



Edwin M. Lee
Mayor

Micki Callahan
Human Resources Director

Date: September 29, 2017

To: The Honorable Civil Service Commission

Through: Micki Callahan
Human Resources Director 

From: Karen Henderson, MYR
Lavena Holmes, PRT
Shamica Jackson/Stacey Lo, PUC
Diane Lim, ADP

Subject: **Personal Services Contracts Approval Request**

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

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

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

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

Total of this Report	YTD Expedited Approvals FY2017-2018	Total for FY2017-2018
\$9,790,000	\$673,599,952	\$1,260,592,702

Karen Henderson
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Stacey Lo
Public Utilities Commission
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Published on *Personal Services Request Database* (<http://apps.sfgov.org/dhrdrupal>)[Home >](#)**POSTING FOR****October 16, 2017****PROPOSED PERSONAL SERVICES CONTRACTS – REGULAR****Commission Hearing Date**

2017-10-16

APPLY

PSC No	Dept Designation	PSC Amount	Description of Work	PSC Estimated Start Date	PSC Estimated End Date	Type of Approval
40166 - 17/18	MAYOR	\$550,000.00	To provide state legislative representation, to advocate on behalf of the City and Departments on legislative and regulatory matters, to assist with the implementation of the City's State Legislative Agenda, and to keep the Mayor's Office up-to-date with relevant information about State government activities. As a City and County, San Francisco is affected by a broad range of issues across many disciplines and departments. The City's state legislative representatives should possess the experience and knowledge to work in a broad array of policy topics included, but not limited to economic development, health care, public safety, human services, housing, environment, transportation, education and community development.	November 1, 2017	October 31, 2019	REGULAR
40266 - 17/18	PORT	\$340,000.00	Design (from conceptual through final engineering), permit, and provide related professional services to deliver construction documents for shoreline stabilization, sea level rise adaption, and habitat enhancement at existing park/natural area, Heron's Head Park, on Port's southern waterfront.	October 1, 2017	October 1, 2020	REGULAR
43879 - 17/18	PORT	\$1,400,000.00	Drydock float, sandblast surfaces, repair damaged structural members, recoat surfaces, replace damaged utilities, and repair gangway. Painting, welding, and electrical tasks will be performed in the Drydock. Per industry practice, coating applicators have experience applying marine coatings. Work window limited to non-baseball season (i.e. October to March).	October 1, 2017	March 1, 2018	REGULAR
45767 - 17/18	PUBLIC UTILITIES COMMISSION	\$7,500,000.00	The San Francisco Public Utilities Commission (SFPUC) Infrastructure Division is issuing this RFP for the purpose of selecting and entering into an agreement with a professional services contractor to provide professional engineering services to support the City's San Joaquin Pipeline (SJPL) System Reliability Improvement Project ("Project"). The overall project is organized into a series multiple subproject components. The subprojects included in the scope of this RFP will include: (1) Safe Entry and Surge Mitigation Design for the SJPL System (2) Tesla UV Valve Replacement, and (3) Oakdale Portal surge stack condition assessment. The professional services for these subprojects will include: - Engineering analysis and material testing, - Pipe condition assessment using specialized in-line inspection tools - Corrosion assessment, soil resistivity analysis and cathodic protection - PCCP wire break analysis - Structural modification of large concrete structures - pH treatment design - Detailed design plans and specifications - Bid and award services, and engineering services during construction.	November 30, 2017	November 22, 2022	REGULAR

TOTAL AMOUNT \$9,790,000**PSY**

Published on *Personal Services Request Database* (<http://apps.sfgov.org/dhrdrupal>)[Home >](#)**Posting For October 16, 2017****Proposed Modifications to Personal Services Contracts****Commission Hearing Date**

2017-10-16

APPLY

PSC Number	Commission Hearing Date	Department	Additional Amount	Cumulative Total	Description	Start Date	End Date	Approval Type
4085 12/13 - MODIFICATIONS	October 16, 2017	ADULT PROBATION -- ADP	\$0	\$335,000	A fully automated, web-based telephone reporting system based on interactive voice response (IVR) technology. The system will have the capacity of automating the reception and dissemination of information by APD officers and their clients. It will allow APD and its partners to modify clients' information and generate reports regarding clients' enrollment and compliance on programs required by the conditions of their supervision. The system will be accessible to APD clients, APD staff and its partners 365 days a year, 24 hours a day. Officers will have the ability to pre-record individual and group messages for clients.	06/01/2018	05/31/2020	REGULAR

TOTAL AMOUNT \$0

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

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: MAYOR -- MYR

Dept. Code: MYR

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

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

Type of Service: State Legislative Representation

Funding Source: General Fund

PSC Amount: \$550,000

PSC Est. Start Date: 11/01/2017 PSC Est. End Date 10/31/2019

1. Description of Work

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

To provide state legislative representation, to advocate on behalf of the City and Departments on legislative and regulatory matters, to assist with the implementation of the City's State Legislative Agenda, and to keep the Mayor's Office up-to-date with relevant information about State government activities. As a City and County, San Francisco is affected by a broad range of issues across many disciplines and departments. The City's state legislative representatives should possess the experience and knowledge to work in a broad array of policy topics included, but not limited to economic development, health care, public safety, human services, housing, environment, transportation, education and community development.

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

State legislation and regulatory actions have significant and profound impact on the budget of the City and the legal requirements used by City departments. Effective advocacy for the city in the nations' capital is critical to advancing and securing the City's interests, particularly on federal appropriation issues.

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?

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.
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.

B. Explain the qualifying circumstances:

Lobbying for the City covers a breadth of issues, which each issue taking priority at different times depending on current legislation. Outside firms have a pool of experts on staff available allowing them to tap into expertise as the need arises. They are in constant contact with state Legislator's office staff, allowing them to develop stronger relations with them. Being based in Sacramento, they are able to inform City staff in real time about issues that affect the City.

3. Description of Required Skills/Expertise

- A. Specify required skills and/or expertise: Extensive experience successfully representing municipal agencies on state legislative and regulatory issues. They must demonstrate a deep understanding of budget, legislative, regulator, and political issues in state government, and must demonstrate a clear record of success advocating for clients. They must also demonstrate a clear understanding of San Francisco's needs for state representation. They must perform most of their duties in Sacramento, California
- B. Which, if any, civil service class(es) normally perform(s) this work? 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?

They must also demonstrate a clear understanding of San Francisco's needs for state representation. They must perform most of their duties in Sacramento, California.

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 perform legislative and policy analysis, they do not have the breadth of knowledge, skills. Legislative/state government contacts and expertise are required to effectively advocate for the City's state legislative agenda. Additionally, the work performed is on an as-need basis in Sacramento, California, when action on legislation or regulation important to San Francisco are 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. Lobbying for the City covers a breadth of issues, which each issue taking priority at different times depending on current legislation. Outside firms have a pool of experts on staff available allowing them to tap into expertise as the need arises. They are in constant contact with state Legislator's office staff, allowing them to develop stronger relations with them. Being based in Sacramento, they are able to inform City staff in real time about issues that affect the City.

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 department will not receive training, this work is conducted in Sacramento as it utilizes relationships in the State Capitol.
- C. Are there legal mandates requiring the use of contractual services?
No.
- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.
No.
- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.
No.
- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.
No.

7. **Union Notification:** On 08/24/2017, 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: Karen Henderson Phone: 701-5557 Email: karen.henderson@sfgov.org

Address: 1 South Van Ness Ave, 5th floor San Francisco, CA 94103

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 40166 - 17/18

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 10/16/2017

Receipt of Union Notification(s)

Henderson, Karen (MYR)

From: dhr-psccordinator@sfgov.org on behalf of karen.henderson@sfgov.org
Sent: Thursday, August 24, 2017 3:47 PM
To: Henderson, Karen (MYR); kpage@ifpte21.org; eerbach@ifpte21.org; pkim@ifpte21.org; L21PSCReview@ifpte21.org; Henderson, Karen (MYR); DHR-PSCCoordinator, DHR (HRD)
Subject: Receipt of Notice for new PCS over \$100K PSC # 40166 - 17/18

RECEIPT for Union Notification for PSC 40166 - 17/18 more than \$100k

The MAYOR -- MYR has submitted a request for a Personal Services Contract (PSC)

40166 - 17/18 for \$550,000 for Initial Request services for the period 11/01/2017 - 10/31/2019. Notification of 30 days (60 days for SEIU) is required.

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

<http://apps.sfgov.org/dhrdrupal/node/10011> 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: PORT -- PRT

Dept. Code: PRT

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

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

Type of Service: Construction of Shoreline Resilience Project at Heron's Head Park

Funding Source: Port Operating Budget

PSC Duration: 3 years 1 day

PSC Amount: \$340,000

1. Description of Work

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

Design (from conceptual through final engineering), permit, and provide related professional services to deliver construction documents for shoreline stabilization, sea level rise adaption, and habitat enhancement at existing park/natural area, Heron's Head Park, on Port's southern waterfront.

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

The existing shoreline is subject to significant erosive forces, resulting in loss of feet/year of intertidal land. Current conditions do not comply with prior regulatory approvals for park construction and maintenance and have potential to adversely impact habitat and water quality. Funding to design a "living shoreline" (a shoreline stabilization design that uses natural materials and processes to prevent erosion and enhance habitat) work was awarded from a natural resources damage settlement due to the recognized need and potential habitat value at the site. Denial of this request may lead to continued erosion at Heron's Head Park and creating conditions that are out of the compliance with previous regulatory approvals.

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 Port has not undertaken design or construction of a living shoreline, which is an emerging area of expertise, in the past.

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):

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

B. Explain the qualifying circumstances:

The stabilization of the shoreline at Heron's Head Park is a one-time capital project requiring a variety of diverse and specialized skills including coastal engineering, environmental planning, shoreline stabilization, sea level rise adaption, and habitat enhancement. The services required to develop this project are unique and not available through existing resources within the City.

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise: Professional Engineering license and experience in coastal engineering with demonstrated expertise in living shoreline design and implementation. Services will include topographic and bathymetric surveys, hydrodynamic analysis to determine design criteria to resist wave impacts, biological assessment, wetland delineation, and permitting support to obtain approvals from environmental and land use regulatory agencies.

B. Which, if any, civil service class(es) normally perform(s) this work? 5207, Assoc Engineer; 5211, Eng/Arch/Landscape Arch Sr; 5241, Engineer; 5274, Landscape Architect; 5506, Project Manager 3;

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?

Due to the highly specialized nature and expertise required for this project, the Port does not believe available resources currently exist within the City to complete this work.

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

A. Explain why civil service classes are not applicable.

The proposed services are highly specialized in this particular discipline, and in some cases unique to in-water/intertidal conditions. Existing City classifications in engineering or environmental planning are not skilled or experienced in this specialized discipline.

B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. Due to the limited applicability or demand for such specialized engineering services, it would not be practical to adopt a new civil service class to provide it. The skills and abilities required for the proposed contracted services are neither widely nor frequently needed in the City.

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 are no training opportunities associated with this project. This is a one-time coastal engineering project to stabilize the seashore in Heron's Head Park.

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

No.

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

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

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

7. **Union Notification:** On 08/10/2017, 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: Lavena Holmes Phone: 415-274-0305 Email: lavena.holmes@sfport.com

Address: Pier 1, The Embarcadero San Francisco, CA 94111

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 40266 - 17/18

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 10/16/2017

Receipt of Union Notification(s)

From: dhr-psccordinator@sfgov.org on behalf of lavena.holmes@sport.com
To: [Holmes, Lavena \(PRT\)](mailto:Holmes.Lavena@pste21.org); kgeneral@pste21.org; amakayan@pste21.org; kpage@pste21.org; eerbach@pste21.org; pkim@pste21.org; L21PSCReview@pste21.org; [Braganza, Lorceli \(PRT\)](mailto:Braganza.Lorceli@pste21.org); [DHR-PSCCoordinator, DHR \(HRD\)](mailto:DHR-PSCCoordinator.DHR@HRD)
Subject: Receipt of Notice for new PCS over \$100K PSC # 40266 - 17/18
Date: Thursday, August 10, 2017 2:43:19 PM

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RECEIPT for Union Notification for PSC 40266 - 17/18 more than \$100k

The PORT -- PRT has submitted a request for a Personal Services Contract (PSC) 40266 - 17/18 for \$340,000 for Initial Request services for the period 10/01/2017 – 10/01/2020. Notification of 30 days (60 days for SEIU) is required.

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

<http://apps.sfgov.org/dhrdrupal/node/9953> 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: PORT -- PRT

Dept. Code: PRT

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

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

Type of Service: Drydocking of China Basin Floats

Funding Source: Port Capital Budget

PSC Duration: 21 weeks 4 days

PSC Amount: \$1,400,000

1. Description of Work

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

Drydock float, sandblast surfaces, repair damaged structural members, recoat surfaces, replace damaged utilities, and repair gangway. Painting, welding, and electrical tasks will be performed in the Drydock. Per industry practice, coating applicators have experience applying marine coatings. Work window limited to non-baseball season (i.e. October to March).

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

Drydocking of floats should occur every decade; drydocking is overdue by 5 years. The floats are an essential part of the water public transportation system for the Bay Area. If the floats are not drydocked and repaired, they may be put out of commission.

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.

In general ferry floats are transported to a drydock facility and repaired. The Port has not drydocked its floats before.

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):

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

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

B. Explain the qualifying circumstances:

Drydocking of floats should occur every decade; drydocking is overdue by 5 years. The floats are an essential part of the water public transportation system for the Bay Area. If the floats are not drydocked and repaired, they may be put out of commission. The City and County of San Francisco does not have a drydocking facility to perform repairs. Painting, welding, and electrical tasks will be performed in the drydock. Per industry practice, coating applicators have experience applying marine coatings.

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise: A drydocking facility is required to perform this work. Skills include experience with repairing maritime vessels.

B. Which, if any, civil service class(es) normally perform(s) this work? 7345, Electrician; 7346, Painter; 7390, Welder;

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?

Services are very specialized. The City and County of SF does not have a drydock facility to perform repairs. The services must be performed in a drydock facility.

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

A. Explain why civil service classes are not applicable.

The City and County of SF does not have the required drydocking facility to perform repairs. Therefore civil service electricians, welders, and painters cannot perform the 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 a drydock facility is a private facility that uses its own workforce.

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. Painting, welding, and electrical tasks will be performed in the Drydock. The contractor will not 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 08/10/2017, the Department notified the following employee organizations of this PSC/RFP request:
Electrical Workers, Local 6; Painters, Local 4

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

Name: Lavena Holmes Phone: 415-274-0305 Email: lavena.holmes@sfport.com

Address: Pier 1, The Embarcadero San Francisco, CA 94111

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 43879 - 17/18

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 10/16/2017

Receipt of Union Notification(s)

From: dhr-psccordinator@sfgov.org on behalf of lavena.holmes@sfp0rt.com
To: [\(PRT\); DHR-PSCCoordinator, DHR \(HRD\)](mailto:Holmes, Lavena (PRT); cityworker@sfcwu.org; oashworth@ibew6.org; khughes@ibew6.org; Braganza, Lorcell (PRT); DHR-PSCCoordinator, DHR (HRD))
Subject: Receipt of Notice for new PCS over \$100K PSC # 43879 - 17/18
Date: Thursday, August 10, 2017 2:55:32 PM

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RECEIPT for Union Notification for PSC 43879 - 17/18 more than \$100k

The PORT -- PRT has submitted a request for a Personal Services Contract (PSC) 43879 - 17/18 for \$1,400,000 for Initial Request services for the period 10/01/2017 – 03/01/2018. 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/9952> For union notification, please see the

TO: field of the email to verify receipt. If you do not see all the unions you

intended to contact, the PSC Coordinator must change the state back to NOT READY, make sure the classes and unions you want to notify are selected and SAVE. Then VIEW the record and verify the list of unions and emails. EDIT the document again , change the state back START UNION NOTIFICATION and SAVE. You should receive the email with all unions to the TO: field as intended

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC UTILITIES COMMISSION -- PUC

Dept. Code: PUC

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

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

Type of Service: Engineering Design Services (PRO.0080)

Funding Source: Hetchy 10-Year Capital Plan, CUH 100-01

PSC Duration: 4 years 51 weeks

PSC Amount: \$7,500,000

1. Description of Work

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

The San Francisco Public Utilities Commission (SFPUC) Infrastructure Division is issuing this RFP for the purpose of selecting and entering into an agreement with a professional services contractor to provide professional engineering services to support the City's San Joaquin Pipeline (SJPL) System Reliability Improvement Project ("Project"). The overall project is organized into a series multiple subproject components. The subprojects included in the scope of this RFP will include: (1) Safe Entry and Surge Mitigation Design for the SJPL System (2) Tesla UV Valve Replacement, and (3) Oakdale Portal surge stack condition assessment. The professional services for these subprojects will include:

- Engineering analysis and material testing,
- Pipe condition assessment using specialized in-line inspection tools
- Corrosion assessment, soil resistivity analysis and cathodic protection
- PCCP wire break analysis
- Structural modification of large concrete structures
- pH treatment design
- Detailed design plans and specifications
- Bid and award services, and engineering services during construction.

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

The services are necessary because the SJPL System conveys 85% of the Hetch Hetchy water and is part of the Hetch Hetchy Water System which is owned and operated by the SFPUC. The SJPL System consists of three parallel transmission pipelines, SJPL1, SJPL2, and SJPL3, that stretch 48-miles across the San Joaquin Valley from Oakdale Portal on the east side of the San Joaquin Valley to Tesla Portal near the City of Tracy, with a partial fourth pipeline consisting of a 6.4-mile Eastern Segment. They were built in 1932, 1953, 1968, and 2012 and range in diameter from 56 to 79.5 inches. All four pipelines are interconnected at various valve lots which provide the ability to transfer water from one pipeline to another and to isolate pipe segments for dewatering. As part of the SFPUC's Water System Improvement Program (WSIP), valve lot improvements were constructed along the SJPL System at various locations (i.e. Oakdale, Emery, Roselle, Pelican, and Tesla) to accomplish crossover flows between SJPLs and isolation of segments for emergency

and maintenance. The intent was to increase operational flexibility and the overall reliability of the SJPL System. However, since the commissioning of the valve vaults, SFPUC has determined that: • Valves may not be sufficiently rated and may fail due to a pressure transient/surge event, and • There is an inability to establish double block and isolation configurations (as recommended by CalOSHA during WSIP construction of the SJPL System) along the SJPL System which precludes adequate safe entry for inspection and maintenance personnel. In February 2013, a cursory study was performed by the SFPUC Engineering Management Bureau to develop alternative solutions to address safety issues within the SJPL System. In July 2017, MWH America Inc. conducted further studies and completed the planning phase with the production of the Conceptual Engineering Report (CER) which will serve as the basis for the design. Denial of the services called for under this Project, will lead to the further deterioration of the SJPL pipelines leading to loss of service and the inability of the SFPUC to safely inspect the pipelines and to effectively perform maintenance 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.

No, SFPUC does not normally perform this type of work. This Project requires engineers with specialized experience on hydraulic analysis of transient pressures and surge mitigation. Implementation of surge mitigation at Oakdale Portal and along the SJPL system is a first time occurrence so the anticipated services have not been provided in the past.

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 anticipated duration is five (5) years. The Project's engineering services will cover design and support during construction. Certain aspect of the construction requires a complete system shutdown which occurs during winter months. The first system shutdown is expected for the winter of 2018. The subsequent shutdowns could be every winter until 2024. The design services are expected to occur in the first two years and to be followed by engineering support during construction for three to four 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.

B. Explain the qualifying circumstances:

The SFPUC Infrastructure Division intends to retain the services of a firm who has the expertise to manage and deliver a large complex pipeline project in the San Joaquin Pipeline System. The Proposers shall provide a Project Manager who has 20 years or more experience in successful design and management large infrastructure projects. The Engineers and technical experts to perform any of the design and analysis listed in Section 1A above shall have minimum 15 of relevant experience preferably associated with large water infrastructure projects. All proposers shall be highly experienced in using hydraulic modeling software, corrosion assessment tools, and specialty pipeline inspection equipment. Additionally the Proposers are expected to possess specialized hydraulic software and pipeline inspection hardware that the City does not possess.

3. Description of Required Skills/Expertise

- A. Specify required skills and/or expertise: The Proposers shall provide a Project Manager who has 20 years or more experience in successful design and management large infrastructure projects. The Engineers and technical experts to perform any of the design and analysis listed in Section 1A above shall have minimum 15 of relevant experience preferably associated with large water infrastructure projects. All proposers shall be highly experienced in using hydraulic modeling software, corrosion assessment tools, and specialty pipeline inspection equipment. Additionally the Proposers are expected to possess specialized hydraulic software and pipeline inspection hardware that the City does not possess.
- B. Which, if any, civil service class(es) normally perform(s) this work? 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?

We have reviewed past and present projects and the areas of expertise and availability of the existing engineering staff. Before we issue specific task orders, we will request for available resources within the SFPUC Infrastructure Engineering Management Bureau before using the consultants' engineers.

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

- A. Explain why civil service classes are not applicable.
This work is highly specialized; the complete design involves transient and surge pressure mitigation which is work that City engineers do not normally perform. City Engineers trained in design of large diameter valves and pipelines may perform aspects of this work. Before we issue specific task orders, we will request for available resources within the SFPUC Infrastructure Engineering Management Bureau before using the consultants' engineers.
- 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 is no consistent need for the specialized portion of the work. In particular, surge mitigation design for the SJPL system is one-time design work. It is not practical to adopt a new civil service classification for work that will not reoccur in the future.

6. Additional Information

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.
No.
- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.
Yes. Yes. There will be a technology transfer task where the consultant designers present designs that meet the CalOSHA requirements and the surge mitigation design. This will expand the City's engineers' knowledge of what is required to meet the latest CalOSHA codes. The designer will also be able to provide information on the latest hydraulic software and advancement in corrosion prevention design. Each task order will have a full day of workshop and presentation for City engineers in the 5200 series.
- C. Are there legal mandates requiring the use of contractual services?
No.

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

7. **Union Notification:** On 08/21/2017, 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: Shamica Jackson Phone: 415-554-0727 Email: SJackson@sfgwater.org

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

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 45767 - 17/18

DHR Analysis/Recommendation:
Commission Approval Required
DHR Approved for 10/16/2017

Civil Service Commission Action:

Receipt of Union Notification(s)

From: dhr-psccordinator@sfgov.org on behalf of SJackson@sfgwater.org
To: [Jackson, Shamica](mailto:Jackson,Shamica); kgeneral@ifpte21.org; amakayan@ifpte21.org; kpage@ifpte21.org; eerbach@ifpte21.org; pkim@ifpte21.org; L21PSCReview@ifpte21.org; [Jackson, Shamica](mailto:Jackson,Shamica); [DHR-PSCCoordinator, DHR](mailto:DHR-PSCCoordinator,DHR)
Subject: Receipt of Notice for new PCS over \$100K PSC # 45767 - 17/18
Date: Monday, August 21, 2017 5:13:02 PM

RECEIPT for Union Notification for PSC 45767 - 17/18 more than \$100k

The PUBLIC UTILITIES COMMISSION -- PUC has submitted a request for a Personal Services Contract (PSC) 45767 - 17/18 for \$7,500,000 for Initial Request services for the period 11/30/2017 – 11/22/2022. 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/10000> 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

Modification
Personal Services Contracts

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: ADULT PROBATION

Dept. Code: ADP

Type of Request: Initial Modification of an existing PSC (PSC # 4085 12/13)

Request:

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

Type of Service: Professional Service

Funding Source: General Fund

PSC Original Approved Amount: \$335,000

PSC Original Approved Duration: 04/01/13 - 06/30/16 (3 years 13 weeks)

PSC Mod#1 Amount: no amount added

PSC Mod#1 Duration: 06/30/16-05/31/18 (1 year 47 weeks)

PSC Mod#2 Amount: no amount added

PSC Mod#2 Duration: 06/01/18-05/31/20 (2 years 1 day)

PSC Cumulative Amount Proposed: \$335,000

PSC Cumulative Duration Proposed: 7 years 8 weeks

1. Description of Work

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

A fully automated, web-based telephone reporting system based on interactive voice response (IVR) technology. The system will have the capacity of automating the reception and dissemination of information by APD officers and their clients. It will allow APD and its partners to modify clients' information and generate reports regarding clients' enrollment and compliance on programs required by the conditions of their supervision. The system will be accessible to APD clients, APD staff and its partners 365 days a year, 24 hours a day. Officers will have the ability to pre-record individual and group messages for clients.

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

The automated supervision reporting system is needed to provide the means to manage probation officers workloads according to clients' needs and risks levels. This will allow probation officers the time necessary to direct supervision services to higher needs and risk clients. Through SB 678 (2009) California legislation required that probation departments across the State implement evidence based practices in community corrections in order to improve public safety and decrease costs. Evidence based practices indicate that appropriate supervision levels matching clients' needs and risks, increase effective use of resources, public safety, and rehabilitative opportunities for clients.

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

Yes.

D. Will the contract(s) be renewed?

Renewal will be subject to evaluation of system 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:
The need to store and manage data using this software application is ongoing and extends beyond five 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 required telephone reporting system service is not provided by the City. In addition, the telephone reporting system service is part of a copyrighted patented software that can only be handled by Contractor.

B. Reason for the request for modification:

Increase duration of PSC.

3. Description of Required Skills/Expertise

- A. Specify required skills and/or expertise: Contractor should have at least five years of experience establishing and maintaining successful automated telephone reporting systems with law enforcement agencies. Contractor should have the ability to train APD staff and its partners to navigate and use the system to monitor clients. Contractor should provide technical assistance as needed to maintain the system and its web-based components.
- 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?

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 nature of the service is unique and highly specialized to the needs of the Adult Probation Department. These types of systems are proprietary in nature and require authorized personnel to handle it, as well as to provide training and technical assistance. The level of effort to establish and maintain the telephone reporting system is minimal and once it is established probation officers will be in charge of running the program.
- 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 level of effort estimated is not such that will require the adoption of a new civil service class. The main outcome of this PSC is the automated reporting system. However, once the system is set up and live, it will be used by probationer officers on a regular basis to supervise clients on their caseload.

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.
See Attachment with additional information.
- C. Are there legal mandates requiring the use of contractual services?
See Attachment.
- 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, 4085 12/13.

7. Union Notification: On 09/14/17, 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: Diane Lim Phone: 553-1058 Email: diane.lim@sfgov.org

Address: 880 Bryant Street, Room 200, San Francisco, CA 94103

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 4085 12/13

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 10/16/2017

Receipt of Union Notification(s)

From: [Lim, Diane \(ADP\)](#)
To: [Martinez, Veronica \(ADP\)](#); [Acevedo, Annysé \(ADP\)](#)
Subject: FW: Receipt of Modification Request to PSC # 4085 12/13 - MODIFICATIONS
Date: Thursday, September 14, 2017 4:47:37 PM

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

From: dhr-psccoordinator@sfgov.org [<mailto:dhr-psccoordinator@sfgov.org>] On Behalf Of diane.lim@sfgov.org
Sent: Thursday, September 14, 2017 4:45 PM
To: [Lim, Diane \(ADP\)](#); kpage@ifpte21.org; peter.masiak@seiu1021.org; eerbach@ifpte21.org; kgeneral@ifpte21.org; amakayan@ifpte21.org; jb@local16.org; Ricardo.lopez@sfgov.org; [Basconillo, 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; hodlocal@pacbell.net; 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@sfinea.com; mike@dc16.us; khughes@ibew6.org; L21PSCReview@ifpte21.org; sfsmsa@gmail.com; mshelley@dc16.us; david.canham@seiu1021.org; jtanner940@aol.com; oashworth@ibew6.org; L21PSCReview@ifpte21.org; LiUNA.local261@gmail.com; local200twu@sbcglobal.net; speedy4864@aol.com; camaguey@sfinea.com (contact); ecdemvoter@aol.com; thomas.vitale@seiu1021.org; [Martinez, Veronica \(ADP\)](#); [DHR-PSCCoordinator, DHR \(HRD\)](#)
Subject: Receipt of Modification Request to PSC # 4085 12/13 - MODIFICATIONS

PSC RECEIPT of Modification notification sent to Unions and DHR

The ADULT PROBATION -- ADP has submitted a modification request for a Personal Services Contract (PSC) for \$0 for services for the period June 1, 2018 – May 31, 2020. 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/5606>

Email sent to the following addresses: Please check the record to see if you selected a union where a corresponding email in the TO: field isn't present.

Either you selected none or there is no email entered in the system by that particular union

Additional Attachment(s)

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

This PSC is for the procurement of a software application to develop and maintain a telephone reporting system which will manage comprehensive data from the Adult Probation Department (APD). The need to store and manage data using this software application is ongoing and extends beyond five years.

What efforts has the department made to obtain these services through available resources within the City?:

APD contacted IT and discussed the needed services and it was determined that the City's IT Department doesn't have the capacity to develop the required software in a timely fashion.

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

The training will include instructing staff on how to access and navigate the system.

Notes on Legal Mandates:

SB 678 (2009) California legislation requires that probation departments implement alternative to correction in their community corrections practices in order to decrease recidivism, increase rehabilitation, and preserve public safety. The telephone reporting system is a response to this mandate.

Senate Bill No. 678

CHAPTER 608

An act to add and repeal Chapter 3 (commencing with Section 1228) of Title 8 of Part 2 of the Penal Code, relating to probation.

[Approved by Governor October 11, 2009. Filed with
Secretary of State October 11, 2009.]

LEGISLATIVE COUNSEL'S DIGEST

SB 678, Leno. Criminal recidivism.

Existing law authorizes the Department of Corrections and Rehabilitation to oversee programs for the purposes of reducing parolee recidivism.

This bill would authorize each county to establish a Community Corrections Performance Incentives Fund (CCPIF) and would authorize the state to annually allocate money into a State Corrections Performance Incentives Fund to be used for specified purposes relating to improving local probation supervision practices and capacities, as specified. This bill would require the Director of Finance, in consultation with the Department of Corrections and Rehabilitation, the Joint Legislative Budget Committee, the Chief Probation Officers of California, and the Administrative Office of the Courts, to calculate the amount of money to be appropriated from the state fund into a CCPIF. This bill would specify that the calculation would be based on costs avoided by the Department of Corrections and Rehabilitation because of a reduction in the percentage of adult probationers sent to prison for a probation failure, as specified. This bill would also require each county using CCPIF funds to identify and track specific outcome-based measures, as specified, and report to the Administrative Office of the Courts on the effectiveness of the programs paid for by the CCPIF.

This bill would require the community corrections programs to be developed and implemented by the chief probation officer, as advised by a Community Corrections Partnership. This bill would require specified local officials to serve as part of that Community Corrections Partnership. Because this bill would increase the duties for certain local officials, it would impose a state-mandated local program.

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

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

The people of the State of California do enact as follows:

SECTION 1. This act shall be known and may be cited as the California Community Corrections Performance Incentives Act of 2009.

SEC. 2. Chapter 3 (commencing with Section 1228) is added to Title 8 of Part 2 of the Penal Code, to read:

CHAPTER 3. CALIFORNIA COMMUNITY CORRECTIONS PERFORMANCE
INCENTIVES

1228. The Legislature finds and declares all of the following:

(a) In 2007, nearly 270,000 felony offenders were subject to probation supervision in California's communities.

(b) In 2007, out of 46,987 new admissions to state prison, nearly 20,000 were felony offenders who were committed to state prison after failing probation supervision.

(c) Probation is a judicially imposed suspension of sentence that attempts to supervise, treat, and rehabilitate offenders while they remain in the community under the supervision of the probation department. Probation is a linchpin of the criminal justice system, closely aligned with the courts, and plays a central role in promoting public safety in California's communities.

(d) Providing sustainable funding for improved, evidence-based probation supervision practices and capacities will improve public safety outcomes among adult felons who are on probation. Improving felony probation performance, measured by a reduction in felony probationers who are sent to prison because they were revoked on probation or convicted of another crime while on probation, will reduce the number of new admissions to state prison, saving taxpayer dollars and allowing a portion of those state savings to be redirected to probation for investing in community corrections programs.

1229. As used in this chapter, the following definitions apply:

(a) "Community corrections" means the placement of persons convicted of a felony offense under probation supervision, with conditions imposed by a court for a specified period.

(b) "Chief probation officer" means the chief probation officer for the county or city and county in which an adult offender is subject to probation for the conviction of a felony offense.

(c) "Community corrections program" means a program established pursuant to this act consisting of a system of felony probation supervision services dedicated to all of the following goals:

(1) Enhancing public safety through the management and reduction of offender risk while under felony probation supervision and upon reentry from jail into the community.

(2) Providing a range of probation supervision tools, sanctions, and services applied to felony probationers based on a risk/needs assessment

for the purpose of reducing criminal conduct and promoting behavioral change that results in reducing recidivism and promoting the successful reintegration of offenders into the community.

(3) Maximizing offender restitution, reconciliation, and restorative services to victims of crime.

(4) Holding offenders accountable for their criminal behaviors and for successful compliance with applicable court orders and conditions of supervision.

(5) Improving public safety outcomes for persons placed on probation for a felony offense, as measured by their successful completion of probation and commensurate reduction in the rate of felony probationers sent to prison as a result of a probation revocation or conviction of a new crime.

(d) "Evidence-based practices" refers to supervision policies, procedures, programs, and practices demonstrated by scientific research to reduce recidivism among individuals under probation, parole, or postrelease supervision.

1230. (a) Each county is hereby authorized to establish in each county treasury a Community Corrections Performance Incentives Fund (CCPIF), to receive all amounts allocated to that county for purposes of implementing this chapter.

(b) In any fiscal year for which a county receives moneys to be expended for the implementation of this chapter, the moneys, including any interest, shall be made available to the chief probation officer (CPO) of that county, within 30 days of the deposit of those moneys into the fund, for the implementation of the community corrections program authorized by this chapter.

(1) The community corrections program shall be developed and implemented by probation and advised by a local Community Corrections Partnership.

(2) The local Community Corrections Partnership shall be chaired by the chief probation officer and comprised of the following membership:

- (A) The presiding judge of the superior court, or his or her designee.
- (B) A county supervisor or the chief administrative officer for the county.
- (C) The district attorney.
- (D) The public defender.
- (E) The sheriff.
- (F) A chief of police.
- (G) The head of the county department of social services.
- (H) The head of the county department of mental health.
- (I) The head of the county department of employment.
- (J) The head of the county alcohol and substance abuse programs.
- (K) The head of the county office of education.
- (L) A representative from a community-based organization with experience in successfully providing rehabilitative services to persons who have been convicted of a criminal offense.
- (M) An individual who represents the interests of victims.

(3) Funds allocated to probation pursuant to this act shall be used to provide supervision and rehabilitative services for adult felony offenders subject to probation, and shall be spent on evidence-based community corrections practices and programs, as defined in subdivision (c) of Section 1229, which may include, but are not limited to, the following:

(A) Implementing and expanding evidence-based risk and needs assessments.

(B) Implementing and expanding intermediate sanctions that include, but are not limited to, electronic monitoring, mandatory community service, home detention, day reporting, restorative justice programs, work furlough programs, and incarceration in county jail for up to 90 days.

(C) Providing more intensive probation supervision.

(D) Expanding the availability of evidence-based rehabilitation programs including, but not limited to, drug and alcohol treatment, mental health treatment, anger management, cognitive behavior programs, and job training and employment services.

(E) Evaluating the effectiveness of rehabilitation and supervision programs and ensuring program fidelity.

(4) The chief probation officer shall have discretion to spend funds on any of the above practices and programs consistent with this act but, at a minimum, shall devote at least 5 percent of all funding received to evaluate the effectiveness of those programs and practices implemented with the funds provided pursuant to this chapter. A chief probation officer may petition the Administrative Office of the Courts to have this restriction waived, and the Administrative Office of the Courts shall have the authority to grant such a petition, if the CPO can demonstrate that the department is already devoting sufficient funds to the evaluation of these programs and practices.

(5) Each probation department receiving funds under this chapter shall maintain a complete and accurate accounting of all funds received pursuant to this chapter.

1231. (a) Community corrections programs funded pursuant to this act shall identify and track specific outcome-based measures consistent with the goals of this act.

(b) The Administrative Office of the Courts, in consultation with the Chief Probation Officers of California, shall specify and define minimum required outcome-based measures, which shall include, but not be limited to, all of the following:

(1) The percentage of persons on felony probation who are being supervised in accordance with evidence-based practices.

(2) The percentage of state moneys expended for programs that are evidence-based, and a descriptive list of all programs that are evidence-based.

(3) Specification of supervision policies, procedures, programs, and practices that were eliminated.

(4) The percentage of persons on felony probation who successfully complete the period of probation.

(c) Each chief probation officer receiving funding pursuant to Sections 1233 to 1233.6, inclusive, shall provide an annual written report to the Administrative Office of the Courts and the Department of Corrections and Rehabilitation evaluating the effectiveness of the community corrections program, including, but not limited to, the data described in subdivision (b).

(d) The Administrative Office of the Courts shall, in consultation with the chief probation officer of each county and the Department of Corrections and Rehabilitation, provide a quarterly statistical report to the Department of Finance including, but not limited to, the following statistical information for each county:

- (1) The number of felony filings.
- (2) The number of felony convictions.
- (3) The number of felony convictions in which the defendant was sentenced to the state prison.
- (4) The number of felony convictions in which the defendant was granted probation.
- (5) The adult felon probation population.
- (6) The number of felons who had their probation revoked and were sent to prison for that revocation.
- (7) The number of adult felony probationers sent to state prison for a conviction of a new felony offense, including when probation was revoked or terminated.

1232. Commencing no later than 18 months following the initial receipt of funding pursuant to this act and annually thereafter, the Administrative Office of the Courts, in consultation with the Department of Corrections and Rehabilitation, the Department of Finance, and the Chief Probation Officers of California, shall submit to the Governor and the Legislature a comprehensive report on the implementation of this act. The report shall include, but not be limited to, all of the following information:

(a) The effectiveness of the community corrections program based on the reports of performance-based outcome measures required in Section 1231.

(b) The percentage of felony probationers whose probation was revoked for the year on which the report is being made.

(c) The percentage of felony probationers who were convicted of crimes during their term of probation for the year on which the report is being made.

(d) The impact of the moneys appropriated pursuant to this act to enhance public safety by reducing the percentage and number of felony probationers whose probation was revoked for the year being reported on for probation violations or new convictions, and to reduce the number of felony probationers who are sent to prison for the year on which the report is being made.

(e) Any recommendations regarding resource allocations or additional collaboration with other state, regional, federal, or local entities for improvements to this act.

1233. (a) The Director of Finance, in consultation with the Department of Corrections and Rehabilitation, the Joint Legislative Budget Committee,

the Chief Probation Officers of California, and the Administrative Office of the Courts, shall calculate for each county a baseline probation failure rate that equals the average number of adult felony probationers sent to state prison during calendar years 2006 to 2008, inclusive, as a percentage of the average adult felony probation population during the same period.

(b) For purposes of calculating the baseline probation failure rate, the number of adult felony probationers sent to prison shall include those adult felony probationers sent to state prison for a revocation of probation, as well as adult felony probationers sent to state prison for a conviction of a new felony offense. The calculation shall also include adult felony probationers sent to prison for conviction of a new crime who simultaneously have their probation term terminated.

1233.I. After the conclusion of each calendar year following the enactment of this section, the Director of Finance, in consultation with the Department of Corrections and Rehabilitation, the Joint Legislative Budget Committee, the Chief Probation Officers of California, and the Administrative Office of the Courts, shall calculate the following for that calendar year:

(a) The cost to the state to incarcerate in prison and supervise on parole a probationer sent to prison. This calculation shall take into consideration factors, including, but not limited to, the average length of stay in prison and on parole for probationers, as well as the associated parole revocation rates, and revocation costs.

(b) The statewide probation failure rate. The statewide probation failure rate shall be calculated as the total number of adult felony probationers statewide sent to prison in the previous year as a percentage of the statewide adult felony probation population as of June 30 of that year.

(c) A probation failure rate for each county. Each county's probation failure rate shall be calculated as the number of adult felony probationers sent to prison from that county in the previous year as a percentage of the county's adult felony probation population as of June 30 of that year.

(d) An estimate of the number of adult felony probationers each county successfully prevented from being sent to prison. For each county, this estimate shall be calculated based on the reduction in the county's probation failure rate as calculated annually pursuant to subdivision (c) of this section and the county's baseline probation failure rate as calculated pursuant to Section 1233. In making this estimate, the Director of Finance, in consultation with the Department of Corrections and Rehabilitation, the Joint Legislative Budget Committee, the Chief Probation Officers of California, and the Administrative Office of the Courts, shall adjust the calculations to account for changes in each county's adult felony probation caseload in the most recent completed calendar year as compared to the county's adult felony probation population during the period 2006 to 2008, inclusive.

(e) In calculating probation failure rates for the state and individual counties, the number of adult felony probationers sent to prison shall include those adult felony probationers sent to state prison for a revocation of

probation, as well as adult felony probationers sent to state prison for a conviction of a new felony offense. The calculation shall also include adult felony probationers who are sent to prison for conviction of a new crime and who simultaneously have their probation terms terminated.

1233.2. Annually, after the conclusion of each calendar year, the Director of Finance, in consultation with the Department of Corrections and Rehabilitation, the Joint Legislative Budget Committee, the Chief Probation Officers of California, and the Administrative Office of the Courts, shall identify the appropriate Probation Revocation Tier for each county for which it was estimated that the county successfully prevented any number of adult felony probationers from being sent to state prison, as provided in subdivision (d) of Section 1233.1. The tiers shall be defined as follows:

(a) Tier 1. A Tier 1 county is one which has a probation failure rate, as defined in subdivision (c) of Section 1233.1, that is no more than 25 percent higher than the statewide probation failure rate, as defined in subdivision (b) of Section 1233.1.

(b) Tier 2. A Tier 2 county is one which has a probation failure rate, as defined in subdivision (c) of Section 1233.1, that is more than 25 percent above the statewide probation failure rate, as defined in subdivision (b) of Section 1233.1.

1233.3. Annually, the Director of Finance, in consultation with the Department of Corrections and Rehabilitation, the Joint Legislative Budget Committee, the Chief Probation Officers of California, and the Administrative Office of the Courts, shall calculate a probation failure reduction incentive payment for each eligible county, pursuant to Section 1233.2, for the most recently completed calendar year, as follows:

(a) For a county identified as being in Tier 1, as defined in subdivision (a) of Section 1233.2, its probation failure reduction incentive payment shall equal the estimated number of probationers successfully prevented from being sent to prison, as defined by subdivision (d) of Section 1233.1, multiplied by 45 percent of the costs to the state to incarcerate in prison and supervise on parole a probationer who was sent to prison, as defined in subdivision (a) of Section 1233.1.

(b) For a county identified as being in Tier 2, as defined in subdivision (b) of Section 1233.2, its probation failure reduction incentive payment shall equal the estimated number of probationers successfully prevented from being sent to prison, as defined by subdivision (d) of Section 1233.1, multiplied by 40 percent of the costs to the state to incarcerate in prison and supervise on parole a probationer who was sent to prison, as defined in subdivision (a) of Section 1233.1.

1233.4. (a) It is the intent of the Legislature for counties demonstrating high success rates with adult felony probationers to have access to performance-based funding as provided for in this section.

(b) On an annual basis, the Department of Finance, in consultation with the Department of Corrections and Rehabilitation, the Joint Legislative Budget Committee, the Chief Probation Officers of California, and the Administrative Office of the Courts, shall calculate 5 percent of the savings

to the state attributed to those counties that successfully reduce the number of adult felony probationers sent to state prison.

(c) The savings estimated pursuant to subdivision (b) shall be used to provide high performance grants to county probation departments for the purpose of bolstering evidence-based probation practices designed to reduce recidivism among adult felony probationers.

(d) County probation departments eligible for these high performance grants shall be those with adult probation failure rates more than 50 percent below the statewide average in the most recently completed calendar year.

(e) A county probation department may receive a high performance grant under this section in a year in which it does not also receive a probation failure reduction incentive payment as provided for in Section 1233.3. The CPO of a county that qualifies for both a high performance grant and a probation failure reduction incentive payment shall indicate to the Administrative Office of the Courts, by a date designated by the Administrative Office of the Courts, whether the CPO chooses to receive the high performance grant or probation failure reduction payment.

(f) The grants provided for in this section shall be administered by the Administrative Office of the Courts. The Administrative Office of the Courts shall seek to ensure that all qualifying probation departments that submit qualifying applications receive a proportionate share of the grant funding available based on the population of adults ages 18 to 25, inclusive, in each of the counties receiving the grants.

1233.5. If data of sufficient quality and of the types required for the implementation of this act are not available to the Director of Finance, then the Director of Finance, in consultation with the Department of Corrections and Rehabilitation, the Joint Legislative Budget Committee, and the Administrative Office of the Courts, shall use the best available data to estimate probation failure reduction incentive payments and high performance grants utilizing a methodology that is as consistent with that described in this act as is reasonably possible.

1233.6. (a) Probation failure reduction incentive payments and high performance grants calculated for any calendar year shall be provided to counties in the following fiscal year. The total annual payment to each county shall be divided into four equal quarterly payments.

(b) The Department of Finance shall include an estimate of the total probation failure reduction incentive payments and high performance grants to be provided to counties in the coming fiscal year as part of the Governor's proposed budget released no later than January 10 of each year. This estimate shall be adjusted by the Department of Finance, as necessary, to reflect the actual calculations of probation revocation incentive payments and high performance grants completed by the Director of Finance, in consultation with the Department of Corrections and Rehabilitation, the Joint Legislative Budget Committee, the Chief Probation Officers of California, and the Administrative Office of the Courts. This adjustment shall occur as part of standard budget revision processes completed by the Department of Finance in April and May of each year.

(c) There is hereby established a State Community Corrections Performance Incentives Fund. Moneys budgeted for purposes of providing probation revocation incentive payments and high performance grants authorized in Sections 1230 to 1233.6, inclusive, shall be deposited into this fund. Any moneys deposited into this fund shall be administered by the Administrative Office of the Courts and the share calculated for each county probation department shall be transferred to its Community Corrections Performance Incentives Fund authorized in Section 1230. The Legislature may allocate up to 3 percent of the funds annually deposited into the State Community Corrections Performance Incentives Fund for use by the Administrative Office of the Courts for the costs of administering this program.

1233.7. The moneys appropriated pursuant to this chapter shall be used to supplement, not supplant, any other state or county appropriation for the chief probation officer or the probation department.

1233.8. This chapter shall remain in effect only until January 1, 2015, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2015, deletes or extends that date.

SEC. 3. The Judicial Council shall consider the adoption of appropriate modifications to the Criminal Rules of Court, and of other judicial branch policies, procedures, and programs, affecting felony probation services that would support implementation of the evidence-based probation supervision practices described in this chapter.

SEC. 4. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.