements specified in 49 CFR Part 40, subparts D and K.

**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 classes are not applicable because the knowledge and experience required for this type of work requires knowledge, experience and training specified by 49 CFR Part 40, Subpart D and K, L.
- 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. There are legal mandates 49 CFR Part 40, requiring the contractor to meet specific standards and adhere to specific procedures.

**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. Services may include Supervisor Post-Accident/Reasonable Suspicion Training, upon request.
- 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 11/15/2021, the Department notified the following employee organizations of this PSC/RFP request:

Municipal Executive Association; Physicians and Dentists - 11AA; Physicians and Dentists - 8CC; Prof & Tech Eng, 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: Amy NUQUE Phone: 415-646-2802 Email: amy.nuque@sfmta.com

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

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 42966 - 21/22

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 02/07/2022



PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: MUNICIPAL TRANSPORTATION AGENCY Dept. Code: MTA

Type of Request: [ ] Initial [x] Modification of an existing PSC (PSC # 49011 - 13/14)

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

Type of Service: Drug and Alcohol Testing for Taxi Drivers

Funding Source: Operating Budget

PSC Original Approved Amount: \$2,700,000 PSC Original Approved Duration: 03/01/14 - 02/28/17 (3 years)

PSC Mod#1 Amount: \$1,800,000 PSC Mod#1 Duration: 03/01/17-05/31/20 (3 years 13 weeks)

PSC Mod#2 Amount: PSC Mod#2 Duration:

PSC Cumulative Amount Proposed: \$4,500,000 PSC Cumulative Duration Proposed: 6 years 13 weeks

1. Description of Work

A. Scope of Work:

The contractor will provide comprehensive drug and alcohol testing services for taxicab drivers in compliance with the Department of Transportation (DOT) and non-DOT Drug and Alcohol Testing Regulations. The contractor will provide an off-site facility to collect urine and breath samples to conduct pre-employment, post-accident, reasonable suspicion, and random testing for taxicab drivers in accordance with Federal and State regulations. California's Government Code section 53075.5 requires a drug and alcohol testing program for taxicab drivers to be substantially consistent with testing requirements of the Federal Code of Regulations, Title 49, Part 40 and Part 382.

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

The objective of the program is to ensure driver fitness for duty and to protect taxicab drivers, passengers and the public from risks posed by the use of prohibited drugs and abuse of alcohol. Denial would result in non-compliance with State regulations for taxi operations.

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. No.

D. Will the contract(s) be renewed? Yes. The SFMTA will evaluate whether to exercise three addi

2. Union Notification: On 04/21/15, the Department notified the following employee organizations of this PSC/RFP request: SEIU Local 1021; SEIU 1021 Miscellaneous; Professional & Tech Engrs, Local 21; Physicians and Dentists - 8CC; Phy

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FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 49011 - 13/14

DHR Analysis/Recommendation:

07/20/2015

Commission Approval Required

Approved by Civil Service Commission

DHR Approved for 07/20/2015

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

A. Specify required skills and/or expertise:

The contractor must be a U.S. Department of Health and Human Services (DHHS) certified laboratory with qualified Medical Review Officer (MRO) and referral Substance Abuse Professional (SAP). The contractor is required to comply with all applicable medical standards and federal, state and local government safety codes, laws, and regulations related to drug and alcohol testing, for taxicab drivers. This includes the services of Substance Abuse Professionals and Medical Review Officers as determined by federal law.

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

2416,2220,2230,

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

Yes. The contractor will provide a DHHS-certified laboratory facilities and/or equipment for the collection and testing of specimens and collection sites must comply with all requirements specified in 49 CFR Part 40, subparts D and K.

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

A. Explain why civil service classes are not applicable:

Civil service classes are not applicable because the knowledge and experience required for this type of work requires knowledge, experience and training specified by 49 CFR Part 40, Subpart D and K, L.

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

No. There are legal mandates 49 CFR Part 40, requiring the contractor to meet specific standards and adhere to specific procedures.

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

**YES NO**

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

THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE AND ACCURATE ON BEHALF OF THE DEPARTMENT HEAD ON 04/21/15 BY:

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

Address: One South Van Ness Avenue, 6th Fl. San Francisco, CA 94103

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

## Nuque, Amy

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**From:** dhr-psccordinator@sfgov.org on behalf of amy.nuque@sfmta.com  
**Sent:** Monday, November 15, 2021 1:37 PM  
**To:** Nuque, Amy; sarah.wilson@seiu1021.org; Sandeep.lal@seiu1021.me; leah.berlanga@seiu1021.org; noah.frigault@sfgov.org; Julie.Meyers@sfgov.org; thomas.vitale@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; xiumin.li@seiu1021.org; Sin.Yee.Poon@sfgov.org; david.canham@seiu1021.org; jtanner940@aol.com; WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; kschumacher@ifpte21.org; pkim@ifpte21.org; amakayan@ifpte21.org; L21PSCReview@ifpte21.org; tjenkins@uapd.com; jduritz@uapd.com; Laxamana, Junko (BOS); Criss@sfmea.com; Camaguey@sfmea.com; Christina@sfmea.com; staff@sfmea.com; Nuque, Amy; dhr-psccordinator@sfgov.org  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 42966 - 21/22

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

RECEIPT for Union Notification for PSC 42966 - 21/22 more than \$100k

The MUNICIPAL TRANSPORTATION AGENCY -- MTA has submitted a request for a Personal Services Contract (PSC) 42966 - 21/22 for \$2,700,000 for Initial Request services for the period 10/01/2021 – 09/30/2026. 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/17536> 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)**



Displaying title 49, up to date as of 11/10/2021. Title 49 was last amended 11/09/2021.



There have been changes in the last two weeks to Part 382.

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## Title 49

### PART 382 - CONTROLLED SUBSTANCES AND ALCOHOL USE AND TESTING

**Authority:** 49 U.S.C. 31133, 31136, 31301 *et seq.*, 31502; sec. 32934 of Pub. L. 112-141, 126 Stat. 405, 830; and 49 CFR 1.87.

**Source:** 66 FR 43103, Aug. 17, 2001, unless otherwise noted.

#### Subpart A - General

##### § 382.101 Purpose.

The purpose of this part is to establish programs designed to help prevent accidents and injuries resulting from the misuse of alcohol or use of controlled substances by drivers of commercial motor vehicles.

##### § 382.103 Applicability.

- (a) This part applies to service agents and to every person and to all employers of such persons who operate a commercial motor vehicle in commerce in any State and are subject to:
- (1) The commercial driver's license requirements of part 383 of this subchapter;
  - (2) The Licencia Federal de Conductor (Mexico) requirements; or
  - (3) The commercial drivers license requirements of the Canadian National Safety Code.

- (b) An employer who employs himself/herself as a driver must comply with both the requirements in this part that apply to employers and the requirements in this part that apply to drivers. An employer who employs only himself/herself as a driver shall implement a random alcohol and controlled substances testing program of two or more covered employees in the random testing selection pool.
- (c) The exceptions contained in § 390.3(f) of this subchapter do not apply to this part. The employers and drivers identified in § 390.3(f) of this subchapter must comply with the requirements of this part, unless otherwise specifically provided in paragraph (d) of this section.
- (d) **Exceptions.** This part shall not apply to employers and their drivers:
  - (1) Required to comply only with the alcohol and/or controlled substances testing requirements of part 655 of this title (Federal Transit Administration alcohol and controlled substances testing regulations); or
  - (2) Who a State must waive from the requirements of part 383 of this subchapter. These individuals include active duty military personnel; members of the reserves; and members of the national guard on active duty, including personnel on full-time national guard duty, personnel on part-time national guard training and national guard military technicians (civilians who are required to wear military uniforms), and active duty U.S. Coast Guard personnel; or
  - (3) Who a State has, at its discretion, exempted from the requirements of part 383 of this subchapter. These individuals may be:
    - (i) Operators of a farm vehicle which is:
      - (A) Controlled and operated by a farmer;
      - (B) Used to transport either agricultural products, farm machinery, farm supplies, or both to or from a farm;
      - (C) Not used in the operations of a for-hire motor carrier, except for an exempt motor carrier as defined in § 390.5 of this subchapter; and
      - (D) Used within 241 kilometers (150 miles) of the farmer's farm.
    - (ii) Firefighters or other persons who operate commercial motor vehicles which are necessary for the preservation of life or property or the execution of emergency governmental functions, are equipped with audible and visual signals, and are not subject to normal traffic regulation.
  - (4) Who operate "covered farm vehicles," as defined in 49 CFR 390.5.

[66 FR 43103, Aug. 17, 2001, as amended at 78 FR 16194, Mar. 14, 2013; 81 FR 68346, Oct. 4, 2016; 81 FR 71016, Oct. 14, 2016; 81 FR 87724, Dec. 5, 2016; 86 FR 35639, July 7, 2021]

### § 382.105 Testing procedures.

Each employer shall ensure that all alcohol or controlled substances testing conducted under this part complies with the procedures set forth in part 40 of this title. The provisions of part 40 of this title that address alcohol or controlled substances testing are made applicable to employers by this part.

### § 382.107 Definitions.

Words or phrases used in this part are defined in §§ 386.2 and 390.5 of this subchapter, and § 40.3 of this title, except as provided in this section -

**Actual knowledge** for the purpose of subpart B of this part, means actual knowledge by an employer that a driver has used alcohol or controlled substances based on the employer's direct observation of the employee, information provided by the driver's previous employer(s), a traffic citation for driving a CMV while under the influence of alcohol or controlled substances or an employee's admission of alcohol or controlled substance use, except as provided in § 382.121. Direct observation as used in this definition means observation of alcohol or controlled substances use and does not include observation of employee behavior or physical characteristics sufficient to warrant reasonable suspicion testing under § 382.307. As used in this section, "traffic citation" means a ticket, complaint, or other document charging driving a CMV while under the influence of alcohol or controlled substances.

**Alcohol** means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.



**Alcohol concentration** (or *content*) means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test under this part.

**Alcohol use** means the drinking or swallowing of any beverage, liquid mixture or preparation (including any medication), containing alcohol.

**Commerce** means:

- (1) Any trade, traffic or transportation within the jurisdiction of the United States between a place in a State and a place outside of such State, including a place outside of the United States; or
- (2) Trade, traffic, and transportation in the United States which affects any trade, traffic, and transportation described in paragraph (1) of this definition.

**Commercial Driver's License Drug and Alcohol Clearinghouse (Clearinghouse)** means the FMCSA database that subpart G of this part requires employers and service agents to report information to and to query regarding drivers who are subject to the DOT controlled substance and alcohol testing regulations.

**Commercial motor vehicle** means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the vehicle

- (1) Has a gross combination weight rating or gross combination weight of 11,794 kilograms or more (26,001 pounds or more), whichever is greater, inclusive of a towed unit(s) with a gross vehicle weight rating or gross vehicle weight of more than 4,536 kilograms (10,000 pounds), whichever is greater; or
- (2) Has a gross vehicle weight rating or gross vehicle weight of 11,794 or more kilograms (26,001 or more pounds), whichever is greater; or
- (3) Is designed to transport 16 or more passengers, including the driver; or
- (4) Is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act (49 U.S.C. 5103(b)) and which require the motor vehicle to be placarded under the Hazardous Materials Regulations (49 CFR part 172, subpart F).

**Confirmation (or confirmatory) drug test** means a second analytical procedure performed on a urine specimen to identify and quantify the presence of a specific drug or drug metabolite.

**Confirmation (or confirmatory) validity test** means a second test performed on a urine specimen to further support a validity test result.

**Confirmed drug test** means a confirmation test result received by an MRO from a laboratory.

**Consortium/Third party administrator (C/TPA)** means a service agent that provides or coordinates one or more drug and/or alcohol testing services to DOT-regulated employers. C/TPAs typically provide or coordinate the provision of a number of such services and perform administrative tasks concerning the operation of the employers' drug and alcohol testing programs. This term includes, but is not limited to, groups of employers who join together to administer, as a single entity, the DOT drug and alcohol testing programs of its members (e.g., having a combined random testing pool). C/TPAs are not "employers" for purposes of this part, except as provided in § 382.705(c).

**Controlled substances** mean those substances identified in § 40.85 of this title.

**Designated employer representative (DER)** is an individual identified by the employer as able to receive communications and test results from service agents and who is authorized to take immediate actions to remove employees from safety-sensitive duties and to make required decisions in the testing and evaluation processes. The individual must be an employee of the company. Service agents cannot serve as DERs.

**Disabling damage** means damage which precludes departure of a motor vehicle from the scene of the accident in its usual manner in daylight after simple repairs.

- (1) **Inclusions.** Damage to motor vehicles that could have been driven, but would have been further damaged if so driven.
- (2) **Exclusions.**

- (i) Damage which can be remedied temporarily at the scene of the accident without special tools or parts.
- (ii) Tire disablement without other damage even if no spare tire is available.
- (iii) Headlight or taillight damage.
- (iv) Damage to turn signals, horn, or windshield wipers which make them inoperative.

**DOT Agency** means an agency (or "operating administration") of the United States Department of Transportation administering regulations requiring alcohol and/or drug testing (14 CFR parts 61, 63, 65, 121, and 135; 49 CFR parts 199, 219, 382, and 655), in accordance with part 40 of this title.

**Driver** means any person who operates a commercial motor vehicle. This includes, but is not limited to: Full time, regularly employed drivers; casual, intermittent or occasional drivers; leased drivers and independent owner-operator contractors.

**Employer** means a person or entity employing one or more employees (including an individual who is self-employed) that is subject to DOT agency regulations requiring compliance with this part. The term, as used in this part, means the entity responsible for overall implementation of DOT drug and alcohol program requirements, including individuals employed by the entity who take personnel actions resulting from violations of this part and any applicable DOT agency regulations. Service agents are not employers for the purposes of this part.

**Licensed medical practitioner** means a person who is licensed, certified, and/or registered, in accordance with applicable Federal, State, local, or foreign laws and regulations, to prescribe controlled substances and other drugs.

**Negative return-to-duty test result** means a return-to-duty test with a negative drug result and/or an alcohol test with an alcohol concentration of less than 0.02, as described in § 40.305 of this title.

**Performing (a safety-sensitive function)** means a driver is considered to be performing a safety-sensitive function during any period in which he or she is actually performing, ready to perform, or immediately available to perform any safety-sensitive functions.

**Positive rate for random drug testing** means the number of verified positive results for random drug tests conducted under this part plus the number of refusals of random drug tests required by this part, divided by the total number of random drug tests results (i.e., positives, negatives, and refusals) under this part.

**Refuse to submit (to an alcohol or controlled substances test)** means that a driver:

- (1) Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer, consistent with applicable DOT agency regulations, after being directed to do so by the employer. This includes the failure of an employee (including an owner-operator) to appear for a test when called by a C/TPA (see § 40.61(a) of this title);
- (2) Fail to remain at the testing site until the testing process is complete. Provided, that an employee who leaves the testing site before the testing process commences (see § 40.63(c) of this title) a pre-employment test is not deemed to have refused to test;
- (3) Fail to provide a urine specimen for any drug test required by this part or DOT agency regulations. Provided, that an employee who does not provide a urine specimen because he or she has left the testing site before the testing process commences (see § 40.63(c) of this title) for a pre-employment test is not deemed to have refused to test;
- (4) In the case of a directly observed or monitored collection in a drug test, fails to permit the observation or monitoring of the driver's provision of a specimen (see §§ 40.67(l) and 40.69(g) of this title);
- (5) Fail to provide a sufficient amount of urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure (see § 40.193(d)(2) of this title);
- (6) Fail or declines to take a second test the employer or collector has directed the driver to take;
- (7) Fail to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER under § 40.193(d) of this title. In the case of a pre-employment drug test, the employee is deemed to have refused to test on this basis only if the pre-employment test is conducted following a contingent offer of employment;

- (8) Fail to cooperate with any part of the testing process (e.g., refuse to empty pockets when so directed by the collector, behave in a confrontational way that disrupts the collection process); or
- (9) Is reported by the MRO as having a verified adulterated or substituted test result.

**Safety-sensitive function** means all time from the time a driver begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work. Safety-sensitive functions shall include:

- (1) All time at an employer or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the employer;
- (2) All time inspecting equipment as required by §§ 392.7 and 392.8 of this subchapter or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time;
- (3) All time spent at the driving controls of a commercial motor vehicle in operation;
- (4) All time, other than driving time, in or upon any commercial motor vehicle except time spent resting in a sleeper berth (a berth conforming to the requirements of § 393.76 of this subchapter);
- (5) All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded; and
- (6) All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

**Screening test (or initial test)** means:

- (1) In drug testing, a test to eliminate "negative" urine specimens from further analysis or to identify a specimen that requires additional testing for the presence of drugs.
- (2) In alcohol testing, an analytical procedure to determine whether an employee may have a prohibited concentration of alcohol in a breath or saliva specimen.

**Stand-down** means the practice of temporarily removing an employee from the performance of safety-sensitive functions based only on a report from a laboratory to the MRO of a confirmed positive test for a drug or drug metabolite, an adulterated test, or a substituted test, before the MRO has completed verification of the test results.

**Violation rate for random alcohol testing** means the number of 0.04 and above random alcohol confirmation test results conducted under this part plus the number of refusals of random alcohol tests required by this part, divided by the total number of random alcohol screening tests (including refusals) conducted under this part.

[66 FR 43103, Aug. 17, 2001, as amended at 68 FR 75458, Dec. 31, 2003; 77 FR 59825, Oct. 1, 2012; 81 FR 87724, Dec. 5, 2016; 83 FR 48726, Sept. 27, 2018; 84 FR 51432, Sept. 30, 2019; 86 FR 57069, Oct. 14, 2021]

### **§ 382.109 Preemption of State and local laws.**

- (a) Except as provided in paragraph (b) of this section, this part preempts any State or local law, rule, regulation, or order to the extent that:
  - (1) Compliance with both the State or local requirement in this part is not possible; or
  - (2) Compliance with the State or local requirement is an obstacle to the accomplishment and execution of any requirement in this part.
- (b) This part shall not be construed to preempt provisions of State criminal law that impose sanctions for reckless conduct leading to actual loss of life, injury, or damage to property, whether the provisions apply specifically to transportation employees, employers, or the general public.

### **§ 382.111 Other requirements imposed by employers.**

Except as expressly provided in this part, nothing in this part shall be construed to affect the authority of employers, or the rights of drivers, with respect to the use of alcohol, or the use of controlled substances, including authority and rights with respect to testing and rehabilitation.

**§ 382.113 Requirement for notice.**

Before performing each alcohol or controlled substances test under this part, each employer shall notify a driver that the alcohol or controlled substances test is required by this part. No employer shall falsely represent that a test is administered under this part.

**§ 382.115 Starting date for testing programs.**

- (a) All domestic-domiciled employers must implement the requirements of this part on the date the employer begins commercial motor vehicle operations.
- (b) All foreign-domiciled employers must implement the requirements of this part on the date the employer begins commercial motor vehicle operations in the United States.

**§ 382.117 Public interest exclusion.**

No employer shall use the services of a service agent who is subject to public interest exclusion in accordance with 49 CFR part 40, Subpart R.

**§ 382.119 Stand-down waiver provision.**

- (a) Employers are prohibited from standing employees down, except consistent with a waiver from the Federal Motor Carrier Safety Administration as required under this section.
- (b) An employer subject to this part who seeks a waiver from the prohibition against standing down an employee before the MRO has completed the verification process shall follow the procedures in 49 CFR 40.21. The employer must send a written request, which includes all of the information required by that section to the Administrator, Federal Motor Carrier Safety Administration, 1200 New Jersey Ave., SE., Washington, DC 20590-0001.
- (c) The final decision whether to grant or deny the application for a waiver will be made by the Administrator or the Administrator's designee.
- (d) After a decision is signed by the Administrator or the Administrator's designee, the employer will be sent a copy of the decision, which will include the terms and conditions for the waiver or the reason for denying the application for a waiver.
- (e) Questions regarding waiver applications should be directed to the Federal Motor Carrier Safety Administration, Office of Enforcement and Compliance (MC-EC), 1200 New Jersey Ave., SE., Washington, DC 20590-0001.

[66 FR 43103, Aug. 17, 2001, as amended at 72 FR 55700, Oct. 1, 2007]

**§ 382.121 Employee admission of alcohol and controlled substances use.**

- (a) Employees who admit to alcohol misuse or controlled substances use are not subject to the referral, evaluation and treatment requirements of this part and part 40 of this title, provided that:
  - (1) The admission is in accordance with a written employer-established voluntary self-identification program or policy that meets the requirements of paragraph (b) of this section;
  - (2) The driver does not self-identify in order to avoid testing under the requirements of this part;
  - (3) The driver makes the admission of alcohol misuse or controlled substances use prior to performing a safety sensitive function (i.e., prior to reporting for duty); and
  - (4) The driver does not perform a safety sensitive function until the employer is satisfied that the employee has been evaluated and has successfully completed education or treatment requirements in accordance with the self-identification program guidelines.
- (b) A qualified voluntary self-identification program or policy must contain the following elements:
  - (1) It must prohibit the employer from taking adverse action against an employee making a voluntary admission of alcohol misuse or controlled substances use within the parameters of the program or policy and paragraph (a) of this section;
  - (2) It must allow the employee sufficient opportunity to seek evaluation, education or treatment to establish control over the employee's drug or alcohol problem;

- (3) It must permit the employee to return to safety sensitive duties only upon successful completion of an educational or treatment program, as determined by a drug and alcohol abuse evaluation expert, i.e., employee assistance professional, substance abuse professional, or qualified drug and alcohol counselor;
- (4) It must ensure that:
  - (i) Prior to the employee participating in a safety sensitive function, the employee shall undergo a non-DOT return to duty test with a result indicating an alcohol concentration of less than 0.02; and/or
  - (ii) Prior to the employee participating in a safety sensitive function, the employee shall undergo a non-DOT return to duty controlled substance test with a verified negative test result for controlled substances use; and
- (5) It may incorporate employee monitoring and include non-DOT follow-up testing.

[66 FR 43103, Aug. 17, 2001, as amended at 86 FR 35639, July 7, 2021]

### **§ 382.123 Driver identification.**

- (a) **Identification information on the Alcohol Testing Form (ATF).** For each alcohol test performed under this part, the employer shall provide the driver's commercial driver's license number and State of issuance in Step 1, Section B of the ATF.
- (b) **Identification information on the Federal Drug Testing Custody and Control Form (CCF).** For each controlled substance test performed under this part, the employer shall provide the following information, which must be recorded as follows:
  - (1) The driver's commercial driver's license number and State of issuance in Step 1, section C of the CCF.
  - (2) The employer's name and other identifying information required in Step 1, section A of the CCF.

[81 FR 87724, Dec. 5, 2016, as amended at 86 FR 35639, July 7, 2021]

## **Subpart B - Prohibitions**

### **§ 382.201 Alcohol concentration.**

No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater. No employer having knowledge that a driver has an alcohol concentration of 0.04 or greater shall permit the driver to perform or continue to perform safety-sensitive functions.

[66 FR 43103, Aug. 17, 2001, as amended at 77 FR 4483, Jan. 30, 2012]

### **§ 382.205 On-duty use.**

No driver shall use alcohol while performing safety-sensitive functions. No employer having actual knowledge that a driver is using alcohol while performing safety-sensitive functions shall permit the driver to perform or continue to perform safety-sensitive functions.

### **§ 382.207 Pre-duty use.**

No driver shall perform safety-sensitive functions within four hours after using alcohol. No employer having actual knowledge that a driver has used alcohol within four hours shall permit a driver to perform or continue to perform safety-sensitive functions.

### **§ 382.209 Use following an accident.**

No driver required to take a post-accident alcohol test under § 382.303 shall use alcohol for eight hours following the accident, or until he/she undergoes a post-accident alcohol test, whichever occurs first.

### **§ 382.211 Refusal to submit to a required alcohol or controlled substances test.**

No driver shall refuse to submit to a pre-employment controlled substance test required under § 382.301, a post-accident alcohol or controlled substance test required under § 382.303, a random alcohol or controlled substances test required under § 382.305, a reasonable suspicion alcohol or controlled substance test required under § 382.307, a return-to-duty alcohol or controlled substances test required under § 382.309, or a follow-up alcohol or controlled substance test required under § 382.311. No employer shall permit a driver who refuses to submit to such tests to perform or continue to perform safety-sensitive functions.

[77 FR 4483, Jan. 30, 2012]

### **§ 382.213 Controlled substance use.**

- (a) No driver shall report for duty or remain on duty requiring the performance of safety sensitive functions when the driver uses any drug or substance identified in 21 CFR 1308.11 Schedule I.
- (b) No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any non-Schedule I drug or substance that is identified in the other Schedules in 21 CFR part 1308 except when the use is pursuant to the instructions of a licensed medical practitioner, as defined in § 382.107, who is familiar with the driver's medical history and has advised the driver that the substance will not adversely affect the driver's ability to safely operate a commercial motor vehicle.
- (c) No employer having actual knowledge that a driver has used a controlled substance shall permit the driver to perform or continue to perform a safety-sensitive function.
- (d) An employer may require a driver to inform the employer of any therapeutic drug use.

[77 FR 4483, Jan. 30, 2012]

### **§ 382.215 Controlled substances testing.**

No driver shall report for duty, remain on duty or perform a safety-sensitive function, if the driver tests positive or has adulterated or substituted a test specimen for controlled substances. No employer having knowledge that a driver has tested positive or has adulterated or substituted a test specimen for controlled substances shall permit the driver to perform or continue to perform safety-sensitive functions.

[66 FR 43103, Aug. 17, 2001, as amended at 77 FR 4483, Jan. 30, 2012]

### **§ 382.217 Employer responsibilities.**

No employer may allow, require, permit or authorize a driver to operate a commercial motor vehicle during any period in which an employer determines that a driver is not in compliance with the return-to-duty requirements in 49 CFR part 40, subpart O, after the occurrence of any of the following events:

- (a) The driver receives a positive, adulterated, or substituted drug test result conducted under part 40 of this title.
- (b) The driver receives an alcohol confirmation test result of 0.04 or higher alcohol concentration conducted under part 40 of this title.
- (c) The driver refused to submit to a test for drugs or alcohol required under this part.
- (d) The driver used alcohol prior to a post-accident alcohol test in violation of § 382.209.
- (e) An employer has actual knowledge, as defined at § 382.107, that a driver has:
  - (1) Used alcohol while performing safety-sensitive functions in violation of § 382.205;
  - (2) Used alcohol within four hours of performing safety-sensitive functions in violation of § 382.207; or
  - (3) Used a controlled substance.

[81 FR 87724, Dec. 5, 2016]

## **Subpart C - Tests Required**

### **§ 382.301 Pre-employment testing.**

- (a) Prior to the first time a driver performs safety-sensitive functions for an employer, the driver shall undergo testing for controlled substances as a condition prior to being used, unless the employer uses the exception in paragraph (b) of this section. No employer shall allow a driver, who the employer intends to hire or use, to perform safety-sensitive functions unless the employer has received a controlled substances test result from the MRO or C/TPA indicating a verified negative test result for that driver.
- (b) An employer is not required to administer a controlled substances test required by paragraph (a) of this section if:
  - (1) The driver has participated in a controlled substances testing program that meets the requirements of this part within the previous 30 days; and
  - (2) While participating in that program, either:
    - (i) Was tested for controlled substances within the past 6 months (from the date of application with the employer), or
    - (ii) Participated in the random controlled substances testing program for the previous 12 months (from the date of application with the employer); and
  - (3) The employer ensures that no prior employer of the driver of whom the employer has knowledge has records of a violation of this part or the controlled substances use rule of another DOT agency within the previous six months.
- (c)
  - (1) An employer who exercises the exception in paragraph (b) of this section shall contact the controlled substances testing program(s) in which the driver participates or participated and shall obtain and retain from the testing program(s) the following information:
    - (i) Name(s) and address(es) of the program(s).
    - (ii) Verification that the driver participates or participated in the program(s).
    - (iii) Verification that the program(s) conforms to part 40 of this title.
    - (iv) Verification that the driver is qualified under the rules of this part, including that the driver has not refused to be tested for controlled substances.
    - (v) The date the driver was last tested for controlled substances.
    - (vi) The results of any tests taken within the previous six months and any other violations of subpart B of this part.
  - (2) An employer who uses, but does not employ a driver more than once a year to operate commercial motor vehicles must obtain the information in paragraph (c)(1) of this section at least once every six months. The records prepared under this paragraph shall be maintained in accordance with § 382.401. If the employer cannot verify that the driver is participating in a controlled substances testing program in accordance with this part and part 40 of this title, the employer shall conduct a pre-employment controlled substances test.
- (d) An employer may, but is not required to, conduct pre-employment alcohol testing under this part. If an employer chooses to conduct pre-employment alcohol testing, it must comply with the following requirements:
  - (1) It must conduct a pre-employment alcohol test before the first performance of safety-sensitive functions by every covered employee (whether a new employee or someone who has transferred to a position involving the performance of safety-sensitive functions).
  - (2) It must treat all safety-sensitive employees performing safety-sensitive functions the same for the purpose of pre-employment alcohol testing (i.e., it must not test some covered employees and not others).
  - (3) It must conduct the pre-employment tests after making a contingent offer of employment or transfer, subject to the employee passing the pre-employment alcohol test.
  - (4) It must conduct all pre-employment alcohol tests using the alcohol testing procedures of 49 CFR part 40 of this title.
  - (5) It must not allow a covered employee to begin performing safety-sensitive functions unless the result of the employee's test indicates an alcohol concentration of less than 0.04.

### § 382.303 Post-accident testing.

- (a) As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, each employer shall test for alcohol for each of its surviving drivers:

- (1) Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or
  - (2) Who receives a citation within 8 hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved:
    - (i) Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
    - (ii) One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.
- (b) As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, each employer shall test for controlled substances for each of its surviving drivers:
- (1) Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or
  - (2) Who receives a citation within thirty-two hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved:
    - (i) Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
    - (ii) One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.
- (c) The following table notes when a post-accident test is required to be conducted by paragraphs (a)(1), (a)(2), (b)(1), and (b)(2) of this section:

Table for § 382.303(a) and (b)

Type of accident involved	Citation issued to the CMV driver	Test must be performed by employer
i. Human fatality	YES	YES
	NO	YES
ii. Bodily injury with immediate medical treatment away from the scene	YES	YES
	NO	NO
iii. Disabling damage to any motor vehicle requiring tow away	YES	YES
	NO	NO

- (d)
- (1) **Alcohol tests.** If a test required by this section is not administered within two hours following the accident, the employer shall prepare and maintain on file a record stating the reasons the test was not promptly administered. If a test required by this section is not administered within eight hours following the accident, the employer shall cease attempts to administer an alcohol test and shall prepare and maintain the same record. Records shall be submitted to the FMCSA upon request.
  - (2) **Controlled substance tests.** If a test required by this section is not administered within 32 hours following the accident, the employer shall cease attempts to administer a controlled substances test, and prepare and maintain on file a record stating the reasons the test was not promptly administered. Records shall be submitted to the FMCSA upon request.
- (e) A driver who is subject to post-accident testing shall remain readily available for such testing or may be deemed by the employer to have refused to submit to testing. Nothing in this section shall be construed to require the delay of necessary medical attention for injured people following an accident or to prohibit a driver from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.



- (f) An employer shall provide drivers with necessary post-accident information, procedures and instructions, prior to the driver operating a commercial motor vehicle, so that drivers will be able to comply with the requirements of this section.
- (g)
  - (1) The results of a breath or blood test for the use of alcohol, conducted by Federal, State, or local officials having independent authority for the test, shall be considered to meet the requirements of this section, provided such tests conform to the applicable Federal, State or local alcohol testing requirements, and that the results of the tests are obtained by the employer.
  - (2) The results of a urine test for the use of controlled substances, conducted by Federal, State, or local officials having independent authority for the test, shall be considered to meet the requirements of this section, provided such tests conform to the applicable Federal, State or local controlled substances testing requirements, and that the results of the tests are obtained by the employer.
- (h) **Exception.** This section does not apply to:
  - (1) An occurrence involving only boarding or alighting from a stationary motor vehicle; or
  - (2) An occurrence involving only the loading or unloading of cargo; or
  - (3) An occurrence in the course of the operation of a passenger car or a multipurpose passenger vehicle (as defined in § 571.3 of this title) by an employer unless the motor vehicle is transporting passengers for hire or hazardous materials of a type and quantity that require the motor vehicle to be marked or placarded in accordance with § 177.823 of this title.

### § 382.305 Random testing.

- (a) Every employer shall comply with the requirements of this section. Every driver shall submit to random alcohol and controlled substance testing as required in this section.
- (b)
  - (1) Except as provided in paragraphs (c) through (e) of this section, the minimum annual percentage rate for random alcohol testing shall be 10 percent of the average number of driver positions.
  - (2) Except as provided in paragraphs (f) through (h) of this section, the minimum annual percentage rate for random controlled substances testing shall be 50 percent of the average number of driver positions.
- (c) The FMCSA Administrator's decision to increase or decrease the minimum annual percentage rate for alcohol testing is based on the reported violation rate for the entire industry. All information used for this determination is drawn from the alcohol management information system reports required by § 382.403. In order to ensure reliability of the data, the FMCSA Administrator considers the quality and completeness of the reported data, may obtain additional information or reports from employers, and may make appropriate modifications in calculating the industry violation rate. In the event of a change in the annual percentage rate, the FMCSA Administrator will publish in the *FEDERAL REGISTER* the new minimum annual percentage rate for random alcohol testing of drivers. The new minimum annual percentage rate for random alcohol testing will be applicable starting January 1 of the calendar year following publication in the *FEDERAL REGISTER*.
- (d)
  - (1) When the minimum annual percentage rate for random alcohol testing is 25 percent or more, the FMCSA Administrator may lower this rate to 10 percent of all driver positions if the FMCSA Administrator determines that the data received under the reporting requirements of § 382.403 for two consecutive calendar years indicate that the violation rate is less than 0.5 percent.
  - (2) When the minimum annual percentage rate for random alcohol testing is 50 percent, the FMCSA Administrator may lower this rate to 25 percent of all driver positions if the FMCSA Administrator determines that the data received under the reporting requirements of § 382.403 for two consecutive calendar years indicate that the violation rate is less than 1.0 percent but equal to or greater than 0.5 percent.
- (e)
  - (1) When the minimum annual percentage rate for random alcohol testing is 10 percent, and the data received under the reporting requirements of § 382.403 for that calendar year indicate that the violation rate is equal to or greater than 0.5 percent, but less than 1.0 percent, the FMCSA Administrator will increase the minimum annual percentage rate for random alcohol testing to 25 percent for all driver positions.

- (2) When the minimum annual percentage rate for random alcohol testing is 25 percent or less, and the data received under the reporting requirements of § 382.403 for that calendar year indicate that the violation rate is equal to or greater than 1.0 percent, the FMCSA Administrator will increase the minimum annual percentage rate for random alcohol testing to 50 percent for all driver positions.
- (f) The FMCSA Administrator's decision to increase or decrease the minimum annual percentage rate for controlled substances testing is based on the reported positive rate for the entire industry. All information used for this determination is drawn from the controlled substances management information system reports required by § 382.403. In order to ensure reliability of the data, the FMCSA Administrator considers the quality and completeness of the reported data, may obtain additional information or reports from employers, and may make appropriate modifications in calculating the industry positive rate. In the event of a change in the annual percentage rate, the FMCSA Administrator will publish in the FEDERAL REGISTER the new minimum annual percentage rate for controlled substances testing of drivers. The new minimum annual percentage rate for random controlled substances testing will be applicable starting January 1 of the calendar year following publication in the FEDERAL REGISTER.
- (g) When the minimum annual percentage rate for random controlled substances testing is 50 percent, the FMCSA Administrator may lower this rate to 25 percent of all driver positions if the FMCSA Administrator determines that the data received under the reporting requirements of § 382.403 for two consecutive calendar years indicate that the positive rate is less than 1.0 percent.
- (h) When the minimum annual percentage rate for random controlled substances testing is 25 percent, and the data received under the reporting requirements of § 382.403 for any calendar year indicate that the reported positive rate is equal to or greater than 1.0 percent, the FMCSA Administrator will increase the minimum annual percentage rate for random controlled substances testing to 50 percent of all driver positions.
- (i)
  - (1) The selection of drivers for random alcohol and controlled substances testing shall be made by a scientifically valid method, such as a random number table or a computer-based random number generator that is matched with drivers' Social Security numbers, payroll identification numbers, or other comparable identifying numbers.
  - (2) Each driver selected for random alcohol and controlled substances testing under the selection process used, shall have an equal chance of being tested each time selections are made.
  - (3) Each driver selected for testing shall be tested during the selection period.
- (j)
  - (1) To calculate the total number of covered drivers eligible for random testing throughout the year, as an employer, you must add the total number of covered drivers eligible for testing during each random testing period for the year and divide that total by the number of random testing periods. Covered employees, and only covered employees, are to be in an employer's random testing pool, and all covered drivers must be in the random pool. If you are an employer conducting random testing more often than once per month (e.g., daily, weekly, bi-weekly) you do not need to compute this total number of covered drivers rate more than on a once per month basis.
  - (2) As an employer, you may use a service agent (e.g., a C/TPA) to perform random selections for you, and your covered drivers may be part of a larger random testing pool of covered employees. However, you must ensure that the service agent you use is testing at the appropriate percentage established for your industry and that only covered employees are in the random testing pool.
- (k)
  - (1) Each employer shall ensure that random alcohol and controlled substances tests conducted under this part are unannounced.
  - (2) Each employer shall ensure that the dates for administering random alcohol and controlled substances tests conducted under this part are spread reasonably throughout the calendar year.
- (l) Each employer shall require that each driver who is notified of selection for random alcohol and/or controlled substances testing proceeds to the test site immediately; provided, however, that if the driver is performing a safety-sensitive function, other than driving a commercial motor vehicle, at the time of notification, the employer shall instead ensure that the driver ceases to perform the safety-sensitive function and proceeds to the testing site as soon as possible.
- (m) A driver shall only be tested for alcohol while the driver is performing safety-sensitive functions, just before the driver is to perform safety-sensitive functions, or just after the driver has ceased performing such functions.

- (n) If a given driver is subject to random alcohol or controlled substances testing under the random alcohol or controlled substances testing rules of more than one DOT agency for the same employer, the driver shall be subject to random alcohol and/or controlled substances testing at the annual percentage rate established for the calendar year by the DOT agency regulating more than 50 percent of the driver's function.
- (o) If an employer is required to conduct random alcohol or controlled substances testing under the alcohol or controlled substances testing rules of more than one DOT agency, the employer may -
  - (1) Establish separate pools for random selection, with each pool containing the DOT-covered employees who are subject to testing at the same required minimum annual percentage rate; or
  - (2) Randomly select such employees for testing at the highest minimum annual percentage rate established for the calendar year by any DOT agency to which the employer is subject.

[66 FR 43103, Aug. 17, 2001, as amended at 67 FR 61821, Oct. 2, 2002; 68 FR 75459, Dec. 31, 2003; 81 FR 68346, Oct. 4, 2016; 86 FR 57069, Oct. 14, 2021]

### § 382.307 Reasonable suspicion testing.

- (a) An employer shall require a driver to submit to an alcohol test when the employer has reasonable suspicion to believe that the driver has violated the prohibitions of subpart B of this part concerning alcohol. The employer's determination that reasonable suspicion exists to require the driver to undergo an alcohol test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver.
- (b) An employer shall require a driver to submit to a controlled substances test when the employer has reasonable suspicion to believe that the driver has violated the prohibitions of subpart B of this part concerning controlled substances. The employer's determination that reasonable suspicion exists to require the driver to undergo a controlled substances test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver. The observations may include indications of the chronic and withdrawal effects of controlled substances.
- (c) The required observations for alcohol and/or controlled substances reasonable suspicion testing shall be made by a supervisor or company official who is trained in accordance with § 382.603. The person who makes the determination that reasonable suspicion exists to conduct an alcohol test shall not conduct the alcohol test of the driver.
- (d) Alcohol testing is authorized by this section only if the observations required by paragraph (a) of this section are made during, just preceding, or just after the period of the work day that the driver is required to be in compliance with this part. A driver may be directed by the employer to only undergo reasonable suspicion testing while the driver is performing safety-sensitive functions, just before the driver is to perform safety-sensitive functions, or just after the driver has ceased performing such functions.
- (e)
  - (1) If an alcohol test required by this section is not administered within two hours following the determination under paragraph (a) of this section, the employer shall prepare and maintain on file a record stating the reasons the alcohol test was not promptly administered. If an alcohol test required by this section is not administered within eight hours following the determination under paragraph (a) of this section, the employer shall cease attempts to administer an alcohol test and shall state in the record the reasons for not administering the test.
  - (2) Notwithstanding the absence of a reasonable suspicion alcohol test under this section, no driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while the driver is under the influence of or impaired by alcohol, as shown by the behavioral, speech, and performance indicators of alcohol misuse, nor shall an employer permit the driver to perform or continue to perform safety-sensitive functions, until:
    - (i) An alcohol test is administered and the driver's alcohol concentration measures less than 0.02; or
    - (ii) Twenty four hours have elapsed following the determination under paragraph (a) of this section that there is reasonable suspicion to believe that the driver has violated the prohibitions in this part concerning the use of alcohol.
  - (3) Except as provided in paragraph (e)(2) of this section, no employer shall take any action under this part against a driver based solely on the driver's behavior and appearance, with respect to alcohol use, in the absence of an alcohol test. This does not prohibit an employer with independent authority of this part from taking any action otherwise consistent with law.

- (f) A written record shall be made of the observations leading to an alcohol or controlled substances reasonable suspicion test, and signed by the supervisor or company official who made the observations, within 24 hours of the observed behavior or before the results of the alcohol or controlled substances tests are released, whichever is earlier.

### § 382.309 Return-to-duty testing.

The requirements for return-to-duty testing must be performed in accordance with 49 CFR part 40, subpart O.

### § 382.311 Follow-up testing.

The requirements for follow-up testing must be performed in accordance with 49 CFR part 40, subpart O.

## Subpart D - Handling of Test Results, Records Retention, and Confidentiality

### § 382.401 Retention of records.

- (a) **General requirement.** Each employer shall maintain records of its alcohol misuse and controlled substances use prevention programs as provided in this section. The records shall be maintained in a secure location with controlled access.
- (b) **Period of retention.** Each employer shall maintain the records in accordance with the following schedule:
- (1) **Five years.** The following records shall be maintained for a minimum of five years:
    - (i) Records of driver alcohol test results indicating an alcohol concentration of 0.02 or greater,
    - (ii) Records of driver verified positive controlled substances test results,
    - (iii) Documentation of refusals to take required alcohol and/or controlled substances tests,
    - (iv) Driver evaluation and referrals,
    - (v) Calibration documentation,
    - (vi) Records related to the administration of the alcohol and controlled substances testing program, including records of all driver violations, and
    - (vii) A copy of each annual calendar year summary required by § 382.403.
  - (2) **Two years.** Records related to the alcohol and controlled substances collection process (except calibration of evidential breath testing devices) shall be maintained for a minimum of 2 years.
  - (3) **One year.** Records of negative and canceled controlled substances test results (as defined in part 40 of this title) and alcohol test results with a concentration of less than 0.02 shall be maintained for a minimum of one year.
  - (4) **Indefinite period.** Records related to the education and training of breath alcohol technicians, screening test technicians, supervisors, and drivers shall be maintained by the employer while the individual performs the functions which require the training and for two years after ceasing to perform those functions.
- (c) **Types of records.** The following specific types of records shall be maintained. "Documents generated" are documents that may have to be prepared under a requirement of this part. If the record is required to be prepared, it must be maintained.
- (1) Records related to the collection process:
    - (i) Collection logbooks, if used;
    - (ii) Documents relating to the random selection process;
    - (iii) Calibration documentation for evidential breath testing devices;
    - (iv) Documentation of breath alcohol technician training;
    - (v) Documents generated in connection with decisions to administer reasonable suspicion alcohol or controlled substances tests;
    - (vi) Documents generated in connection with decisions on post-accident tests;

- (vii) Documents verifying existence of a medical explanation of the inability of a driver to provide adequate breath or to provide a urine specimen for testing; and
  - (viii) A copy of each annual calendar year summary as required by § 382.403.
- (2) Records related to a driver's test results:
- (i) The employer's copy of the alcohol test form, including the results of the test;
  - (ii) The employer's copy of the controlled substances test chain of custody and control form;
  - (iii) Documents sent by the MRO to the employer, including those required by part 40, subpart G, of this title;
  - (iv) Documents related to the refusal of any driver to submit to an alcohol or controlled substances test required by this part;
  - (v) Documents presented by a driver to dispute the result of an alcohol or controlled substances test administered under this part; and
  - (vi) Documents generated in connection with verifications of prior employers' alcohol or controlled substances test results that the employer:
    - (A) Must obtain in connection with the exception contained in § 382.301, and
    - (B) Must obtain as required by § 382.413.
- (3) Records related to other violations of this part.
- (4) Records related to evaluations:
- (i) Records pertaining to a determination by a substance abuse professional concerning a driver's need for assistance; and
  - (ii) Records concerning a driver's compliance with recommendations of the substance abuse professional.
- (5) Records related to education and training:
- (i) Materials on alcohol misuse and controlled substance use awareness, including a copy of the employer's policy on alcohol misuse and controlled substance use;
  - (ii) Documentation of compliance with the requirements of § 382.601, including the driver's signed receipt of education materials;
  - (iii) Documentation of training provided to supervisors for the purpose of qualifying the supervisors to make a determination concerning the need for alcohol and/or controlled substances testing based on reasonable suspicion;
  - (iv) Documentation of training for breath alcohol technicians as required by § 40.213(g) of this title; and
  - (v) Certification that any training conducted under this part complies with the requirements for such training.
- (6) Administrative records related to alcohol and controlled substances testing:
- (i) Agreements with collection site facilities, laboratories, breath alcohol technicians, screening test technicians, medical review officers, consortia, and third party service providers;
  - (ii) Names and positions of officials and their role in the employer's alcohol and controlled substances testing program(s);
  - (iii) Semi-annual laboratory statistical summaries of urinalysis required by § 40.111(a) of this title; and
  - (iv) The employer's alcohol and controlled substances testing policy and procedures.
- (d) **Location of records.** All records required by this part shall be maintained as required by § 390.29 of this subchapter and shall be made available for inspection at the employer's principal place of business within two business days after a request has been made by an authorized representative of the Federal Motor Carrier Safety Administration.
- (e) **OMB control number.**
- (1) The information collection requirements of this part have been reviewed by the Office of Management and Budget pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) and have been assigned OMB control number 2126-0012.

- (2) The information collection requirements of this part are found in the following sections: Sections 382.105, 382.113, 382.301, 382.303, 382.305, 382.307, 382.401, 382.403, 382.405, 382.409, 382.411, 382.601, 382.603.

[66 FR 43103, Aug. 17, 2001, as amended at 67 FR 61821, Oct. 2, 2002; 68 FR 75459, Dec. 31, 2003; 78 FR 58479, Sept. 24, 2013; 81 FR 87725, Dec. 5, 2016]

### § 382.403 Reporting of results in a management information system.

- (a) An employer shall prepare and maintain a summary of the results of its alcohol and controlled substances testing programs performed under this part during the previous calendar year, when requested by the Secretary of Transportation, any DOT agency, or any State or local officials with regulatory authority over the employer or any of its drivers.
- (b) If an employer is notified, during the month of January, of a request by the Federal Motor Carrier Safety Administration to report the employer's annual calendar year summary information, the employer shall prepare and submit the report to the FMCSA by March 15 of that year. The employer shall ensure that the annual summary report is accurate and received by March 15 at the location that the FMCSA specifies in its request. The employer must use the Management Information System (MIS) form and instructions as required by 49 CFR part 40 (at § 40.26 and appendix H to part 40). The employer may also use the electronic version of the MIS form provided by the DOT. The Administrator may designate means (e.g., electronic program transmitted via the Internet), other than hard-copy, for MIS form submission. For information on the electronic version of the form, see: <http://www.fmcsa.dot.gov/safetyprogs/drugs/engtesting.htm>.
- (c) When the report is submitted to the FMCSA by mail or electronic transmission, the information requested shall be typed, except for the signature of the certifying official. Each employer shall ensure the accuracy and timeliness of each report submitted by the employer or a consortium.
- (d) If you have a covered employee who performs multi-DOT agency functions (e.g., an employee drives a commercial motor vehicle and performs pipeline maintenance duties for the same employer), count the employee only on the MIS report for the DOT agency under which he or she is randomly tested. Normally, this will be the DOT agency under which the employee performs more than 50% of his or her duties. Employers may have to explain the testing data for these employees in the event of a DOT agency inspection or audit.
- (e) A service agent (e.g., *Consortium/Third party administrator* as defined in 49 CFR 382.107) may prepare the MIS report on behalf of an employer. However, a company official (e.g., *Designated employer representative* as defined in § 382.107) must certify the accuracy and completeness of the MIS report, no matter who prepares it.

[66 FR 43103, Aug. 17, 2001, as amended at 68 FR 75459, Dec. 31, 2003; 78 FR 58479, Sept. 24, 2013; 83 FR 22875, May 17, 2018]

### § 382.405 Access to facilities and records.

- (a) Except as required by law or expressly authorized or required in this section, no employer shall release driver information that is contained in records required to be maintained under § 382.401.
- (b) A driver is entitled, upon written request, to obtain copies of any records pertaining to the driver's use of alcohol or controlled substances, including any records pertaining to his or her alcohol or controlled substances tests. The employer shall promptly provide the records requested by the driver. Access to a driver's records shall not be contingent upon payment for records other than those specifically requested.
- (c) Each employer shall permit access to all facilities utilized in complying with the requirements of this part to the Secretary of Transportation, any DOT agency, or any State or local officials with regulatory authority over the employer or any of its drivers.
- (d) Each employer, and each service agent who maintains records for an employer, must make available copies of all results for DOT alcohol and/or controlled substances testing conducted by the employer under this part and any other information pertaining to the employer's alcohol misuse and/or controlled substances use prevention program when requested by the Secretary of Transportation, any DOT agency, or any State or local officials with regulatory authority over the employer or any of its drivers.
- (e) When requested by the National Transportation Safety Board as a part of a crash investigation:
  - (1) Employers must disclose information related to the employer's administration of a post-accident alcohol and/or a controlled substances test administered following the crash under investigation; and

- (2) FMCSA will provide access to information in the Clearinghouse concerning drivers who are involved with the crash under investigation.
- (f) Records shall be made available to a subsequent employer upon receipt of a written request from a driver. Disclosure by the subsequent employer is permitted only as expressly authorized by the terms of the driver's request.
- (g) An employer may disclose information required to be maintained under this part pertaining to a driver to the decision maker in a lawsuit, grievance, or administrative proceeding initiated by or on behalf of the individual, and arising from a positive DOT drug or alcohol test or a refusal to test (including, but not limited to, adulterated or substituted test results) of this part (including, but not limited to, a worker's compensation, unemployment compensation, or other proceeding relating to a benefit sought by the driver). Additionally, an employer may disclose information in criminal or civil actions in accordance with § 40.323(a)(2) of this title.
- (h) An employer shall release information regarding a driver's records as directed by the specific written consent of the driver authorizing release of the information to an identified person. Release of such information by the person receiving the information is permitted only in accordance with the terms of the employee's specific written consent as outlined in § 40.321(b) of this title.

*[66 FR 43103, Aug. 17, 2001, as amended at 81 FR 87725, Dec. 5, 2016]*

### **§ 382.407 Medical review officer notifications to the employer.**

Medical review officers shall report the results of controlled substances tests to employers in accordance with the requirements of part 40, Subpart G, of this title.

### **§ 382.409 Medical review officer or consortium/third party administrator record retention for controlled substances.**

- (a) A medical review officer or third party administrator shall maintain all dated records and notifications, identified by individual, for a minimum of five years for verified positive controlled substances test results.
- (b) A medical review officer or third party administrator shall maintain all dated records and notifications, identified by individual, for a minimum of one year for negative and canceled controlled substances test results.
- (c) No person may obtain the individual controlled substances test results retained by a medical review officer (MRO as defined in § 40.3 of this title) or a consortium/third party administrator (C/TPA as defined in § 382.107), and no MRO or C/TPA may release the individual controlled substances test results of any driver to any person, without first obtaining a specific, written authorization from the tested driver. Nothing in this paragraph (c) shall prohibit a MRO or a C/TPA from releasing to the employer, the Clearinghouse, or to the Secretary of Transportation, any DOT agency, or any State or local officials with regulatory authority over the controlled substances and alcohol testing program under this part, the information delineated in part 40, subpart G, of this title.

*[66 FR 43103, Aug. 17, 2001, as amended at 81 FR 87725, Dec. 5, 2016]*

### **§ 382.411 Employer notifications.**

- (a) An employer shall notify a driver of the results of a pre-employment controlled substances test conducted under this part, if the driver requests such results within 60 calendar days of being notified of the disposition of the employment application. An employer shall notify a driver of the results of random, reasonable suspicion and post-accident tests for controlled substances conducted under this part if the test results are verified positive. The employer shall also inform the driver which controlled substance or substances were verified as positive.
- (b) The designated employer representative shall make reasonable efforts to contact and request each driver who submitted a specimen under the employer's program, regardless of the driver's employment status, to contact and discuss the results of the controlled substances test with a medical review officer who has been unable to contact the driver.
- (c) The designated employer representative shall immediately notify the medical review officer that the driver has been notified to contact the medical review officer within 72 hours.

### **§ 382.413 Inquiries for alcohol and controlled substances information from previous employers.**

- (a) Employers must request alcohol and controlled substances information from previous employers in accordance with the requirements of § 40.25 of this title, except that the employer must request information from all DOT-regulated employers that employed the driver within the previous 3 years and the scope of the information requested must date back 3 years.
- (b) As of January 6, 2023, employers must use the Drug and Alcohol Clearinghouse in accordance with § 382.701(a) to comply with the requirements of § 40.25 of this title with respect to FMCSA-regulated employers. Exception: When an employee who is subject to follow-up testing has not successfully completed all follow-up tests, employers must request the employee's follow-up testing plan directly from the previous employer in accordance with § 40.25(b)(5) of this title.
- (c) If an applicant was subject to an alcohol and controlled substance testing program under the requirements of a DOT Agency other than FMCSA, the employer must request the alcohol and controlled substances information required under this section and § 40.25 of this title directly from those employers regulated by a DOT Agency other than FMCSA.

[81 FR 87725, Dec. 5, 2016]

### **§ 382.415 Notification to employers of a controlled substances or alcohol testing program violation.**

Each person holding a commercial driver's license and subject to the DOT controlled substances and alcohol testing requirements in this part who has violated the alcohol and controlled substances prohibitions under part 40 of this title or this part without complying with the requirements of part 40, subpart O, must notify in writing all current employers of such violation(s). The driver is not required to provide notification to the employer that administered the test or documented the circumstances that gave rise to the violation. The notification must be made before the end of the business day following the day the employee received notice of the violation, or prior to performing any safety-sensitive function, whichever comes first.

[81 FR 87725, Dec. 5, 2016]

## **Subpart E - Consequences for Drivers Engaging in Substance Use-Related Conduct**

### **§ 382.501 Removal from safety-sensitive function.**

- (a) Except as provided in subpart F of this part, no driver shall perform safety-sensitive functions, including driving a commercial motor vehicle, if the driver has engaged in conduct prohibited by subpart B of this part or an alcohol or controlled substances rule of another DOT agency.
- (b) No employer shall permit any driver to perform safety-sensitive functions; including driving a commercial motor vehicle, if the employer has determined that the driver has violated this section.
- (c) For purposes of this subpart, commercial motor vehicle means a commercial motor vehicle in commerce as defined in § 382.107, and a commercial motor vehicle in interstate commerce as defined in part 390 of this subchapter.

### **§ 382.503 Required evaluation and testing, reinstatement of commercial driving privilege.**

- (a) No driver who has engaged in conduct prohibited by subpart B of this part shall perform safety-sensitive functions, including driving a commercial motor vehicle, unless the driver has met the requirements of part 40, subpart O, of this title. No employer shall permit a driver who has engaged in conduct prohibited by subpart B of this part to perform safety-sensitive functions, including driving a commercial motor vehicle, unless the driver has met the requirements of part 40, subpart O, of this title.
- (b) No driver whose commercial driving privilege has been removed from the driver's license, pursuant to § 382.501(a), shall drive a commercial motor vehicle until the State Driver Licensing Agency reinstates the CLP or CDL privilege to the driver's license.

[66 FR 43103, Aug. 17, 2001, as amended at 86 FR 55741, Oct. 7, 2021]

### **§ 382.505 Other alcohol-related conduct.**

- (a) No driver tested under the provisions of subpart C of this part who is found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall perform or continue to perform safety-sensitive functions for an employer, including driving a commercial motor vehicle, nor shall an employer permit the driver to perform or continue to perform safety-



sensitive functions, until the start of the driver's next regularly scheduled duty period, but not less than 24 hours following administration of the test.

- (b) Except as provided in paragraph (a) of this section, no employer shall take any action under this part against a driver based solely on test results showing an alcohol concentration less than 0.04. This does not prohibit an employer with authority independent of this part from taking any action otherwise consistent with law.

### § 382.507 Penalties.

Any employer or driver who violates the requirements of this part shall be subject to the civil and/or criminal penalty provisions of 49 U.S.C. 521(b). In addition, any employer or driver who violates the requirements of 49 CFR part 40 shall be subject to the civil and/or criminal penalty provisions of 49 U.S.C. 521(b).

## Subpart F - Alcohol Misuse and Controlled Substances Use Information, Training, and Referral

### § 382.601 Employer obligation to promulgate a policy on the misuse of alcohol and use of controlled substances.

- (a) **General requirements.** Each employer shall provide educational materials that explain the requirements of this part and the employer's policies and procedures with respect to meeting these requirements.
- (1) The employer shall ensure that a copy of these materials is distributed to each driver prior to the start of alcohol and controlled substances testing under this part and to each driver subsequently hired or transferred into a position requiring driving a commercial motor vehicle.
  - (2) Each employer shall provide written notice to representatives of employee organizations of the availability of this information.
- (b) **Required content.** The materials to be made available to drivers shall include detailed discussion of at least the following:
- (1) The identity of the person designated by the employer to answer driver questions about the materials;
  - (2) The categories of drivers who are subject to the provisions of this part;
  - (3) Sufficient information about the safety-sensitive functions performed by those drivers to make clear what period of the work day the driver is required to be in compliance with this part;
  - (4) Specific information concerning driver conduct that is prohibited by this part;
  - (5) The circumstances under which a driver will be tested for alcohol and/or controlled substances under this part, including post-accident testing under § 382.303(d);
  - (6) The procedures that will be used to test for the presence of alcohol and controlled substances, protect the driver and the integrity of the testing processes, safeguard the validity of the test results, and ensure that those results are attributed to the correct driver, including post-accident information, procedures and instructions required by § 382.303(d);
  - (7) The requirement that a driver submit to alcohol and controlled substances tests administered in accordance with this part;
  - (8) An explanation of what constitutes a refusal to submit to an alcohol or controlled substances test and the attendant consequences;
  - (9) The consequences for drivers found to have violated subpart B of this part, including the requirement that the driver be removed immediately from safety-sensitive functions, and the procedures under part 40, subpart O, of this title;
  - (10) The consequences for drivers found to have an alcohol concentration of 0.02 or greater but less than 0.04;
  - (11) Information concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life; signs and symptoms of an alcohol or a controlled substances problem (the driver's or a co-worker's); and available methods of intervening when an alcohol or a controlled substances problem is suspected, including confrontation, referral to any employee assistance program and/or referral to management; and
  - (12) The requirement that the following personal information collected and maintained under this part shall be reported to the Clearinghouse:

- (i) A verified positive, adulterated, or substituted drug test result;
  - (ii) An alcohol confirmation test with a concentration of 0.04 or higher;
  - (iii) A refusal to submit to any test required by subpart C of this part;
  - (iv) An employer's report of actual knowledge, as defined at § 382.107:
    - (A) On duty alcohol use pursuant to § 382.205;
    - (B) Pre-duty alcohol use pursuant to § 382.207;
    - (C) Alcohol use following an accident pursuant to § 382.209; and
    - (D) Controlled substance use pursuant to § 382.213;
  - (v) A substance abuse professional (SAP as defined in § 40.3 of this title) report of the successful completion of the return-to-duty process;
  - (vi) A negative return-to-duty test; and
  - (vii) An employer's report of completion of follow-up testing.
- (c) **Optional provision.** The materials supplied to drivers may also include information on additional employer policies with respect to the use of alcohol or controlled substances, including any consequences for a driver found to have a specified alcohol or controlled substances level, that are based on the employer's authority independent of this part. Any such additional policies or consequences must be clearly and obviously described as being based on independent authority.
- (d) **Certificate of receipt.** Each employer shall ensure that each driver is required to sign a statement certifying that he or she has received a copy of these materials described in this section. Each employer shall maintain the signed certificate and may provide a copy of the certificate to the driver.

[66 FR 43103, Aug. 17, 2001, as amended at 78 FR 58479, Sept. 24, 2013; 81 FR 87725, Dec. 5, 2016; 83 FR 16226, Apr. 16, 2018]

### § 382.603 Training for supervisors.

Each employer shall ensure that all persons designated to supervise drivers receive at least 60 minutes of training on alcohol misuse and receive at least an additional 60 minutes of training on controlled substances use. The training will be used by the supervisors to determine whether reasonable suspicion exists to require a driver to undergo testing under § 382.307. The training shall include the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances. Recurrent training for supervisory personnel is not required.

### § 382.605 Referral, evaluation, and treatment.

The requirements for referral, evaluation, and treatment must be performed in accordance with 49 CFR part 40, Subpart O.

## Subpart G - Requirements and Procedures for Implementation of the Commercial Driver's License Drug and Alcohol Clearinghouse

**Source:** 81 FR 87725, Dec. 5, 2016, unless otherwise noted.

### § 382.701 Drug and Alcohol Clearinghouse.

- (a) **Pre-employment query required.**
  - (1) Employers must not employ a driver subject to controlled substances and alcohol testing under this part to perform a safety-sensitive function without first conducting a pre-employment query of the Clearinghouse to obtain information about whether the driver has a verified positive, adulterated, or substituted controlled substances test result; has an alcohol confirmation test with a concentration of 0.04 or higher; has refused to submit to a test in violation of § 382.211; or that an employer has reported actual knowledge, as defined at § 382.107, that the driver used alcohol on duty in violation of § 382.205, used alcohol before duty in violation of § 382.207, used alcohol following an accident in violation of § 382.209, or used a controlled substance, in violation of § 382.213.

- (2) The employer must conduct a full query under this section, which releases information in the Clearinghouse to an employer and requires that the individual driver give specific consent.
- (b) **Annual query required.**
- (1) Employers must conduct a query of the Clearinghouse at least once per year for information for all employees subject to controlled substance and alcohol testing under this part to determine whether information exists in the Clearinghouse about those employees.
- (2) In lieu of a full query, as described in paragraph (a)(2) of this section, an employer may obtain the individual driver's consent to conduct a limited query to satisfy the annual query requirement in paragraph (b)(1) of this section. The limited query will tell the employer whether there is information about the individual driver in the Clearinghouse, but will not release that information to the employer. The individual driver may give consent to conduct limited queries that is effective for more than one year.
- (3) If the limited query shows that information exists in the Clearinghouse about the individual driver, the employer must conduct a full query, in accordance with paragraph (a)(2) of this section, within 24 hours of conducting the limited query. If the employer fails to conduct a full query within 24 hours, the employer must not allow the driver to continue to perform any safety-sensitive function until the employer conducts the full query and the results confirm that the driver's Clearinghouse record contains no prohibitions as defined in paragraph (d) of this section.
- (c) **Employer notification.** If any information described in paragraph (a) of this section is entered into the Clearinghouse about a driver during the 30-day period immediately following an employer conducting a query of that driver's records, FMCSA will notify the employer.
- (d) **Prohibition.** No employer may allow a driver the employer employs or intends to hire or use to perform any safety-sensitive function if the results of a Clearinghouse query demonstrate that the driver has a verified positive, adulterated, or substituted controlled substances test result; has an alcohol confirmation test with a concentration of 0.04 or higher; has refused to submit to a test in violation of § 382.211; or that an employer has reported actual knowledge, as defined at § 382.107, that the driver used alcohol on duty in violation of § 382.205, used alcohol before duty in violation of § 382.207, used alcohol following an accident in violation of § 382.209, or used a controlled substance in violation of § 382.213, except where a query of the Clearinghouse demonstrates:
- (1) That the driver has successfully completed the SAP evaluation, referral, and education/treatment process set forth in part 40, subpart O, of this title; achieves a negative return-to-duty test result; and completes the follow-up testing plan prescribed by the SAP.
- (2) That, if the driver has not completed all follow-up tests as prescribed by the SAP in accordance with § 40.307 of this title and specified in the SAP report required by § 40.311 of this title, the driver has completed the SAP evaluation, referral, and education/treatment process set forth in part 40, subpart O, of this title and achieves a negative return-to-duty test result, and the employer assumes the responsibility for managing the follow-up testing process associated with the testing violation.
- (e) **Recordkeeping required.** Employers must retain for 3 years a record of each query and all information received in response to each query made under this section. As of January 6, 2023, an employer who maintains a valid registration fulfills this requirement.

[81 FR 87725, Dec. 5, 2016, as amended at 86 FR 35639, July 7, 2021]

### § 382.703 Driver consent to permit access to information in the Clearinghouse.

- (a) No employer may query the Clearinghouse to determine whether a record exists for any particular driver without first obtaining that driver's written or electronic consent. The employer conducting the search must retain the consent for 3 years from the date of the last query.
- (b) Before the employer may access information contained in the driver's Clearinghouse record, the driver must submit electronic consent through the Clearinghouse granting the employer access to the following specific records:
- (1) A verified positive, adulterated, or substituted controlled substances test result;
- (2) An alcohol confirmation test with a concentration of 0.04 or higher;
- (3) A refusal to submit to a test in violation of § 382.211;
- (4) An employer's report of actual knowledge, as defined at § 382.107, of:
- (i) On duty alcohol use pursuant to § 382.205;

- (ii) Pre-duty alcohol use pursuant to § 382.207;
  - (iii) Alcohol use following an accident pursuant to § 382.209; and
  - (iv) Controlled substance use pursuant to § 382.213;
- (5) A SAP report of the successful completion of the return-to-duty process;
  - (6) A negative return-to-duty test; and
  - (7) An employer's report of completion of follow-up testing.
- (c) No employer may permit a driver to perform a safety-sensitive function if the driver refuses to grant the consent required by paragraph (a) or (b) of this section.
  - (d) A driver granting consent under this section must provide consent electronically to the Agency through the Clearinghouse prior to release of information to an employer in accordance with § 382.701(a)(2) or (b)(3).
  - (e) A driver granting consent under this section grants consent for the Agency to release information to an employer in accordance with § 382.701(c).

[81 FR 87725, Dec. 5, 2016, as amended at 86 FR 57069, Oct. 14, 2021]

### § 382.705 Reporting to the Clearinghouse.

(a) **MROs.**

- (1) Within 2 business days of making a determination or verification, MROs must report the following information about a driver to the Clearinghouse:
  - (i) Verified positive, adulterated, or substituted controlled substances test results;
  - (ii) Refusal-to-test determination by the MRO in accordance with 49 CFR 40.191(a)(5), (7), and (11), (b), and (d)(2).
- (2) MROs must provide the following information for each controlled substances test result specified in paragraph (a) (1) of this section:
  - (i) Reason for the test;
  - (ii) Federal Drug Testing Custody and Control Form specimen ID number;
  - (iii) Driver's name, date of birth, and CDL number and State of issuance;
  - (iv) Employer's name, address, and USDOT number, if applicable;
  - (v) Date of the test;
  - (vi) Date of the verified result; and
  - (vii) Test result. The test result must be one of the following:
    - (A) Positive (including the controlled substance(s) identified);
    - (B) Refusal to test: Adulterated;
    - (C) Refusal to test: Substituted; or
    - (D) Refusal to provide a sufficient specimen after the MRO makes a determination, in accordance with § 40.193 of this title, that the employee does not have a medical condition that has, or with a high degree of probability could have, precluded the employee from providing a sufficient amount of urine. Under this subpart a refusal would also include a refusal to undergo a medical examination or evaluation to substantiate a qualifying medical condition.
- (3) Within 1 business day of making any change to the results report in accordance with paragraph (a)(1) of this section, a MRO must report that changed result to the Clearinghouse.

(b) **Employers.**

- (1) Employers must report the following information about a driver to the Clearinghouse by the close of the third business day following the date on which they obtained that information:
  - (i) An alcohol confirmation test result with an alcohol concentration of 0.04 or greater;

- (ii) A negative return-to-duty test result;
  - (iii) A refusal to take an alcohol test pursuant to 49 CFR 40.261;
  - (iv) A refusal to test determination made in accordance with 49 CFR 40.191(a)(1) through (4), (a)(6), (a)(8) through (11), or (d)(1), but in the case of a refusal to test under (a)(11), the employer may report only those admissions made to the specimen collector; and
  - (v) A report that the driver has successfully completed all follow-up tests as prescribed in the SAP report in accordance with §§ 40.307, 40.309, and 40.311 of this title.
- (2) The information required to be reported under paragraph (b)(1) of this section must include, as applicable:
- (i) Reason for the test;
  - (ii) Driver's name, date of birth, and CDL number and State of issuance;
  - (iii) Employer name, address, and USDOT number;
  - (iv) Date of the test;
  - (v) Date the result was reported; and
  - (vi) Test result. The test result must be one of the following:
    - (A) Negative (only required for return-to-duty tests administered in accordance with § 382.309);
    - (B) Positive; or
    - (C) Refusal to take a test.
- (3) For each report of a violation of 49 CFR 40.261(a)(1) or 40.191(a)(1), the employer must report the following information:
- (i) Documentation, including, but not limited to, electronic mail or other contemporaneous record of the time and date the driver was notified to appear at a testing site; and the time, date and testing site location at which the employee was directed to appear, or an affidavit providing evidence of such notification;
  - (ii) Documentation, including, but not limited to, electronic mail or other correspondence, or an affidavit, indicating the date the employee was terminated or resigned (if applicable);
  - (iii) Documentation, including, but not limited to, electronic mail or other correspondence, or an affidavit, showing that the C/TPA reporting the violation was authorized to act as a service agent for an employer who employs himself/herself as a driver pursuant to paragraph (b)(6) of this section when the reported refusal occurred (if applicable); and
  - (iv) Documentation, including a certificate of service or other evidence, showing that the employer provided the employee with all documentation reported under paragraph (b)(3) of this section (if applicable).
- (4) Employers must report the following violations by the close of the third business day following the date on which the employer obtains actual knowledge, as defined at § 382.107, of:
- (i) On-duty alcohol use pursuant to § 382.205;
  - (ii) Pre-duty alcohol use pursuant to § 382.207;
  - (iii) Alcohol use following an accident pursuant to § 382.209; and
  - (iv) Controlled substance use pursuant to § 382.213.
- (5) For each violation in paragraph (b)(4) of this section, the employer must report the following information:
- (i) Driver's name, date of birth, CDL number and State of issuance;
  - (ii) Employer name, address, and USDOT number, if applicable;
  - (iii) Date the employer obtained actual knowledge of the violation;
  - (iv) Witnesses to the violation, if any, including contact information;
  - (v) Description of the violation;

- (vi) Evidence supporting each fact alleged in the description of the violation required under paragraph (b)(4) of this section, which may include, but is not limited to, affidavits, photographs, video or audio recordings, employee statements (other than admissions pursuant to § 382.121), correspondence, or other documentation; and
  - (vii) A certificate of service or other evidence showing that the employer provided the employee with all information reported under paragraph (b)(4) of this section (if applicable).
- (6) An employer who employs himself/herself as a driver must designate a C/TPA to comply with the employer requirements in paragraph (b) of this section related to his or her own alcohol and controlled substances use.
- (c) **C/TPAs.** Any employer may designate a C/TPA to perform the employer requirements in paragraph (b) of this section. Regardless of whether it uses a C/TPA to perform its requirements, the employer retains ultimate responsibility for compliance with this section. Exception: An employer does not retain responsibility where the C/TPA is designated to comply with employer requirements as described in paragraph (b)(6) of this section.
- (d) **SAPs.**
- (1) SAPs must report to the Clearinghouse for each driver who has completed the return-to-duty process in accordance with 49 CFR part 40, subpart O, the following information:
    - (i) SAPs name, address, and telephone number;
    - (ii) Driver's name, date of birth, and CDL number and State of issuance;
    - (iii) Date of the initial substance-abuse-professional assessment; and
    - (iv) Date the SAP determined that the driver demonstrated successful compliance as defined in 49 CFR part 40, subpart O, and was eligible for return-to-duty testing under this part.
  - (2) SAP must report the information required by paragraphs (d)(1)(i) through (iii) of this section by the close of the business day following the date of the initial substance abuse assessment, and must report the information required by paragraph (d)(1)(iv) of this section by the close of the business day following the determination that the driver has completed the return-to-duty process.
- (e) **Reporting truthfully and accurately.** Every person or entity with access must report truthfully and accurately to the Clearinghouse and is expressly prohibited from reporting information he or she knows or should know is false or inaccurate.

### Reporting Entities and Circumstances

Reporting entity	When information will be reported to clearinghouse
Prospective/Current Employer of CDL Driver	- An alcohol confirmation test with a concentration of 0.04 or higher. - Refusal to test (alcohol) as specified in 49 CFR 40.261.
	- Refusal to test (drug) not requiring a determination by the MRO as specified in 49 CFR 40.191.
	- Actual knowledge, as defined in 49 CFR 382.107, that a driver has used alcohol on duty, used alcohol within four hours of coming on duty, used alcohol prior to post-accident testing, or has used a controlled substance.
	- Negative return-to-duty test results (drug and alcohol testing, as applicable)
	- Completion of follow-up testing.
Service Agent acting on behalf of Current Employer of CDL Driver	- An alcohol confirmation test with a concentration of 0.04 or higher. - Refusal to test (alcohol) as specified in 49 CFR 40.261.

Reporting entity	When information will be reported to clearinghouse
	- Refusal to test (drug) not requiring a determination by the MRO as specified in 49 CFR 40.191.
	- Actual knowledge, as defined in 49 CFR 382.107, that a driver has used alcohol on duty, used alcohol within four hours of coming on duty, used alcohol prior to post-accident testing, or has used a controlled substance.
	- Negative return-to-duty test results (drug and alcohol testing, as applicable)
	- Completion of follow-up testing.
MRO	- Verified positive, adulterated, or substituted drug test result.
	- Refusal to test (drug) requiring a determination by the MRO as specified in 49 CFR 40.191.
SAP	- Identification of driver and date the initial assessment was initiated.
	- Successful completion of treatment and/or education and the determination of eligibility for return-to-duty testing.

[81 FR 87725, Dec. 5, 2016, as amended at 86 FR 35639, July 7, 2021]

### § 382.707 Notice to drivers of entry, revision, removal, or release of information.

- (a) FMCSA must notify a driver when information concerning that driver has been added to, revised, or removed from the Clearinghouse.
- (b) FMCSA must notify a driver when information concerning that driver has been released from the Clearinghouse to an employer and specify the reason for the release.
- (c) Drivers will be notified by letter sent by U.S. Mail to the address on record with the State Driver Licensing Agency that issued the driver's commercial driver's license. Exception: A driver may provide the Clearinghouse with an alternative means or address for notification, including electronic mail.

### § 382.709 Drivers' access to information in the Clearinghouse.

A driver may review information in the Clearinghouse about himself or herself, except as otherwise restricted by law or regulation. A driver must register with the Clearinghouse before accessing his or her information.

### § 382.711 Clearinghouse registration.

- (a) **Clearinghouse registration required.** Each employer and service agent must register with the Clearinghouse before accessing or reporting information in the Clearinghouse.
- (b) **Employers.**
  - (1) Employer Clearinghouse registration must include:
    - (i) Name, address, and telephone number;
    - (ii) USDOT number, except if the registrant does not have a USDOT Number, it may be requested to provide other information to verify identity; and
    - (iii) Name of the person(s) the employer authorizes to report information to or obtain information from the Clearinghouse and any additional information FMCSA needs to validate his or her identity.
  - (2) Employers must verify the names of the person(s) authorized under paragraph (b)(1)(iii) of this section annually.

- (3) Identification of the C/TPA or other service agent used to comply with the requirements of this part, if applicable, and authorization for the C/TPA to query or report information to the Clearinghouse. Employers must update any changes to this information within 10 days.
- (c) **MROs and SAPs.** Each MRO or SAP must provide the following to apply for Clearinghouse registration:
- (1) Name, address, telephone number, and any additional information FMCSA needs to validate the applicant's identity;
  - (2) A certification that the applicant's access to the Clearinghouse is conditioned on his or her compliance with the applicable qualification and/or training requirements in 49 CFR part 40; and
  - (3) Evidence of required professional credentials to verify that the applicant currently meets the applicable qualification and/or training requirements in 49 CFR part 40.
- (d) **C/TPAs and other service agents.** Each consortium/third party administrator or other service agent must provide the following to apply for Clearinghouse registration:
- (1) Name, address, telephone number, and any additional information FMCSA needs to validate the applicant's identity; and
  - (2) Name, title, and telephone number of the person(s) authorized to report information to and obtain information from the Clearinghouse.
  - (3) Each C/TPA or other service agent must verify the names of the person(s) authorized under paragraph (d)(2) of this section annually.

### § 382.713 Duration, cancellation, and revocation of access.

- (a) **Term.** Clearinghouse registration is valid for 5 years, unless cancelled or revoked.
- (b) **Cancellation.** FMCSA will cancel Clearinghouse registrations for anyone who has not queried or reported to the Clearinghouse for 2 years.
- (c) **Revocation.** FMCSA has the right to revoke the Clearinghouse registration of anyone who fails to comply with any of the prescribed rights and restrictions on access to the Clearinghouse, including but not limited to, submission of inaccurate or false information and misuse or misappropriation of access rights or protected information from the Clearinghouse and failure to maintain the requisite qualifications, certifications and/or training requirements as set forth in part 40 of this title.

### § 382.715 Authorization to enter information into the Clearinghouse.

- (a) **C/TPAs.** No C/TPA or other service agent may enter information into the Clearinghouse on an employer's behalf unless the employer designates the C/TPA or other service agent.
- (b) **SAPs.** A driver must designate a SAP before that SAP can enter any information about the driver's return-to-duty process into the Clearinghouse.

### § 382.717 Procedures for correcting certain information in the database.

- (a) **Petitions limited to incorrectly reported information.**
  - (1) Under this section, petitioners may request only that administrative errors be corrected (e.g., errors in data entry or a duplicate report of a positive test result); petitioners may not contest the accuracy of test results, test refusals, or other violation information, under this section.
  - (2) **Exceptions.**
    - (i) Petitioners may request that FMCSA add documentary evidence of a non-conviction to an employer's report of actual knowledge that the driver received a traffic citation for driving a commercial motor vehicle while under the influence of alcohol or controlled substances if the citation did not result in a conviction. For the purposes of this section, conviction has the same meaning as used in 49 CFR part 383.
    - (ii) Petitioners may request that FMCSA remove from the Clearinghouse an employer's report of actual knowledge (other than as provided for in paragraph (a)(2)(i) of this section) if that report does not comply with the reporting requirements in § 382.705(b)(5).



- (iii) Petitioners may request that FMCSA remove from the Clearinghouse an employer's report of a violation under 49 CFR 40.261(a)(1) or 40.191(a)(1) if that report does not comply with the reporting requirements in § 382.705(b)(3).
- (b) **Petition.** Any driver or authorized representative of the driver may submit a petition to the FMCSA contesting the accuracy of information in the Clearinghouse. The petition must include:
- (1) The petitioner's name, address, telephone number, and CDL number and State of issuance;
  - (2) Detailed description of the basis for the allegation that the information is not accurate; and
  - (3) Evidence supporting the allegation that the information is not accurate. Failure to submit evidence is cause for dismissing the petition.
- (c) **Submission of petition.** The petitioner may submit his/her petition electronically through the Clearinghouse or in writing to: Federal Motor Carrier Safety Administration, ATTN: Drug and Alcohol Clearinghouse Petition for Review, 1200 New Jersey Avenue SE., Washington, DC 20590.
- (d) **Notice of decision.** Within 45 days of receiving a complete petition, FMCSA will inform the driver in writing of its decision to remove, retain, or correct the information in the database and provide the basis for the decision.
- (e) **Request for expedited treatment.**
- (1) A driver may request expedited treatment to correct inaccurate information in his or her Clearinghouse record under paragraph (a)(1) of this section if the inaccuracy is currently preventing him or her from performing safety-sensitive functions, or to remove employer reports under paragraph (a)(2) of this section if such reports are currently preventing him or her from performing safety-sensitive functions. This request may be included in the original petition or as a separate document.
  - (2) If FMCSA grants expedited treatment, it will subsequently inform the driver of its decision in writing within 14 days of receipt of a complete petition.
- (f) **Administrative review.**
- (1) A driver may request FMCSA to conduct an administrative review if he or she believes that a decision made in accordance with paragraph (d) or (e) of this section was in error.
  - (2) The request must prominently state at the top of the document: "Administrative Review of Drug and Alcohol Clearinghouse Decision" and the driver may submit his/her request electronically through the Clearinghouse or in writing to FMCSA, ATTN: Drug and Alcohol Clearinghouse Administrative Review, Federal Motor Carrier Safety Administration, 1200 New Jersey Ave. SE., Washington, DC 20590.
  - (3) The driver's request must explain the error he or she believes FMCSA committed and provide information and/or documents to support his or her argument.
  - (4) FMCSA will complete its administrative review no later than 30 days after receiving the driver's request for review. FMCSA's decision will constitute the final Agency action.
- (g) **Subsequent notification to employers.** When information is corrected or removed in accordance with this section, or in accordance with 49 CFR part 10, FMCSA will notify any employer that accessed the incorrect information that a correction or removal was made.

[81 FR 87725, Dec. 5, 2016, as amended at 86 FR 35640, July 7, 2021; 86 FR 55742, Oct. 7, 2021; 86 FR 57069, Oct. 14, 2021]

### § 382.719 Availability and removal of information.

- (a) **Driver information not available.** Information about a driver's drug or alcohol violation will not be available to an employer conducting a query of the Clearinghouse after all of the following conditions relating to the violation are satisfied:
- (1) The SAP reports to the Clearinghouse the information required in § 382.705(d);
  - (2) The employer reports to the Clearinghouse that the driver's return-to-duty test results are negative;
  - (3) The driver's current employer reports that the driver has successfully completed all follow-up tests as prescribed in the SAP report in accordance with §§ 40.307, 40.309, and 40.311 of this title; and
  - (4) Five years have passed since the date of the violation determination.

- (b) **Driver information remains available.** Information about a particular driver's drug or alcohol violation will remain available to employers conducting a query until all requirements in paragraph (a) of this section have been met.
- (c) **Exceptions.**
  - (1) Within 2 business days of granting a request for removal pursuant to § 382.717(a)(2)(i), FMCSA will remove information from the Clearinghouse.
  - (2) Information about a particular driver's drug or alcohol violation may be removed in accordance with § 382.717(a)(2)(ii) and (iii) or in accordance with 49 CFR part 10.
- (d) **Driver information remains available.** Nothing in this part shall prevent FMCSA from using information removed under this section for research, auditing, or enforcement purposes.

### **§ 382.721 Fees.**

FMCSA may collect a reasonable fee from entities required to query the Clearinghouse. Exception: No driver may be required to pay a fee to access his or her own information in the Clearinghouse.

### **§ 382.723 Unauthorized access or use prohibited.**

- (a) Except as expressly authorized in this subpart, no person or entity may access the Clearinghouse. No person or entity may share, distribute, publish, or otherwise release any information in the Clearinghouse except as specifically authorized by law. No person may report inaccurate or misleading information to the Clearinghouse.
- (b) An employer's use of information received from the Clearinghouse is limited to determining whether a prohibition applies to a driver performing a safety-sensitive function with respect to a commercial motor vehicle. No employer may divulge or permit any other person or entity to divulge any information from the Clearinghouse to any person or entity not directly involved in determining whether a prohibition applies to a driver performing a safety-sensitive function with respect to a commercial motor vehicle.
- (c) Violations of this section are subject to civil and criminal penalties in accordance with applicable law, including those set forth at § 382.507.
- (d) Nothing in this part shall prohibit FMCSA from accessing information about individual drivers in the Clearinghouse for research, auditing, or enforcement purposes.

### **§ 382.725 Access by State licensing authorities.**

- (a)
  - (1) Before November 18, 2024, in order to determine whether a driver is qualified to operate a commercial motor vehicle, the chief commercial driver's licensing official of a State may obtain the driver's record from the Clearinghouse if the driver has applied for a commercial driver's license or commercial learner's permit from that State.
  - (2) On or after November 18, 2024, in order to determine whether a driver is qualified to operate a commercial motor vehicle, the chief commercial driver's licensing official of a State must obtain the driver's record from the Clearinghouse if the driver has applied for a commercial driver's license or commercial learner's permit from that State.
- (b) By applying for a commercial driver's license or a commercial learner's permit, a driver is deemed to have consented to the release of information from the Clearinghouse in accordance with this section.
- (c) The chief commercial driver's licensing official's use of information received from the Clearinghouse is limited to determining an individual's qualifications to operate a commercial motor vehicle. No chief commercial driver's licensing official may divulge or permit any other person or entity to divulge any information from the Clearinghouse to any person or entity not directly involved in determining an individual's qualifications to operate a commercial motor vehicle.
- (d) A chief commercial driver's licensing official who does not take appropriate safeguards to protect the privacy and confidentiality of information obtained under this section is subject to revocation of his or her right of access under this section.

[81 FR 87725, Dec. 5, 2016, as amended at 84 FR 68057, Dec. 13, 2019; 86 FR 35640, July 7, 2021; 86 FR 55742, Oct. 7, 2021]

**§ 382.727 Penalties.**

An employer, employee, MRO, or service agent who violates any provision of this subpart shall be subject to the civil and/or criminal penalty provisions of 49 U.S.C. 521(b)(2)(C).

# **Modification**

## **Personal Services Contracts**

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: GENERAL SERVICES AGENCY - PUBLIC WORKS

Dept. Code: DPW

Type of Request:  Initial  Modification of an existing PSC (PSC # 45682 - 16/17)

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

Type of Service: Multi-Discipline Construction Management Services

Funding Source: Interdepartmental Work Orders

PSC Original Approved Amount: \$12,000,000 PSC Original Approved Duration: 07/01/17 - 06/30/23 (6 years)

PSC Mod#1 Amount: \$6,000,000 PSC Mod#1 Duration: no duration added

PSC Mod#2 Amount: \$500,000 PSC Mod#2 Duration: no duration added

PSC Cumulative Amount Proposed: \$18,500,000 PSC Cumulative Duration Proposed: 6 years

**1. Description of Work**

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

Provide resident engineers, field engineers, inspectors, specialty engineers, office engineers, scheduling engineers, public outreach staff, construction management support, field office administrative staff, and supplemental construction services for various types of engineering work on an as-needed basis and other as-needed services to be determined.

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

Services are required to augment the workload of the Construction Management and Project Management staff at Infrastructure Design and Construction (IDC) and Building Design and Construction (BDC) and to provide services to other departments in the City for many emergency jobs and short term/duration projects that sometimes require diverse skill and expertise. Denial would cause delays to construction projects, which may result in additional costs to the City.

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, please see PSC Modification history above.

D. Will the contract(s) be renewed?

No. New RFQ's will be advertised.

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 PSC duration exceeds 5 years to account for time needed to advertise and award. However, the contract duration will not exceed 5 years.

**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).

Cases where future funding is so uncertain that the establishment of new civil service positions, classes or programs is not feasible (including situations where there is grant funding).

Explain the qualifying circumstances:

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

B. Reason for the request for modification:

This Mod Request is for awarding additional contract service orders for specialized construction management services. These as-needed contracts are necessary to support Public Works on special projects that require expertise that are not provided by staff, and when the staff cannot meet project demands due to heavy workload.

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

A. Specify required skills and/or expertise: Licensed and/or certified resident engineers, assistant resident engineers, field engineers, construction inspectors, specialty engineers, schedulers, estimators, office engineers, claims specialist, with broad experience in managing construction projects, claims prevention, preconstruction survey/cost estimating, bid evaluation, scheduling analysis, value engineering, project control, and field inspection.

B. Which, if any, civil service class(es) normally perform(s) this work? 5174, Administrative Engineer; 5201, Junior Engineer; 5207, Assoc Engineer; 5211, Eng/Arch/Landscape Arch Sr; 5241, Engineer; 6318, Construction Inspector;

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes, if used in performance of contract and paid for by the City. Specialized field monitoring equipment and/or computer software may be provided.

**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.

Several positions do not exist in Civil Service: Scheduling Engineers, Cost Estimators, Claims Specialists, etc. Where applicable civil service classifications will be utilized; these contractual services will be used to augment City staff when there are peak loads on City staff's time or emergencies. Projects assigned on short term/duration on a part-time as-needed basis.

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: Yes. The City has been contracting out services for Cost Estimators and Scheduling Engineers and anticipates that these services will continue to be utilized.

**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.  
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.  
No.

**7. Union Notification:** On 12/08/21, 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: Alexander Burns Phone: 415-554-6411 Email: alexander.burns@sfdpw.org

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

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 45682 - 16/17

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 02/07/2022

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



## Sy, Don (DPW)

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**From:** Burns, Alexander (DPW)  
**Sent:** Wednesday, December 08, 2021 1:56 PM  
**To:** Sy, Don (DPW)  
**Subject:** FW: Receipt of Modification Request to PSC # 45682 - 16/17 - MODIFICATIONS

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

From: dhr-psccordinator@sfgov.org <dhr-psccordinator@sfgov.org> On Behalf Of alexander.burns@sfdpw.org  
Sent: Wednesday, December 08, 2021 1:39 PM  
To: Burns, Alexander (DPW) <alexander.burns@sfdpw.org>; WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; kschumacher@ifpte21.org; pkim@ifpte21.org; amakayan@ifpte21.org; L21PSCReview@ifpte21.org; Cheng, Paul (ADM) <paul.cheng@sfgov.org>; DHR-PSCCoordinator, DHR (HRD) <dhr-psccordinator@sfgov.org>  
Subject: Receipt of Modification Request to PSC # 45682 - 16/17 - MODIFICATIONS

PSC RECEIPT of Modification notification sent to Unions and DHR

The GENERAL SERVICES AGENCY - PUBLIC WORKS -- DPW has submitted a modification request for a Personal Services Contract (PSC) for \$500,000 for services for the period July 1, 2017 – June 30, 2023. 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/10301>

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

# **Additional Attachment(s)**

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

Department: GENERAL SERVICES AGENCY - PUBLIC WORKSDept. Code: DPWType of Request:  Initial  Modification of an existing PSC (PSC # 45682 - 16/17)Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)Type of Service: Multi-Discipline Construction Management ServicesFunding Source: Interdepartmental Work OrdersPSC Original Approved Amount: \$12,000,000 PSC Original Approved Duration: 07/01/17 - 06/30/23 (6 years)PSC Mod#1 Amount: \$6,000,000 PSC Mod#1 Duration: no duration addedPSC Cumulative Amount Proposed: \$18,000,000 PSC Cumulative Duration Proposed: 6 years**1. Description of Work****A. Scope of Work/Services to be Contracted Out:**

Provide resident engineers, field engineers, inspectors, specialty engineers, office engineers, scheduling engineers, public outreach staff, construction management support, field office administrative staff, and supplemental construction services for various types of engineering work on an as-needed basis and other as-needed services to be determined.

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

Services are required to augment the workload of the Construction Management and Project Management staff at Infrastructure Design and Construction (IDC) and Building Design and Construction (BDC) and to provide services to other departments in the City for many emergency jobs and short term/duration projects that sometimes require diverse skill and expertise. Denial would cause delays to construction projects, which may result in additional costs to the City.

**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, through PSC # 45682-16/17 approved on 08/07/2017

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

No. New RFQ's will be advertised.

**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 PSC duration exceeds 5 years to account for time needed to advertise and award. However, the contract duration will not exceed 5 years.

**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).

- Cases where future funding is so uncertain that the establishment of new civil service positions, classes or programs is not feasible (including situations where there is grant funding).

Explain the qualifying circumstances:

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

B. Reason for the request for modification:

This PSC Mod Request is for awarding additional as-needed master contracts and contract service orders for specialized construction management services. We plan to award five (5) master contracts at \$2,000,000 each and four (4) smaller contracts at \$1,000,000 each. These as-needed contracts are necessary to support Public Works on special projects that require expertise that are not provided by staff, and when the staff cannot meet project demands due to heavy work load.

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

- A. Specify required skills and/or expertise: Licensed and/or certified resident engineers, assistant resident engineers, field engineers, construction inspectors, specialty engineers, schedulers, estimators, office engineers, claims specialist, with broad experience in managing construction projects, claims prevention, preconstruction survey/cost estimating, bid evaluation, scheduling analysis, value engineering, project control, and field inspection.
- B. Which, if any, civil service class(es) normally perform(s) this work? 5174, Administrative Engineer; 5201, Junior Engineer; 5207, Assoc Engineer; 5211, Eng/Arch/Landscape Arch Sr; 5241, Engineer; 6318, Construction Inspector;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes, if used in performance of contract and paid for by the City. Specialized field monitoring equipment and/or computer software may be provided.

### **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.  
Several positions do not exist in Civil Service: Scheduling Engineers, Cost Estimators, Claims Specialists, etc. Where applicable civil service classifications will be utilized; these contractual services will be used to augment City staff when there are peak loads on City staff's time or emergencies. Projects assigned on short term/duration on a part-time as-needed basis.
- 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: Yes. The City has been contracting out services for Cost Estimators and Scheduling Engineers and anticipates that these services will continue to be utilized.

### **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 training will be provided, as the City currently has qualified Construction Managers on staff. These services will only be utilized when and if the work cannot be prudently performed by internal staff. Where applicable, civil service classifications will be utilized; these contractual services will be used to augment City staff when there are peak loads on City staff's time or emergencies.

- 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.  
Certain federal or state grants require a third party Contractor for quality control purposes. In these instances, contractual services must be utilized. Project Quality Assurance oversight personnel needed to be independent from production pressure...The level of Quality Program specified in the contract will depend upon the complexity and importance of the service or product. For some projects, all fifteen elements of these Quality Management System Guidelines might be specified. In other cases, the contractor, consultant, or supplier may be required to use only its existing quality programs or standards or other quality standards if specified by the grantee or any stakeholders. In addition, FTA Circular 4220.1F, Third Party Contracting Guidance, provides contracting guidance to assist grantees in procuring third-party services on capital projects receiving federal funding." "FAA AC 150/5100-14, Architectural, Engineering, and Planning Consultant Services for Airport Grant Projects, identifies items that should be included in a contract for engineering services. In some cases, the sponsor may retain an independent firm to perform testing for project control. It is, therefore, extremely important that the contract clearly delineate the division of responsibility and authority between the sponsor, the consultant, and the testing firm. For example, the agreement should define the party responsible for designating the location and number of tests, for interpreting test results, and for follow-up procedures for failing test results."

- 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 11/02/17, 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# 45682 - 16/17

DHR Analysis/Recommendation:

Commission Approval Not Required

Approved by DHR on 11/14/2017

## 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: Multi-Discipline Construction Management ServicesFunding Source: Interdepartmental Work OrdersPSC Amount: \$12,000,000PSC Est. Start Date: 07/01/2017PSC Est. End Date 06/30/2023**1. Description of Work****A. Scope of Work/Services to be Contracted Out:**

Provide resident engineers, field engineers, inspectors, specialty engineers, office engineers, scheduling engineers, public outreach staff, construction management support, field office administrative staff, and supplemental construction services for various types of engineering work on an as-needed basis and other as-needed services to be determined.

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

Services are required to augment the workload of the Construction Management and Project Management staff at Infrastructure Design and Construction (IDC) and Building Design and Construction (BDC) and to provide services to other departments in the City for many emergency jobs and short term/duration projects that sometimes require diverse skill and expertise. Denial would cause delays to construction projects, which may result in additional costs to the City.

**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 Multi-Discipline Construction Management Services were awarded to: Avila and Associates, CPM/AGS JV, CM Pros, Environmental & Construction Solutions, Dabri (Micro), DCMS (Micro), and Joe Hill (Micro) under PSC#4149-07/08 approved on 4/21/2008.

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

No. New RFQ's will be advertised.

**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 PSC duration exceeds 5 years to account for time needed to advertise and award. However, the contract duration will not exceed 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).

Cases where future funding is so uncertain that the establishment of new civil service positions, classes or programs is not feasible (including situations where there is grant funding).

**B. Explain the qualifying circumstances:**

This service will only be required on an as-needed basis when either 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: Licensed and/or certified resident engineers, assistant resident engineers, field engineers, construction inspectors, specialty engineers, schedulers, estimators, office engineers, claims specialist, with broad experience in managing construction projects, claims prevention, preconstruction survey/cost estimating, bid evaluation, scheduling analysis, value engineering, project control, and field inspection.
- B. Which, if any, civil service class(es) normally perform(s) this work? 5174, Administrative Engineer; 5201, Junior Engineer; 5207, Assoc Engineer; 5211, Eng/Arch/Landscape Arch Sr; 5241, Engineer; 6318, Construction Inspector;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes, if used in performance of contract and paid for by the City. Specialized field monitoring equipment and/or computer software may be provided.

**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 contract services 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.  
Several positions do not exist in Civil Service: Scheduling Engineers, Cost Estimators, Claims Specialists, etc. Where applicable civil service classifications will be utilized; these contractual services will be used to augment City staff when there are peak loads on City staff's time or emergencies. Projects assigned on short term/duration on a part-time as-needed basis.
- 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. Yes. The City has been contracting out services for Cost Estimators and Scheduling Engineers and anticipates that these services will continue to be utilized.

**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.  
No. No training will be provided, as the City currently has qualified Construction Managers on staff. These services will only be utilized when and if the work cannot be prudently performed by internal staff. Where applicable, civil service classifications will be utilized; these contractual services will be used to augment City staff when there are peak loads on City staff's time or emergencies.
- 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.

Yes. Certain federal or state grants require a third party Contractor for quality control purposes. In these instances, contractual services must be utilized. Project Quality Assurance oversight personnel needed to be independent from production pressure...The level of Quality Program specified in the contract will depend upon the complexity and importance of the service or product. For some projects, all fifteen elements of these Quality Management System Guidelines might be specified. In other cases, the contractor, consultant, or supplier may be required to use only its existing quality programs or standards or other quality standards if specified by the grantee or any stakeholders. In addition, FTA Circular 4220.1F, Third Party Contracting Guidance, provides contracting guidance to assist grantees in procuring third-party services on capital projects receiving federal funding." "FAA AC 150/5100-14, Architectural, Engineering, and Planning Consultant Services for Airport Grant Projects, identifies items that should be included in a contract for engineering services. In some cases, the sponsor may retain an independent firm to perform testing for project control. It is, therefore, extremely important that the contract clearly delineate the division of responsibility and authority between the sponsor, the consultant, and the testing firm. For example, the agreement should define the party responsible for designating the location and number of tests, for interpreting test results, and for follow-up procedures for failing test results."

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

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 45682 - 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: HUMAN SERVICES

Dept. Code: DSS

Type of Request:  Initial  Modification of an existing PSC (PSC # 41787 - 20/21)

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

Type of Service: Consultant Services for Dignity Fund Community Needs Assessment

Funding Source: State, Local, Fed

PSC Original Approved Amount: \$250,000 PSC Original Approved Duration: 08/01/21 - 06/30/23 (1 year 47 weeks)

PSC Mod#1 Amount: \$125,000 PSC Mod#1 Duration: 08/01/21-05/31/24 (48 weeks)

PSC Mod#2 Amount: \$70,000 PSC Mod#2 Duration: no duration added

PSC Cumulative Amount Proposed: \$445,000 PSC Cumulative Duration Proposed: 2 years 43 weeks

**1. Description of Work**

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

Consultant services are required to conduct and prepare the 2022 Dignity Fund Community Needs Assessment. This assessment will help the Department of Disability and Aging Services (DAS) to understand current community needs, identify equity concerns and service gaps, and develop recommendations to address these issues. This information will be used in the following year to support a Service and Allocation Plan that outlines how the Fund will be allocated strategically to address community needs and strengthen the city's aging and disability service network. As outlined and required by the City charter, this project must be conducted and completed in FY 2021-22.

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

In November 2016, San Francisco voters approved an amendment to the Charter of the City and County of San Francisco to establish the Dignity Fund, a protected funding source for social services that support older people, adults with disabilities, veterans, and caregivers. This legislation also mandated a four-year planning and funding cycle. The cycle begins with the Dignity Fund Community Needs Assessment (DFCNA). The DFCNA findings are used in creating a Service and Allocation Plan, which outlines how the Fund will be used over the following four years to address community needs. The first DFCNA project was completed in 2018. Denying these services would mean the Department would be out of compliance of the legislation with possible repercussions from the Board of Supervisors.

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 41787 - 20/21

D. Will the contract(s) be renewed?

Yes. Depending on funding, need, and performance

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:

**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:

Services are needed immediately per the Dignity Fund Legislation. The project is short-term in nature and the services required will have peaks in the workload depending on the project timeline.

B. Reason for the request for modification:

In December 2020, the San Francisco Board of Supervisors adopted legislation to implement new reporting on affordable housing for older adults and people with disabilities. Ordinance 266-20 amends the Administrative Code to require new reporting on housing needs and affordable housing production for seniors and people with disabilities; under this legislation, the Department of Disability and Aging Services is tasked with facilitating two new reports, one of which is an Aging and Disability Affordable Housing Needs Assessment and Production Pipeline Report (the Needs Assessment Report). DAS will prepare and publish the Need Assessment Report for the first time by October 2022, as outlined in Ordinance 266-20. The modification will include this Needs Assessment Report which will help staff, commissioners, and elected officials understand current housing needs, identify equity concerns and service gaps, and develop recommendations to address these issues.

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

- A. Specify required skills and/or expertise: Communications services including outreach to targeted populations served by the Agency, grant writing, program planning and evaluation, technical writing, environmental and industrial assessment services, population surveys, business process mapping, technology solutions for agency operations, quantitative analysis, qualitative research, community engagement experience.
- B. Which, if any, civil service class(es) normally perform(s) this work? 1823, Senior Administrative Analyst; 1824, Pr Administrative Analyst;
- 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.

This project is short-term and will require the time and contributions of multiple additional people to complete, due to the scale of work and variety in skill sets required (e.g., quantitative analysis, qualitative research, community engagement experience).The Dignity Fund legislation permits the hiring of consultants and outside experts for services required to conduct this project.

- 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, it would not be practical to create a new class because of the immediate, short-term and on demand need for these services.

**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.  
Services will not require training of City and County employees.
- 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 12/20/21, the Department notified the following employee organizations of this PSC/RFP request:  
Professional & Tech Engrs, Local 21; 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: Esperanza Zapien Phone: 557-5657 Email: esperanza.zapien@sfgov.org

Address: 1650 Mission Street, 5th Floor, San Francisco, CA

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 41787 - 20/21

DHR Analysis/Recommendation:

Commission Approval Required

DHR Approved for 02/07/2022

Civil Service Commission Action:

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

## Acevedo, Annyse (HSA)

---

**From:** dhr-psccordinator@sfgov.org on behalf of esperanza.zapien@sfgov.org  
**Sent:** Monday, December 20, 2021 4:45 PM  
**To:** Zapien, Esperanza (HSA); Laxamana, Junko (BOS); WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; kschumacher@ifpte21.org; pkim@ifpte21.org; amakayan@ifpte21.org; L21PSCReview@ifpte21.org; Acevedo, Annyse (HSA); DHR-PSCCoordinator, DHR (HRD)  
**Subject:** Receipt of Modification Request to PSC # 41787 - 20/21 - MODIFICATIONS

PSC RECEIPT of Modification notification sent to Unions and DHR

The HUMAN SERVICES -- DSS has submitted a modification request for a Personal Services Contract (PSC) for \$70,000 for services for the period August 1,

2021

– May 31, 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/17555>

Email sent to the following addresses: L21PSCReview@ifpte21.org amakayan@ifpte21.org pkim@ifpte21.org kschumacher@ifpte21.org tmathews@ifpte21.org wendywong26@yahoo.com WendyWong26@yahoo.com junko.laxamana@sfgov.org

# **Additional Attachment(s)**



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

Department: HUMAN SERVICESDept. Code: DSSType of Request:  Initial  Modification of an existing PSC (PSC # 41787 - 20/21)Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)Type of Service: Consultant Services for Dignity Fund Community Needs AssessmentFunding Source: State, Local, FedPSC Original Approved Amount: \$250,000 PSC Original Approved Duration: 08/01/21 - 06/30/23 (1 year 47 weeks)PSC Mod#1 Amount: \$125,000 PSC Mod#1 Duration: 08/01/21-05/31/24 (48 weeks)PSC Cumulative Amount Proposed: \$375,000 PSC Cumulative Duration Proposed: 2 years 43 weeks**1. Description of Work****A. Scope of Work/Services to be Contracted Out:**

Consultant services are required to conduct and prepare the 2022 Dignity Fund Community Needs Assessment. This assessment will help the Department of Disability and Aging Services (DAS) to understand current community needs, identify equity concerns and service gaps, and develop recommendations to address these issues. This information will be used in the following year to support a Service and Allocation Plan that outlines how the Fund will be allocated strategically to address community needs and strengthen the city's aging and disability service network. As outlined and required by the City charter, this project must be conducted and completed in FY 2021-22.

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

In November 2016, San Francisco voters approved an amendment to the Charter of the City and County of San Francisco to establish the Dignity Fund, a protected funding source for social services that support older people, adults with disabilities, veterans, and caregivers. This legislation also mandated a four-year planning and funding cycle. The cycle begins with the Dignity Fund Community Needs Assessment (DFCNA). The DFCNA findings are used in creating a Service and Allocation Plan, which outlines how the Fund will be used over the following four years to address community needs. The first DFCNA project was completed in 2018. Denying these services would mean the Department would be out of compliance of the legislation with possible repercussions from the Board of Supervisors.

**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 41787 - 20/21

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

Yes. Depending on funding, need, and performance

**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:**

**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:

Services are needed immediately per the Dignity Fund Legislation. The project is short-term in nature and the services required will have peaks in the workload depending on the project timeline.

B. Reason for the request for modification:

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

- A. Specify required skills and/or expertise: Communications services including outreach to targeted populations served by the Agency, grant writing, program planning and evaluation, technical writing, environmental and industrial assessment services, population surveys, business process mapping, technology solutions for agency operations, quantitative analysis, qualitative research, community engagement experience.
- B. Which, if any, civil service class(es) normally perform(s) this work? 1823, Senior Administrative Analyst; 1824, Pr Administrative Analyst;
- 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.  
This project is short-term and will require the time and contributions of multiple additional people to complete, due to the scale of work and variety in skill sets required (e.g., quantitative analysis, qualitative research, community engagement experience).The Dignity Fund legislation permits the hiring of consultants and outside experts for services required to conduct this project.
- 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, it would not be practical to create a new class because of the immediate, short-term and on demand need for these services.

**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.  
Services will not require training of City and County employees.
- 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 11/19/21, the Department notified the following employee organizations of this PSC/RFP request:  
Professional & Tech Engrs, Local 21; 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: Esperanza Zapien Phone: 557-5657 Email: esperanza.zapien@sfgov.org

Address: 1650 Mission Street, 5th Floor, San Francisco, CA

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 41787 - 20/21

DHR Analysis/Recommendation:

Commission Approval Not Required

Approved by DHR on 11/29/2021

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: HUMAN SERVICES -- DSS

Dept. Code: DSS

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

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

Type of Service: Consultant Services for Dignity Fund Community Needs Assessment

Funding Source: State, Local, Fed

PSC Amount: \$250,000

PSC Est. Start Date: 08/01/2021

PSC Est. End Date 06/30/2023

**1. Description of Work**

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

Consultant services are required to conduct and prepare the 2022 Dignity Fund Community Needs Assessment. This assessment will help the Department of Disability and Aging Services (DAS) to understand current community needs, identify equity concerns and service gaps, and develop recommendations to address these issues. This information will be used in the following year to support a Service and Allocation Plan that outlines how the Fund will be allocated strategically to address community needs and strengthen the city's aging and disability service network. As outlined and required by the City charter, this project must be conducted and completed in FY 2021-22.

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

In November 2016, San Francisco voters approved an amendment to the Charter of the City and County of San Francisco to establish the Dignity Fund, a protected funding source for social services that support older people, adults with disabilities, veterans, and caregivers. This legislation also mandated a four-year planning and funding cycle. The cycle begins with the Dignity Fund Community Needs Assessment (DFCNA). The DFCNA findings are used in creating a Service and Allocation Plan, which outlines how the Fund will be used over the following four years to address community needs. The first DFCNA project was completed in 2018. Denying these services would mean the Department would be out of compliance of the legislation with possible repercussions from the Board of Supervisors.

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 previously provided in 2017 through PSC # 2006 -08/09.

D. Will the contract(s) be renewed?

Yes. Depending on funding, need, and performance

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):

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:

Services are needed immediately per the Dignity Fund Legislation. The project is short-term in nature and the services required will have peaks in the workload depending on the project timeline.

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

A. Specify required skills and/or expertise: Communications services including outreach to targeted populations served by the Agency, grant writing, program planning and evaluation, technical writing, environmental and industrial assessment services, population surveys, business process mapping, technology solutions for agency operations, quantitative analysis, qualitative research, community engagement experience.

B. Which, if any, civil service class(es) normally perform(s) this work? 1823, Senior Administrative Analyst; 1824, Pr Administrative Analyst;

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?**

None as these services are only needed for a short period of time, every four years.

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

A. Explain why civil service classes are not applicable.

This project is short-term and will require the time and contributions of multiple additional people to complete, due to the scale of work and variety in skill sets required (e.g., quantitative analysis, qualitative research, community engagement experience).The Dignity Fund legislation permits the hiring of consultants and outside experts for services required to conduct this project.

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, it would not be practical to create a new class because of the immediate, short-term and on demand need for these services.

**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.  
No. Services will not require training of City and County employees.

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 06/07/2021, 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: Esperanza Zapien Phone: 557-5657 Email: esperanza.zapien@sfgov.org

Address: 1650 Mission Street, 5th Floor San Francisco, CA

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 41787 - 20/21

DHR Analysis/Recommendation:

action date: 08/02/2021

Commission Approval Required

Approved by Civil Service Commission

08/02/2021 DHR Approved for 08/02/2021

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: MUNICIPAL TRANSPORTATION AGENCY

Dept. Code: MTA

Type of Request:  Initial  Modification of an existing PSC (PSC # 47215 - 20/21)

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

Type of Service: Bus Towing and Roadside Assistance

Funding Source: Operating Funds

PSC Original Approved Amount: \$1,200,000 PSC Original Approved Duration: 07/01/21 - 06/30/25 (4 years)

PSC Mod#1 Amount: \$4,800,000 PSC Mod#1 Duration: 03/01/22-02/28/27 (1 year 34 weeks)

PSC Cumulative Amount Proposed: \$6,000,000 PSC Cumulative Duration Proposed: 5 years 34 weeks

**1. Description of Work**

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

Contractor will provide 24-hour, 7 days a week as-needed roadside assistance and/or towing services for San Francisco Municipal Transportation Agency (SFMTA's) rubber tire revenue vehicles, to include diesel, electric, and electric buses and trolleys.

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

The service is necessary because broken down buses and trolleys must be either promptly repaired or towed to SFMTA repair facilities. If this service is denied, the SFMTA will not be able to respond to disabled buses and trolleys that must be repaired or removed from the locations where they break downs.

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 PSC 47215 20/21 approved 10/19/2020

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 service provider must possess the ability to tow a bus or trolley using a Lowboy trailer and be able to provide year-round, 24-hour emergency roadside service (such as tire inflation in order to move a bus or trolley)

**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 lacks staffing, facility space and the required equipment.

B. Reason for the request for modification:

Extension of the contract and more funding added to the contract

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

A. Specify required skills and/or expertise: The service provider must possess the ability to tow a bus or trolley using a Lowboy trailer and be able to provide year-round, 24-hour emergency roadside service (such as tire inflation in order to move a bus or trolley).

B. Which, if any, civil service class(es) normally perform(s) this work? 7381, Automotive Mechanic; 7410, Automotive Service Worker;

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes. The awarded contractor must have a tow truck with Lowboy trailer for towing a bus or trolley. The SFMTA does not have this specialized equipment.

**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.

While civil service classes could perform the work, the work requires utilization of specialized equipment that the SFMTA does not have.

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 work requires that the SFMTA have specialized equipment used for towing buses and trolleys.

**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.  
Yes, PSC47215 20/21 approved 10/19/2020

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

7. **Union Notification:** On 12/06/21, the Department notified the following employee organizations of this PSC/RFP request:  
TWU - Automotive Service Worker; Automotive Machinists, Local 1414;

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# 47215 - 20/21

DHR Analysis/Recommendation:  
Commission Approval Required  
DHR Approved for 02/07/2022

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, December 6, 2021 1:56 PM  
**To:** Nuque, Amy; mdennis@twusf.org; roger marengo; Pete Wilson - Union 250A VP; Mjayne@iam1414.org; agonzalez@iam1414.org; speedy4864@aol.com; dhr-psccordinator@sfgov.org  
**Subject:** Receipt of Modification Request to PSC # 47215 - 20/21 - MODIFICATIONS

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

PSC RECEIPT of Modification notification sent to Unions and DHR

The MUNICIPAL TRANSPORTATION AGENCY -- MTA has submitted a modification request for a Personal Services Contract (PSC) for \$4,800,000 for services for the period March 1, 2022 – February 28, 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/17638>

Email sent to the following addresses: [speedy4864@aol.com](mailto:speedy4864@aol.com) [agonzalez@iam1414.org](mailto:agonzalez@iam1414.org) [Mjayne@iam1414.org](mailto:Mjayne@iam1414.org) [pwilson@twusf.org](mailto:pwilson@twusf.org) [rmarengo@twusf.org](mailto:rmarengo@twusf.org) [mdennis@twusf.org](mailto:mdennis@twusf.org)

# **Additional Attachment(s)**

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

Department: MUNICIPAL TRANSPORTATION AGENCY -- MTADept. Code: MTAType of Request:  Initial  Modification of an existing PSC (PSC # \_\_\_\_\_)Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)Type of Service: Bus Towing and Roadside AssistanceFunding Source: Operating FundsPSC Duration: 4 yearsPSC Amount: \$1,200,000**1. Description of Work**

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

Contractor will provide 24-hour, 7 days a week as-needed roadside assistance and/or towing services for San Francisco Municipal Transportation Agency (SFMTA's) rubber tire revenue vehicles, to include diesel, electric, and electric buses and trolleys.

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

The service is necessary because broken down buses and trolleys must be either promptly repaired or towed to SFMTA repair facilities. If this service is denied, the SFMTA will not be able to respond to disabled buses and trolleys that must be repaired or removed from the locations where they break down.

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 been provided in the past under previously PSC # 45762 - 16/17 and was approved 6/19/2017

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.

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:

The City lacks staffing, facility space and the required equipment.

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

A. Specify required skills and/or expertise: The service provider must possess the ability to tow a bus or trolley using a Lowboy trailer and be able to provide year-round, 24-hour emergency roadside service (such as tire inflation in order to move a bus or trolley).

B. Which, if any, civil service class(es) normally perform(s) this work? 7381, Automotive Mechanic; 7410, Automotive Service Worker;

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes. The awarded contractor must have a tow truck with Lowboy trailer for towing a bus or trolley. The SFMTA does not have this specialized equipment.

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

There are no resources within the City to facilitate managing a towing service program on the scale required.

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

A. Explain why civil service classes are not applicable.

While civil service classes could perform the work, the work requires utilization of specialized equipment that the SFMTA does not have.

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 work requires that the SFMTA have specialized equipment used for towing buses and trolleys.

**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.  
No. There will be no SFMTA staff engaged in the servicing of this contract. Therefore, no training of city personnel is required.

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 07/23/2020, the Department notified the following employee organizations of this PSC/RFP request:

Automotive Machinists, Local 1414; TWU - Automotive Service Worker

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# 47215 - 20/21

DHR Analysis/Recommendation:

action date: 10/19/2020

Commission Approval Required

Approved by Civil Service Commission

10/19/2020 DHR Approved for 10/19/2020

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: POLICE

Dept. Code: POL

Type of Request:  Initial  Modification of an existing PSC (PSC # 47858 - 17/18)

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

Type of Service: Compliance Review and Reporting

Funding Source: General Fund

PSC Original Approved Amount: \$750,000

PSC Original Approved Duration: 11/01/17 - 10/31/19 (1 year 52 weeks)

PSC Mod#1 Amount: \$110,000

PSC Mod#1 Duration: 04/01/18-03/31/20 (21 weeks 5 days)

PSC Mod#2 Amount: \$420,000

PSC Mod#2 Duration: 03/31/20-03/31/21 (1 year)

PSC Mod#3 Amount: \$600,000

PSC Mod#3 Duration: no duration added

PSC Mod#4 Amount: no amount added

PSC Mod#4 Duration: 03/31/21-12/31/21 (39 weeks 2 days)

PSC Mod#5 Amount: \$1,000,000

PSC Mod#5 Duration: 01/01/22-12/31/24 (3 years 1 day)

PSC Cumulative Amount Proposed: \$2,880,000

PSC Cumulative Duration Proposed: 7 years 8 weeks

**1. Description of Work**

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

The contractor will independently monitor and report on the San Francisco Police Department's (SFPD) Reform process, a task previously conducted by a consulting firm under contract with the United States Department of Justice (US DOJ). The US DOJ cancelled the program that was providing this service to the SFPD. Therefore, the SFPD needs to continue the work through contracting.

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

Independent external monitoring and reporting is critical to ensure that public trust in the SFPD is built and maintained. Denial would force the Department to self-report on topics including accountability, bias in enforcement, and community policing. All topics are more widely accepted when performed from an external perspective.

**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 47858 - 17/18

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

Possible very short term contract extension. However, most work must be performed by 2019.

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:

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

A. Display all that apply

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

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:

Unexpected cancellation of program by the US DOJ requires the SFPD to procure a contract for service to continue a reform program in process to implement changes in an 18-month timeline. External monitoring and reporting of the reform program is critical to ensure that public trust in the department is built and maintained.

B. Reason for the request for modification:

Extend time and increase amount

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

A. Specify required skills and/or expertise: Consulting firm must have extensive management and law enforcement related consulting experience: management of multi-echelon and multi-divisional programs, oversight of a law enforcement agencies, program management, and law enforcement expertise.

B. Which, if any, civil service class(es) normally perform(s) this work? 1803, Performance Analyst I; 1805, Performance Analyst II; 1823, Senior Administrative Analyst; 1824, Pr Administrative Analyst;

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.

Levels of expertise, experience and previous access to policies and procedures are not available within the current workforce and are immediately needed.

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: The US DOJ Reform program mandated an 18-month timeline to implement all changes (from October 2016). Due to the unexpected withdrawal of the US DOJ, the SFPD proposes an additional 18-month engagement from this point to ensure a uniform monitoring and reporting period. This timeline, however,



assumes work on monitoring and reporting to commence immediately as project momentum and improving SFPD training/actions can have an immediate, lifesaving effect. Although classifications exist for this work, employees currently in the classifications cannot be repurposed for this function at this time. The independent nature of the required work, the knowledge transfer to existing classifications, and the potential inconsistency of approach that is already in place, are all barriers to the use of existing classifications and employees.

**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.  
Training is not needed
- 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.  
Need contractor to continue work.

**7. Union Notification:** On 12/20/21, the Department notified the following employee organizations of this PSC/RFP request:  
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: 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# 47858 - 17/18

DHR Analysis/Recommendation:  
Commission Approval Required  
DHR Approved for 02/07/2022

Civil Service Commission Action:

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

## Choi, Suzanne (HRD)

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**From:** dhr-psccordinator@sfgov.org on behalf of Genie.Wong@sfgov.org  
**Sent:** Monday, December 20, 2021 10:58 AM  
**To:** Wong, Genie (POL); Laxamana, Junko (BOS); WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; kschumacher@ifpte21.org; pkim@ifpte21.org; L21PSCReview@ifpte21.org; DHR-PSCCoordinator, DHR (HRD)  
**Subject:** Receipt of Modification Request to PSC # 47858 - 17/18 - MODIFICATIONS

PSC RECEIPT of Modification notification sent to Unions and DHR

The POLICE -- POL has submitted a modification request for a Personal Services Contract (PSC) for \$1,000,000 for services for the period January 1, 2022 – December 31, 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/10732>

Email sent to the following addresses: L21PSCReview@ifpte21.org pkim@ifpte21.org kschumacher@ifpte21.org tmathews@ifpte21.org wendywong26@yahoo.com WendyWong26@yahoo.com junko.laxamana@sfgov.org

# **Additional Attachment(s)**

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

Department: POLICEDept. Code: POLType of Request:  Initial  Modification of an existing PSC (PSC # 47858 - 17/18)Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)Type of Service: Compliance Review and ReportingFunding Source: General FundPSC Original Approved Amount: \$750,000PSC Original Approved Duration: 11/01/17 - 10/31/19 (1 year 52 weeks)PSC Mod#1 Amount: \$110,000PSC Mod#1 Duration: 04/01/18-03/31/20 (21 weeks 5 days)PSC Mod#2 Amount: \$420,000PSC Mod#2 Duration: 03/31/20-03/31/21 (1 year)PSC Mod#3 Amount: \$600,000PSC Mod#3 Duration: no duration addedPSC Mod#4 Amount: no amount addedPSC Mod#4 Duration: 03/31/21-12/31/21 (39 weeks 2 days)PSC Cumulative Amount Proposed: \$1,880,000PSC Cumulative Duration Proposed: 4 years 8 weeks**1. Description of Work****A. Scope of Work/Services to be Contracted Out:**

The contractor will independently monitor and report on the San Francisco Police Department's (SFPD) Reform process, a task previously conducted by a consulting firm under contract with the United States Department of Justice (US DOJ). The US DOJ cancelled the program that was providing this service to the SFPD. Therefore, the SFPD needs to continue the work through contracting.

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

Independent external monitoring and reporting is critical to ensure that public trust in the SFPD is built and maintained. Denial would force the Department to self-report on topics including accountability, bias in enforcement, and community policing. All topics are more widely accepted when performed from an external perspective.

**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 47858 - 17/18

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

Possible very short term contract extension. However, most work must be performed by 2019.

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

## A. Display all that apply

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

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:

Unexpected cancellation of program by the US DOJ requires the SFPD to procure a contract for service to continue a reform program in process to implement changes in an 18-month timeline. External monitoring and reporting of the reform program is critical to ensure that public trust in the department is built and maintained.

## B. Reason for the request for modification:

There needs to be a schedule change due to impact of COVID-19 on travel for site visits and in person interactions.

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

A. Specify required skills and/or expertise: Consulting firm must have extensive management and law enforcement related consulting experience: management of multi-echelon and multi-divisional programs, oversight of a law enforcement agencies, program management, and law enforcement expertise.

B. Which, if any, civil service class(es) normally perform(s) this work? 1803, Performance Analyst I; 1805, Performance Analyst II; 1823, Senior Administrative Analyst; 1824, Pr Administrative Analyst;

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.

Levels of expertise, experience and previous access to policies and procedures are not available within the current workforce and are immediately needed.

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: The US DOJ Reform program mandated an 18-month timeline to implement all changes (from October 2016). Due to the unexpected withdrawal of the US DOJ, the SFPD proposes an additional 18-month engagement from this point to ensure a uniform monitoring and reporting period. This timeline, however, assumes work on monitoring and reporting to commence immediately as project momentum and improving SFPD training/actions can have an immediate, lifesaving effect. Although classifications exist for this work, employees currently in the classifications cannot be repurposed for this

function at this time. The independent nature of the required work, the knowledge transfer to existing classifications, and the potential inconsistency of approach that is already in place, are all barriers to the use of existing classifications and employees.

**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.  
Training is not needed
- 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.  
Need contractor to continue work.

**7. Union Notification: On 08/31/20, the Department notified the following employee organizations of this PSC/RFP request:**

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: 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# 47858 - 17/18

DHR Analysis/Recommendation:

09/21/2020

Commission Approval Required

Approved by Civil Service Commission

09/21/2020 DHR Approved for 09/21/2020

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC HEALTH

Dept. Code: DPH

Type of Request:  Initial  Modification of an existing PSC (PSC # 41698 - 19/20)

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

Type of Service: Various Software Licensing, Mainenance, and related services

Funding Source: General Fund, federal and State funds

PSC Original Approved Amount: \$10,000,000

PSC Original Approved Duration: 12/01/19 - 12/31/24 (5 years 4 weeks)

PSC Mod#1 Amount: \$4,800,000

PSC Mod#1 Duration: 07/01/21-06/01/27 (2 years 21 weeks)

PSC Mod#2 Amount: \$5,000,000

PSC Mod#2 Duration: 12/17/21-12/31/31 (4 years 30 weeks)

PSC Cumulative Amount Proposed: \$19,800,000

PSC Cumulative Duration Proposed: 12 years 4 weeks

**1. Description of Work**

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

The contractor(s) will be used on an as-needed basis to maintain and enhance existing applications used in various functional areas within the Department. Functional areas shall include both clinical and non-clinical areas, such as services supporting an integrated communicable disease data system, SharePoint development services, archiving and data management, data warehouse(s), laboratory information, connected diagnostic, financial analysis and eligibility, access to proprietary online databases, clinical and financial bench marking tools, and pharmaceutical systems. The value of this request covers estimated costs for licensing, maintenance, and related professional services such as training and consultation.

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

These services are necessary in order to maintain existing legacy applications and to provide enhancements as needed to such systems in order to maintain their effectiveness and achieve full functionality. The Department has established both clinical and operational workflows around these systems, and denial of this request would result in inefficiencies and impaired response capacity, lessening the quality of services provided.

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 41698 - 19/20

D. Will the contract(s) be renewed?

As needed and as 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 has a continued need for the services previously approved by the commission under the same scope.

**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:

These services are utilized intermittently and as needed, and deal with proprietary products that are already developed and available for commercial use. The services are necessary in order to maintain existing legacy applications and provide enhancements as needed to such systems in order to maintain their effectiveness and to achieve full functionality.

B. Reason for the request for modification:

DPH requests an extension of time and dollar amount of the previously approved PSC. The Department has continued need for the services previously approved by the commission under the current scope in order to implement required system updates and upgrades for various clinical applications in use at the Department.

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

- A. Specify required skills and/or expertise: Contractor(s) must have a commercially available product in the relevant field, and sufficient resources to provide implementation and development services and ongoing support, including guarantees that the application meets minimum performance standards.
- B. Which, if any, civil service class(es) normally perform(s) this work? 1022, IS Administrator 2; 1023, IS Administrator 3; 1024, IS Administrator-Supervisor; 1042, IS Engineer-Journey; 1043, IS Engineer-Senior; 1044, IS Engineer-Principal; 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; 1070, IS Project Director; 1824, Pr Administrative Analyst; 5502, Project Manager 1; 5504, Project Manager 2; 5506, Project Manager 3; 5508, Project Manager 4;
- 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 classes are not applicable because these are proprietary products requiring services which include technical components beyond the scope of expertise of in-house staff to develop within quality parameters. Civil service staff will provide connectivity to the application and monitor connectivity issues at both the desktop and network levels.

- 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: Services are intermittent and as-needed, and deal with proprietary products that are already developed and available for commercial use. Civil service staff will work with contractor(s) to obtain knowledge necessary for day-to-day use and upkeep of applications. Staff will also have the ongoing opportunity to gain insight and knowledge of current best practices for public health data system applications through their interactions with contractor and their product.

**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.  
Specific training in the use and operation of specific software solutions and business process improvements will be provided if the project requires such training. City staff will have the opportunity to learn industry best practices in a given field and the use of new applications. Employees who may receive training would be varied depending on the specific project, and could include the IS Engineer series 1042, 1043, 1052, 1053, and 1054; Medical Records Clerk 2210; Project Managers series 5502, 5504, 5506, and 5508; Administrative Analyst 1824; and Manager classifications 0923 and 0931.
- 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 12/28/21, the Department notified the following employee organizations of this PSC/RFP request:  
Professional & Tech Engrs, Local 21; 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: Kelly Hiramoto Phone: 415-255-3492 Email: kelly.hiramoto@sfdph.org

Address: 1380 Howard Street, 4th Floor, San Francisco, CA 94103

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 41698 - 19/20

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 02/07/2022

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

## Receipt of Modification Request to PSC # 41698 - 19/20 - MODIFICATIONS

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

on behalf of

kelly.hiramoto@sfdph.org <kelly.hiramoto@sfdph.org>

Tue 12/28/2021 5:03 PM

To: Hiramoto, Kelly (DPH) <kelly.hiramoto@sfdph.org>; Laxamana, Junko (BOS) <junko.laxamana@sfgov.org>; WendyWong26@yahoo.com <WendyWong26@yahoo.com>; WendyWong26@yahoo.com <WendyWong26@yahoo.com>; tmathews@ifpte21.org <tmathews@ifpte21.org>; kschumacher@ifpte21.org <kschumacher@ifpte21.org>; pkim@ifpte21.org <pkim@ifpte21.org>; amakayan@ifpte21.org <amakayan@ifpte21.org>; L21PSCReview@ifpte21.org <L21PSCReview@ifpte21.org>; Li, Joanna (DPH) <joanna.li@sfdph.org>; DHR-PSCCoordinator, DHR (HRD) <dhr-psccordinator@sfgov.org>

PSC RECEIPT of Modification notification sent to Unions and DHR

The PUBLIC HEALTH -- DPH has submitted a modification request for a Personal Services Contract (PSC) for \$5,000,000 for services for the period December 17, 2021 – December 31, 2031. 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/16219>

Email sent to the following addresses: L21PSCReview@ifpte21.org amakayan@ifpte21.org pkim@ifpte21.org kschumacher@ifpte21.org tmathews@ifpte21.org wendywong26@yahoo.com WendyWong26@yahoo.com junko.laxamana@sfgov.org

# **Additional Attachment(s)**

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

Department: PUBLIC HEALTHDept. Code: DPH

Type of Request:  Initial  Modification of an existing PSC (PSC # 41698 - 19/20)

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

Type of Service: Various Software Licensing, Mainenance, and related services

Funding Source: General Fund, federal and State funds

PSC Original Approved Amount: \$10,000,000 PSC Original Approved Duration: 12/01/19 - 12/31/24 (5 years 4 weeks)

PSC Mod#1 Amount: \$4,800,000 PSC Mod#1 Duration: 07/01/21-06/01/27 (2 years 21 weeks)

PSC Cumulative Amount Proposed: \$14,800,000 PSC Cumulative Duration Proposed: 7 years 26 weeks

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

The contractor(s) will be used on an as-needed basis to maintain and enhance existing applications used in various functional areas within the Department. Functional areas shall include both clinical and non-clinical areas, such as services supporting an integrated communicable disease data system, SharePoint development services, archiving and data management, data warehouse(s), laboratory information, connected diagnostic, financial analysis and eligibility, access to proprietary online databases, clinical and financial bench marking tools, and pharmaceutical systems. The value of this request covers estimated costs for licensing, maintenance, and related professional services such as training and consultation.

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

These services are necessary in order to maintain existing legacy applications and to provide enhancements as needed to such systems in order to maintain their effectiveness and achieve full functionality. The Department has established both clinical and operational workflows around these systems, and denial of this request would result in inefficiencies and impaired response capacity, lessening the quality of services provided.

**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 the current services are being provided under this PSC

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

As needed and as 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 anticipates a continued need for these services.

**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:

These services are utilized intermittently and as needed, and deal with proprietary products that are already developed and available for commercial use. The services are necessary in order to maintain existing legacy applications and provide enhancements as needed to such systems in order to maintain their effectiveness and to achieve full functionality.

B. Reason for the request for modification:

The requested modification will add additional funds to account for various applications which need to be maintained and supported, which includes custom reporting support and configurations. Various applications to include legacy behavioral health clinical and financial systems, billing and billing-eligibility related systems, and clinical and financial performance analytics and bench marking tools .

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

A. Specify required skills and/or expertise: Contractor(s) must have a commercially available product in the relevant field, and sufficient resources to provide implementation and development services and ongoing support, including guarantees that the application meets minimum performance standards.

B. Which, if any, civil service class(es) normally perform(s) this work? 1022, IS Administrator 2; 1023, IS Administrator 3; 1024, IS Administrator-Supervisor; 1042, IS Engineer-Journey; 1043, IS Engineer-Senior; 1044, IS Engineer-Principal; 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; 1070, IS Project Director; 1824, Pr Administrative Analyst; 5502, Project Manager 1; 5504, Project Manager 2; 5506, Project Manager 3; 5508, Project Manager 4;

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 classes are not applicable because these are proprietary products requiring services which include technical components beyond the scope of expertise of in-house staff to develop within quality parameters. Civil service staff will provide connectivity to the application and monitor connectivity issues at both the desktop and network levels.



- 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: Services are intermittent and as-needed, and deal with proprietary products that are already developed and available for commercial use. Civil service staff will work with contractor(s) to obtain knowledge necessary for day-to-day use and upkeep of applications. Staff will also have the ongoing opportunity to gain insight and knowledge of current best practices for public health data system applications through their interactions with contractor and their product.

**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.  
Specific training in the use and operation of specific software solutions and business process improvements will be provided if the project requires such training. City staff will have the opportunity to learn industry best practices in a given field and the use of new applications. Employees who may receive training would be varied depending on the specific project, and could include the IS Engineer series 1042, 1043, 1052, 1053, and 1054; Medical Records Clerk 2210; Project Managers series 5502, 5504, 5506, and 5508; Administrative Analyst 1824; and Manager classifications 0923 and 0931.
- 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 03/23/21, the Department notified the following employee organizations of this PSC/RFP request:

Professional & Tech Engrs, Local 21; 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: Jacquie Hale Phone: (415) 554-2609 Email: jacquie.hale@sfdph.org

Address: 1380 Howard Street, 4th Floor, San Francisco, CA 94103

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 41698 - 19/20

DHR Analysis/Recommendation:

Commission Approval Not Required

Approved by DHR on 04/05/2021

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC HEALTH -- DPH

Dept. Code: DPH

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

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

Type of Service: Various Software Licensing, Maintenance, and related services

Funding Source: General Fund, federal and State funds

PSC Duration: 5 years 4 weeks

PSC Amount: \$10,000,000

**1. Description of Work**

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

The contractor(s) will be used on an as-needed basis to maintain and enhance existing applications used in various functional areas within the Department. Functional areas shall include both clinical and non-clinical areas, such as services supporting an integrated communicable disease data system, SharePoint development services, archiving and data management, data warehouse(s), laboratory information, connected diagnostic, financial analysis and eligibility, access to proprietary online databases, clinical and financial bench marking tools, and pharmaceutical systems. The value of this request covers estimated costs for licensing, maintenance, and related professional services such as training and consultation.

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

These services are necessary in order to maintain existing legacy applications and to provide enhancements as needed to such systems in order to maintain their effectiveness and achieve full functionality. The Department has established both clinical and operational workflows around these systems, and denial of this request would result in inefficiencies and impaired response capacity, lessening the quality of services provided.

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.  
PSC 4124-12/13

D. Will the contract(s) be renewed?

As needed and as 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 anticipates a continued need for these services.

**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:

These services are utilized intermittently and as needed, and deal with proprietary products that are already developed and available for commercial use. The services are necessary in order to maintain existing legacy applications and provide enhancements as needed to such systems in order to maintain their effectiveness and to achieve full functionality.

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

A. Specify required skills and/or expertise: Contractor(s) must have a commercially available product in the relevant field, and sufficient resources to provide implementation and development services and ongoing support, including guarantees that the application meets minimum performance standards.

B. Which, if any, civil service class(es) normally perform(s) this work? 1022, IS Administrator 2; 1023, IS Administrator 3; 1024, IS Administrator-Supervisor; 1042, IS Engineer-Journey; 1043, IS Engineer-Senior; 1044, IS Engineer-Principal; 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; 1070, IS Project Director; 1824, Pr Administrative Analyst; 5502, Project Manager 1; 5504, Project Manager 2; 5506, Project Manager 3; 5508, Project Manager 4;

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 possess the resources to fulfill the services mentioned in this request. The services are intermittent, as-needed, project-based services.

**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 are not applicable because these are proprietary products requiring services which include technical components beyond the scope of expertise of in-house staff to develop within quality parameters. Civil service staff will provide connectivity to the application and monitor connectivity issues at both the desktop and network levels.

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. Services are intermittent and as-needed, and deal with proprietary products that are already developed and available for commercial use. Civil service staff will work with contractor(s) to obtain knowledge necessary for day-to-day use and upkeep of applications. Staff will also have the ongoing opportunity to gain insight and knowledge of current best practices for public health data system applications through their interactions with contractor and their product.

**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. Specific training in the use and operation of specific software solutions and business process improvements will be provided if the project requires such training. City staff will have the opportunity to learn industry best practices in a given field and the use of new applications. Employees who may receive training would be varied depending on the specific project, and could include the IS Engineer series 1042, 1043, 1052, 1053, and 1054; Medical Records Clerk 2210; Project Managers series 5502, 5504, 5506, and 5508; Administrative Analyst 1824; and Manager classifications 0923 and 0931.
- 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 10/07/2019, 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: Jacquie Hale Phone: (415) 554-2609 Email: jacquie.hale@sfdph.org

Address: 1380 Howard Street, 4th Floor San Francisco, CA 94103

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 41698 - 19/20

DHR Analysis/Recommendation:

action date: 12/16/2019

Commission Approval Required

Approved by Civil Service Commission

12/16/2019 DHR Approved for 12/16/2019