

CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

EDWIN M. LEE
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DOUGLAS S. CHAN
COMMISSIONER

KATE FAVETTI
COMMISSIONER

GINA M. ROCCANOVA
COMMISSIONER

IFER C. JOHNSTON
EXECUTIVE OFFICER

AGENDA Regular Meeting April 21, 2014

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

A request to hear an item after 5:00 p.m. should be directed to the Executive Officer as soon as possible following the receipt of notification of an upcoming hearing. Requests may be made by telephone at (415) 252-3247 and confirmed in writing or by fax at (415) 252-3260.

CALL TO ORDER & ROLL CALL

REQUEST TO SPEAK ON ANY MATTER WITHIN THE JURISDICTION OF THE CIVIL SERVICE COMMISSION BUT NOT APPEARING ON TODAY'S AGENDA

APPROVAL OF MINUTES

ANNOUNCEMENTS

HUMAN RESOURCES DIRECTOR'S REPORT

EXECUTIVE OFFICER'S REPORT

RATIFICATION AGENDA

CONSENT AGENDA

REGULAR AGENDA

SEPARATIONS AGENDA

CLOSED SESSION

COMMISSIONERS' ANNOUNCEMENTS/REQUESTS

ADJOURNMENT

NOTICE OF COMMISSION HEARING POLICIES AND PROCEDURES

A. Commission Office

The Civil Service Commission office is located at, 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102. The telephone number is (415) 252-3247. The fax number is (415) 252-3260. The email address is civilservice@sfgov.org and the web address is www.sfgov.org/civil_service/. Office hours are from 8:00 a.m. to 5:00 p.m., Monday through Friday.

B. Policy Requiring Written Reports

It is the policy of the Civil Service Commission that except for appeals filed under Civil Service Commission Rule 111A Position-Based Testing, all items appearing on its agenda be supported by a written report prepared by Commission or departmental staff. All documents referred to in any Agenda Document are posted adjacent to the Agenda, or if more than one (1) page in length, available for public inspection and copying at the Civil Service Commission office. Reports from City and County personnel supporting agenda items are submitted in accordance with the procedures established by the Executive Officer. Reports not submitted according to procedures, in the format and quantity required, and by the deadline, will not be calendared.

C. Policy on Written Submissions by Appellants

All written material submitted by appellants to be considered by the Commission in support of an agenda item shall be submitted to the Commission office, no later than 5:00 p.m. on the fourth (4th) business day preceding the Commission meeting for which the item is calendared (ordinarily, on Tuesday). An original and nine (9) copies on 8 1/2-inch X 11 inch paper, three-hole punched on left margin, and page numbered in the bottom center margin, shall be provided. Written material submitted for the Commission's review becomes part of a public record and shall be open for public inspection.

D. Policy on Materials being Considered by the Commission

Copies of all staff reports and materials being considered by the Civil Service Commission are available for public view 72 hours prior to the Civil Service Commission meeting on the Civil Service Commission's website at www.sfgov.org/Civil_Service, and in its office located at 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102. If any materials related to an item on this agenda have been distributed to the Civil Service Commission after distribution of the agenda packet, those materials will be available for public inspection at the Civil Service Commission's during normal office hours (8:00 a.m. to 5:00 p.m. Monday through Friday).

E. Policy and Procedure for Hearings to be Scheduled after 5:00 p.m. and Requests for Postponement

A request to hear an item after 5:00 p.m. should be directed to the Executive Officer as soon as possible following the receipt of notification of an upcoming hearing. Requests may be made by telephone at (415) 252-3247 and confirmed in writing or by fax at (415) 252-3260.

A request for a postponement (continuance) to delay an item to another meeting may be directed to the Commission Executive Officer by telephone or in writing. Before acting, the Executive Officer may refer certain requests to another City official for recommendation. Telephone requests must be confirmed in writing prior to the meeting. Immediately following the "Announcement of Changes" portion of the agenda at the beginning of the meeting, the Commission will consider a request for a postponement that has been previously denied. Appeals filed under Civil Service Commission Rule 111A Position-Based Testing shall be considered on the date it is calendared for hearing except under extraordinary circumstances and upon mutual agreement between the appellant and the Department of Human Resources.

F. Policy and Procedure on Hearing Items Out of Order

Requests to hear items out of order are to be directed to the Commission President at the beginning of the agenda. The President will rule on each request. Such requests may be granted with mutual agreement among the affected parties.

G. Procedure for Commission Hearings

All Commission hearings on disputed matters shall conform to the following procedures: The Commission reserves the right to question each party during its presentation and, in its discretion, to modify any time allocations and requirements.

If a matter is severed from the *Consent Agenda* or the *Ratification Agenda*, presentation by the opponent will be for a maximum time limit of five (5) minutes and response by the departmental representative for a maximum time limit of five (5) minutes. Requests by the public to sever items from the [*Consent Agenda* or] *Ratification Agenda* must be provided with justification for the record.

For items on the *Regular Agenda*, presentation by the departmental representative for a maximum time of five (5) minutes and response by the opponent for a maximum time limit of five (5) minutes.

For items on the *Separations Agenda*, presentation by the department followed by the employee or employee's representative shall be for a maximum time limit of ten (10) minutes for each party unless extended by the Commission. Each presentation shall conform to the following:

1. Opening summary of case (brief overview);
2. Discussion of evidence;
3. Corroborating witnesses, if necessary; and
4. Closing remarks.

The Commission may allocate five (5) minutes for each side to rebut evidence presented by the other side.

H. Policy on Audio Recording of Commission Meetings

As provided in the San Francisco Sunshine Ordinance, all Commission meetings are audio recorded in digital form. These audio recordings of open sessions are available starting on the day after the Commission meeting on the Civil Service Commission website at www.sfgov.org/civil_service/.

I. Speaking before the Civil Service Commission

Speaker cards are not required. The Commission will take public comment on all items appearing on the agenda at the time the item is heard. The Commission will take public comment on matters not on the Agenda, but within the jurisdiction of the Commission during the "Requests to Speak" portion of the regular meeting. Maximum time will be three (3) minutes. A subsequent comment after the three (3) minute period is limited to one (1) minute. The timer shall be in operation during public comment. Upon any specific request by a Commissioner, time may be extended.

J. Policy on use of Cell Phones, Pagers and Similar Sound-Producing Electronic Devices at and During Public Meetings

The ringing and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Information on Disability Access

The Civil Service Commission normally meets in Room 400 (Fourth Floor) City Hall, 1 Dr. Carlton B. Goodlett Place. However, meetings not held in this room are conducted in the Civic Center area. City Hall is wheelchair accessible. The closest accessible BART station is the Civic Center, located 2 ½ blocks from City Hall. Accessible MUNI lines serving City Hall are 47 Van Ness Avenue, 9 San Bruno and 71 Haight/Noriega, as well as the METRO stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call (415) 923-6142. Accessible curbside parking has been designated at points in the vicinity of City Hall adjacent to Grove Street and Van Ness Avenue.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week. For American Sign Language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact the Commission office to make arrangements for the accommodation. Late requests will be honored, if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our ADA coordinator at (415) 252-3254 or (415) 252-3247 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

Know your Rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, or to obtain a free copy of the Sunshine Ordinance, contact Victor Young, Administrator of the Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102-4689 at (415) 554-7724, by fax: (415) 554-7854, by e-mail: sof@sfgov.org, or on the City's website at www.sfgov.org/bdsupvrs/sunshine.

San Francisco Lobbyist Ordinance

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (San Francisco Campaign and Governmental Conduct Code Section 2.100) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Ave., Suite 220, San Francisco, CA 94102, telephone (415) 252-3100, fax (415) 252-3112 and web site <http://www.sfgov.org/ethics/>.

**City and County of San Francisco
Civil Service Commission**

**Agenda for Regular Meeting
April 21, 2014
2:00 p.m.**

ITEM NO.

(1) CALL TO ORDER AND ROLL CALL

President Scott R. Heldfond
Vice President E. Dennis Normandy
Commissioner Douglas S. Chan
Commissioner Kate Favetti
Commissioner Gina M. Roccanova

**(2) REQUEST TO SPEAK ON ANY MATTER WITHIN THE JURISDICTION OF THE
CIVIL SERVICE COMMISSION BUT NOT APPEARING ON TODAY'S AGENDA**

(3) APPROVAL OF MINUTES - Action Item

Regular Meeting of April 7, 2014

Recommendation: Adopt the minutes.

(4) ANNOUNCEMENTS

Announcement of changes to the agenda.

Other announcements.

(5) HUMAN RESOURCES DIRECTOR'S REPORT

Updates on ongoing business.

Other reports.

(6) EXECUTIVE OFFICER'S REPORT

Updates on ongoing business.

Other reports.

RATIFICATION AGENDA

All matters on the Ratification Agenda are considered by the Civil Service Commission to be non-contested and will be acted upon by a single vote of the Commission. There will be no separate discussion on these items unless a request is made; in which event, the matter shall be removed from the Ratification Agenda and considered as a separate item. Each individual addressing the Commission will be limited to a maximum time limit of five minutes for all items severed from the Ratification Agenda.

**(7) Review of Request for Approval of Proposed Personal Services Contracts.
(File No. 0080-14-8) – Action Item**

PSC#	Department	Amount	Type of Service	Type of Approval	Duration
40541-13/14	Airport Commission	\$200,000	This request is to complete the remaining portions of the Airport's Closed-Circuit Television (CCTV) Security System Enhancements project which began in 2011. The project will integrate the existing security video management system (VMS) with a new event management system (EMS). The Contractor will implement and integrate these new software systems within the Airport's existing network structure. Integrator must be familiar with the Airport's existing software and hardware systems supporting aviation security requirements and be able to provide technical services after implementation and acceptance of new system if needed.	Regular	4/20/2015
45651-13/14	Controller	\$17,000,000	Perform annual financial audit services and report on the financial statements for the City's Comprehensive Annual Financial Report (CAFR), the City's Single Audit, and departments/funds; perform other required compliance audits of grants, projects, and funds of other City departments; performs actuarial studies of the City's General liability and Workers Compensation reserves; and perform additional audit procedures. See additional attachment for a list of departments/funds.	Regular	5/31/2023
47569-13/14	Controller	\$1,200,000	The City and County of San Francisco (City) seeks a vendor to provide installation, configuration and implementation of services for the Oracle Identity Management (IM) solution. IM will provide public internet access from outside of the City's firewall to eMerge PeopleSoft. It includes account management provisioning from PeopleSoft, identity validation, self-service password resets, delegated administration to departments, single sign-on, an anti-fraud engine, a Lightweight Directory Access Protocol (LDAP) standards-compliant directory to host identities of non-active City employees, and audit tools.	Regular	5/1/2016
48070-13/14	Public Health	\$6,504,869	Represent eligible clients who are uninsured, underinsured, or at risk of losing insurance to pursue or maintain Supplemental Security Income/ Supplemental Disability Income/ Cash Assistance for Immigrants (SSI/SSDI/CALI) income and corresponding Medi-Cal/ Medicare coverage, thus providing them with improved access to healthcare and the financial means to stabilize their living situation. Legal assistance to client in moving disabled residents on to SSI and SSDI benefits by providing specialized SSI consultative and advocacy services and Human Immunodeficiency Virus (HIV) Health Services benefits counseling.	Regular	6/30/2018

42815-13/14	General Services Agency – Public Works	\$700,000	Consultants will perform a full range of highly specialized environmental services in conformance with the provisions of the California Environmental Quality Act (CEQA) for the Rehabilitation and Detention Facility (RDF) project. The RDF project aims to replace County Jails #3 and #4 (828 beds), currently located on the 6 th and 7 th floors at the Hall of Justice (HOJ) building at 850 Bryant Street, by constructing a new multi-story facility (640 beds) on an adjacent site. Consultants will prepare a variety of technical reports including aesthetics/visual, air quality, cultural resources, geology/soils, hazards and hazardous materials, land use and planning, noise, transportation and traffic, utilities and service systems and other analyses needed to support the environmental analysis.	Regular	11/1/2016
44350-13/14	Mayor	\$500,000	The Mayor’s Office of Housing and Community Development (MOHCD) of the City and County of San Francisco is seeking proposals from qualified consultants to provide a range of environmental services related to the acquisition of land for the development of affordable housing. The funds to be used for potential acquisition are subject to regulation by 24 Code of Federal Regulations (CFR) Part 85. The services may include one or more of the following: Environmental Site Assessments (ESAs) Phase I, II and III; Soil, air and groundwater testing and reporting to evaluate human health risk related to chemical contamination in any or all media; and seismic studies.	Regular	6/30/2017
4025-09/10	Airport Commission	Current Approved Amount \$3,500,000 Increase Amount Requested \$5,300,000 New Total Amount Requested \$8,800,000	Airport consulting services for: air traffic forecasting; finance, market, and economic analysis; maximization of federal assistance programs; negotiation of lease and use agreements; utilization of passenger facility charges (PFCs); assessment of Airport parking, air cargo, and airline passenger rates and charges; bond feasibility reports; Airport economic impact studies; assessment of advanced technologies to improve safety and landing capacity; and development of new airline routes. Analysis of options for hotel development on Airport property, and financial and capital planning.	Modification	8/31/2019

Recommendation: Adopt the report. Approve the request for proposed personal services contracts; notify the Office of the Controller and the Office of Contract Administration.

CONSENT AGENDA

- (8) **Salary Survey for Registered Nurse Classifications (Charter Section A8.403), 2014-2015. (File No. 0078-14-3) – Action Item**

Recommendation: Adopt the staff report; certify to the Board of Supervisors the highest prevailing wage rate in effect on April 15, 2014 for Acute Care Nursing Classifications in the six Bay Area counties.

REGULAR AGENDA

- (9) **Recommendation to Adopt the Proposed Civil Service Commission Policy on Future Employment Restrictions. (File No. 0059-14-5) – Action Item**

March 17, 2014: Adopted the Executive’s Officer’s report; directed the Executive Officer to post the proposed policy on future employment restrictions to meet and discuss the proposed policy with any interested stakeholders. (Vote of 4 to 0)

Recommendation: Adopt the Executive Officer's report; Adopt the proposed Civil Service Commission policy on Future Employment Restrictions, to be effective immediately.

(10) Recommendation to Adopt the Amendments to Civil Service Series Rule 022, Request to Remove Department Ban. (File No. 0059-14-5) – Action Item

March 17, 2014: Directed the Executive Officer to post the proposed amendments to Civil Service Rule Series 022 for adoption as required under the Charter and Civil Service Rules, and to meet and discuss the proposed revisions with affected labor union(s) and other interested stakeholders.
(Vote of 4 to 0)

Recommendation: Adopt the Executive Officer's report; Adopt the Amendments to Civil Service Series Rule 022, Request to Remove Department Ban.

(11) Recommendation to Adopt the Amendments to Civil Service Rule 411A, Position-Based Testing Program for Services-Critical Classifications/Positions at the Municipal Transportation Agency. (File No. 0056-14-5) – Action Item

March 17, 2014: Accepted the Executive Officer's report and granted the Municipal Transportation Agency's request to make permanent Civil Service Rule 411A as recommended, with following additional revisions:
1) that for the first three-year period during which the Department of Human Resources will be reviewing the operation of the Position-Based Testing Program at the Municipal Transportation Agency under Civil Service Rule 411A, the reporting requirement will continue as is (quarterly) and the maximum duration of the eligible list will remain two years; 2) after the three-year review period, following a report from the Department of Human Resources, the Commission will consider making the provisions of Civil Service Rule 411A fully consistent with Civil Service Rule 111A with respect to the reporting requirement and maximum eligible list duration.

Directed the Executive Officer to post the revised Civil Service Rule 411A (as amended) for adoption as required under the Charter and Civil Service Rules, and to meet and discuss the proposed revisions with affected labor union(s) and other interested stakeholders. (Vote 4 to 0)

Recommendation: Adopt the Executive Officer's report; Adopt the Proposed Permanent Civil Service Rule 411A, Position-Based Testing Program for Service-Critical Classifications/Positions at the Municipal Transportation Agency.

(12) Appeal by Elizabeth Angelini of the Administration of the 8165 Worker's Compensation Supervisor I Position-Based Test. (File No. 0077-14-4)

Recommendation: Adopt the staff report; deny the appeal by Elizabeth Angelini.

CLOSED SESSION AGENDA

- (13) Request for hearing by Sean Maurer of his Background Disqualification for a Q-2 Police Office Position with the San Francisco Police Department.
(File No. 0279-13-4) – Action Item

- a. Public comment on all matters pertaining to Agenda Item #13.
- b. Vote on whether to hold Item #13 in Closed Session – Action Item.

Basis for Closed Session: Personnel Exception (Gov. Code § 54957(b)(1), Admin Code § 67.10(b))

- c. Closed Session – Appeal by Sean Maurer of his Background Disqualification for a Q-2 Police Office Position with the San Francisco Police Department.

Recommendation: Adopt the staff report; deny the appeal by Sean Maurer.

- d. Reconvene in Open Session. Vote to elect whether to disclose any or all discussions held on Item #13 in Closed Session (San Francisco Administrative Code Section 67.12 (a)) – Action Item

- (14) **COMMISSIONERS' ANNOUNCEMENTS/REQUESTS**

- (15) **ADJOURNMENT**

CALL TO ORDER
&
ROLL CALL

**REQUESTS TO SPEAK
ON ITEMS WITHIN THE JURISDICTION
OF THE CIVIL SERVICE COMMISSION
BUT NOT ON TODAY'S AGENDA**



CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

EDWIN M. LEE
MAYOR

MINUTES Regular Meeting April 7, 2014

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

SCOTT R. HELDFOND
PRESIDENT

E. DENNIS NORMANDY
VICE PRESIDENT

DOUGLAS S. CHAN
COMMISSIONER

KATE FAVETTI
COMMISSIONER

GINA M. ROCCANOVA
COMMISSIONER

FER C. JOHNSTON
EXECUTIVE OFFICER

CALL TO ORDER

2:01 p.m.

ROLL CALL

President Scott R. Heldfond	Present
Vice President E. Dennis Normandy	Present
Commissioner Douglas S. Chan	Present
Commissioner Kate Favetti	Present
Commissioner Gina M. Rocanova	Present (Not Present for Item #s 1 through 8)

President Scott R. Heldfond presided.

REQUEST TO SPEAK ON ANY MATTER WITHIN THE JURISDICTION OF THE CIVIL SERVICE COMMISSION BUT NOT APPEARING ON TODAY'S AGENDA (Item No. 2)

Amy Dawson, a former Redevelopment Agency employee, thanked the Commission for helping her to obtain a manager position at the Public Utilities Commission's watershed location in Sunol. She is delighted and is very much enjoying her new career opportunity.

APPROVAL OF MINUTES (Item No. 3)

Regular Meeting of March 17, 2014

Action: Adopted the minutes. (Vote of 4 to 0)

ANNOUNCEMENTS (Item No. 4)

None.

THIS DOCUMENT SUPPORTS
CALENDAR ITEM 3

HUMAN RESOURCES DIRECTOR'S REPORT (Item No. 5)

Donna Kotake, Workforce Development Director, announced that Human Resources Director Micki Callahan is currently involved in labor negotiations and that there may be a few issues that will need to be brought to the Civil Service Commission if the City and its unions are not successful in resolving them through the negotiations process. All labor negotiations will conclude by May 15, 2014.

EXECUTIVE OFFICER'S REPORT

Jennifer Johnston, Executive Officer, announced that the Civil Service Commission has officially migrated to the City's new website platform. Although Commission staff is still working on resolving some of the formatting and content issues, Ms. Johnston encouraged individuals to visit the new website.

0070-14-1 Progress Report – Salary Setting for the City and County of San Francisco Board of Supervisors for a Five (5) Year Cycle, Effective July 1, 2014 through June 30, 2019, in accordance with Charter Section 2.100. (Item No. 6)

Speakers: Luz Morganti, Civil Service Commission

Action: Accepted the Report. (Vote of 4 to 0)

RATIFICATION AGENDA

0073-14-8 Review of Request for Approval of Proposed Personal Services Contracts. (Item No. 7)

PSC#	Department	Amount	Type of Service	Type of Approval	Duration
40505-13/14	AIRPORT COMMISSION	\$300,000	Maintenance of San Francisco International Airport (SFO) four chillers (3,000-ton and 6,000 ton) with in the Central Plant that provides cooling throughout the terminals and boarding areas. The 6,000-ton chiller is one of the largest centrifugal chillers on the West Coast. Explanation for 5 year term: SFO is planning on entering into a new 5 year contract to maintain the chillers in our Central Plant and that is why we are seeking approval for this term.	Regular	6/30/2019
41911-13/14	AIRPORT COMMISSION	\$25,000,000	The work at San Francisco International Airport (SFO) includes a full range of Architectural and Engineering Services for planning, programming, design, engineering, and construction administrative services necessary to develop the functional and conceptual design components for the Terminal 1 Redevelopment Program (T1 Program) Enabling Projects, South Field and Plot 700 Projects. The projects include : 1) temporary Boarding Area Band Passenger Security Screening Check point with all required Airport security and operational systems; 2) utility infrastructure upgrades and relocations; 3) security and special systems improvements; 4) various airport, airline and agency related tenant relocations; 5) airfield infrastructure and taxi lane relocations; 6) South Field facility relocations including the fire house , vehicle screening check point, ground transportation unit (GTU), Plot 700; and 6) demolition and hazardous material abatement.	Regular	12/31/2018

45959-13/14	MUNICIPAL TRANSPORTATION AGENCY	\$3,000,000	The Consultants will provide supplemental architectural and engineering services for extensive analysis, design, bid documents, and project management services necessary for facility restorations and equipment upgrades for 38 parking facilities and ground surface lots. However, the majority of the design and project will be provided by in-house staffing resources from the San Francisco Municipal Transportation Agency (SFMTA) and San Francisco Department of Public Works (DPW).	Regular	5/31/2018
45984-13/14	MUNICIPAL TRANSPORTATION AGENCY	\$490,000	The consultant will prepare the Project Study Report for the Southwest Subway/19 th Avenue Project and advance conceptual engineering that is mandated by Caltrans. This contract work requires unique knowledge of the Caltrans requirements to approve projects on the State of California highways (such as 19 th Avenue). Specialized technical work is needed in several areas, including rail engineering; transportation planning for traffic, pedestrians, bicyclists and public transit; funding strategies; and community involvement.	Regular	4/1/2016
44930-13/14	PUBLIC UTILITIES COMMISSION	\$1,000,000	San Francisco Public Utilities Commission (SFPUC) is developing an electronic bidding system for city contracts which will eventually be available to all City Departments. This contract will bring on SharePoint and K2 expertise and expert developers to develop the SF Bid application. The developers will work with the project team of city employees, and under the direction of SFPUC Project Managers. A transfer of knowledge to City employees is a requirement.	Regular	4/30/2016
4107-10/11	ADULT PROBATION	Current Approved Amount \$100,000 Increase Amount Requested \$30,000 New Total Amount Requested \$130,000	The Court ordered conditions of probation require all probationers to not use all illegal drugs. Drug Testing will enable the Adult Probation Department to better protect public safety by monitoring and enforcing probationer compliance with Court order. Contractor will perform verification.	Modification	6/30/2016
4074-11/12	PORT	Current Approved Amount \$375,000 Increase Amount Requested \$0 New Total Amount Requested \$375,000	The Port original planned to issue this contract in 2012, but due to staff changes and the workload of the America's Cup 34 (AC34) preparations, the contract solicitation was delayed. The Port now intends to move forward with the contract solicitation in the first quarter of 2014 and limit the term of the contract to no more than four (4) years. (Please see prior initial PSC attached)	Modification	12/31/2018

Speakers: None.

Action: Approved the request for all PSCs. Adopted the report; notified the Office of the Controller and the Office of Contract Administration. (Vote of 4 to 0)

0053-14-8 Review of Request for Approval of Proposed Personal Services Contract Number 42855-13/14. (Item No. 8)

PSC#	Department	Amount	Type of Service	Type of Service	Duration
42855-13/14	CONTROLLER'S OFFICE	\$5,000,000	Perform specialized audit, analytical and technical assistance consulting and training services to maximize the effectiveness of the Controller's Office City Services Auditor function to assess and improve the financial condition and performance of City departments.	Regular	2/28/2019

March 17, 2014: Postponed PSC# 42855-13/14 to April 7, 2014. The department representative failed to appear. (Vote of 3 to 0)

Speaker: Rachel Cukierman, Controller’s Office

Action: Adopted the report. Approved the request for PSC# 42855-13/14; notified the Office of the Controller and the Office of Contract Administration. (Vote of 4 to 0)

0053-14-8 Review of Request for Approval of Proposed Personal Services Contract Number 4030-11/12. (Item No. 9)

PSC#	Department	Amount	Type of Service	Type of Service	Duration
4030-11/12	ENVIRONMENT	Current Approved Amount \$75,000 Increase Amount Requested \$122,000 New Total Amount Requested \$197,000	The contractor will provide the pick-up and disposal of residentially generated, discarded pharmaceuticals collected at designated pharmacies and police stations in San Francisco. Pick-ups must be available on both a regularly scheduled and on-call basis, depending on the collection site’s individual needs. The contractor will also provide supplies and equipment as necessary for accomplishing this task.	Modification	6/30/2016

March 17, 2014: Postponed PSC #4030-11/12 to April 7, 2014. The department representative failed to appear. (Vote of 3 to 0)

Speaker: Maggie Johnson, Office of Environment

Action: Adopted the report. Approved the request for PSC# 4030-11/12; notified the Office of the Controller and the Office of Contract Administration. (Vote of 5 to 0)

REGULAR AGENDA

0044-14-5 Recommendation to Adopt the Proposed Revisions to the Civil Service Commission’s 1996 Policy on Exempt Appointments. (Item No. 10)

March 3, 2014: Adopted the Executive’s Officer’s report; directed the Executive Officer to post the proposed revisions to the Commission’s policy on exempt appointments; and to meet and discuss the proposed revisions with any interested stakeholders. (Vote of 5 to 0)

Speakers: Jennifer Johnston, Executive Officer

Action: Adopted the Executive’s Officer’s report; adopted the updated policy on exempt appointments as revised, to be effective immediately. (Vote 5 to 0)

0074-14-5 Recommendation to Revise Civil Service Rule 414.37.7 (Exempt Appointments Pursuant to Charter Section 8A.104) – Affecting Employees in Managerial Classifications/Positions at the Municipal Transportation Agency. (Item No. 11)

Speakers: Jennifer Johnston, Executive Officer

Action: Adopted the Executive’s Officer’s report; directed the Executive

Officer to post the proposed revisions to Civil Service Rule 414.37.7 for adoption as required under the Charter and Civil Service Rules, and to meet and discuss the proposed revisions with the Municipal Executives' Association and any other interested stakeholders. (Vote 5 to 0)

SEPARATIONS AGENDA

0350-11-7 Request for Hearing by Pat Karinen on Behalf of Jim Meisenbach on his Future Employability with the City and County of San Francisco. (Item No. 12)

Speakers: Lavena Holmes, Port of San Francisco
Pat Karinen, Pile Drivers Local Union No. 34 Representative
Tyler Paetkau, Appellant's Attorney

Action: Adopted the staff report; upheld the recommendation of the Port of San Francisco's Executive Director and restricted the future employment of James Meisenbach as follows: Canceled any current examination and eligibility status; No future employment with the Port of San Francisco; No future employment with the City and County of San Francisco. (Vote 4 to 1; Commissioner Chan dissented)

CLOSED SESSION AGENDA (SPECIAL ORDER OF BUSINESS - 3:00 P.M.)

Public comment on all matters pertaining to Items #14 through #18. (Item No. 13)

Speakers: None.

Vote on whether to hold Item #16 in Closed Session—Action Item. (Item No. 14)
Basis for Closed Session: Personnel Exception (Gov. Code § 54957(b)(1), Admin Code § 67.10(b); Peace Officer Confidentiality Statutes (Penal Code §§ 832.5, 832.7, 832.8))

Speakers: None.

Action: The Commission voted to conduct Item #16 in Closed Session. (Vote of 5 to 0)

Vote on whether to hold Item #17 in Closed Session—Action Item. (Item No 15)
Basis for Closed Session: Personnel Exception (Gov. Code § 54957(b)(1), Admin Code § 67.10(b); Peace Officer Confidentiality Statutes (Penal Code §§ 832.5, 832.7, 832.8))

Speakers: None.

Action: The Commission voted to conduct Item #17 in Closed Session. (Vote of 5 to 0)

0334-10-6 Closed Session – Appeal by Frank Lee of the Human Resources Director's Determination of Insufficient Evidence to Sustain His Claim of Retaliation and

Discrimination Based on Race and Ethnicity. (Item No. 16)

The Closed Session on this matter started at 3:09 p.m. in City Hall Room 400. The following individuals were present for Item #16:

Scott R. Heldfond, President, Civil Service Commission
E. Dennis Normandy, Vice President, Civil Service Commission
Kate Favetti, Commissioner, Civil Service Commission
Gina Roccanova, Commissioner, Civil Service Commission
Douglas Chan, Commissioner, Civil Service Commission
Jennifer Johnston, Executive Officer, Civil Service Commission
Sandra Eng, Civil Service Commission
Jennifer Bushman, Civil Service Commission
Donna Kotake, Department of Human Resources
Linda Simon, Department of Human Resources
Magaly Fernandez, Department of Human Resources
John Alden, San Francisco Police Department Representative
San Francisco Police Department Representative
San Francisco Police Department Representative
Frank Lee, Appellant

April 1, 2013: The Commission voted to go into closed session. (Vote of 4 to 0).
The Commission voted not to disclose any or all discussions held in closed session. (Vote of 4 to 0)

December 2, 2013: The Commission voted to reschedule Item #14 to January 6, 2014, dependent upon availability of all parties, to allow Commission staff to notify the accused of the scheduled hearing and to confirm their decision not to waive their rights to confidentiality. (Vote of 4 to 0)

Action: Adopted the report. Sustained the decision of the Human Resources Director; denied the appeal by Frank Lee. (Vote 5 to 0)

(17) Closed Session – Appeal by Frank Lee of the Human Resources Director’s Determination of Insufficient Evidence to Sustain His Claim of Retaliation and Discrimination Based on Race. (File No. 0355-10-6) - Action Item

The following individuals were present for Item #17:

Scott R. Heldfond, President, Civil Service Commission
E. Dennis Normandy, Vice President, Civil Service Commission
Kate Favetti, Commissioner, Civil Service Commission
Gina Roccanova, Commissioner, Civil Service Commission
Douglas Chan, Commissioner, Civil Service Commission
Jennifer Johnston, Executive Officer, Civil Service Commission
Sandra Eng, Civil Service Commission
Jennifer Bushman, Civil Service Commission
Donna Kotake, Department of Human Resources
Svetlana Vaksberg, Department of Human Resources
Linda Simon, Department of Human Resources

Magaly Fernandez, Department of Human Resources
John Alden, San Francisco Police Department Representative
San Francisco Police Department Representative
San Francisco Police Department Representative
Frank Lee, Appellant

- April 1, 2013: The Commission voted to go into closed session. (Vote of 4 to 0)
The Commission voted not to disclose any or all discussions held in closed session. (Vote of 4 to 0)
- December 2, 2013: The Commission voted to reschedule Item #15 to January 6, 2014, dependent upon availability of all parties, to allow Commission staff to notify the accused of the scheduled hearing and to confirm their decision not to waive their rights to confidentiality. (Vote of 4 to 0)
- Action:** Adopted the report. Sustained the decision of the Human Resources Director; denied the appeal by Frank Lee. (Vote of 5 to 0)

Reconvened in Open Session at 4:03 p.m. (Item No. 18)

- a) **Vote on whether to elect to disclose any or all discussions held on Item #16 in Closed Session (San Francisco Administrative Code Section 67.12 (a)) – Action Item**

Speakers: None.

Action: The Commission voted to disclose its vote on the appeal, but not to disclose its Closed Session discussions on the item. (Vote of 5 to 0)

- b) **Vote on whether to elect to disclose any or all discussions held on Item #17 in Closed Session (San Francisco Administrative Code Section 67.12 (a)) – Action Item**

Speakers: None.

Action: The Commission voted to disclose its vote on the appeal, but not to disclose its Closed Session discussions on the item. (Vote of 5 to 0)

COMMISSIONERS' ANNOUNCEMENTS/REQUESTS (Item No. 19)

None.

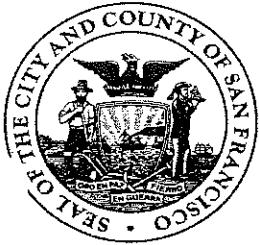
ADJOURNMENT (Item No. 20)

4:06 p.m.

ANNOUNCEMENTS

HUMAN RESOURCES DIRECTOR'S REPORT

EXECUTIVE OFFICER'S REPORT



CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

EDWIN M. LEE
MAYOR

Sent via Electronic Mail

April 10, 2014

NOTICE OF CIVIL SERVICE COMMISSION MEETING

SUBJECT: REVIEW OF REQUEST FOR APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACTS NUMBERS 40541-13/14; 45651-13/14; 47563-13/14; 48070-13/14; 42815-13/14; 44350-13/14; AND 4025-09/10.

The above matter will be considered by the Civil Service Commission at a meeting to be held on **April 21, 2014** at 2:00 p.m. in Room 400, Fourth Floor, City Hall, 1 Dr. Carlton B. Goodlett Place.

This item will appear on the Ratification Agenda. Please refer to the attached Notice for procedural and other information about Commission hearings.

Attendance by you or an authorized representative is welcome. Should you or your representative not attend, the Commission will rule on the information previously submitted and testimony provided at its meeting. All calendared items will be heard and resolved at this time unless good reasons are presented for a continuance.

All non-privileged materials being considered by the Civil Service Commission for this item are available for public inspection and copying at the Civil Service Commission office Monday through Friday from 8:00 a.m. to 5:00 p.m.

CIVIL SERVICE COMMISSION

JENNIFER JOHNSTON
Executive Officer

Attachment

Cc: Cynthia Avakian, Airport Commission
Jacquie Hale, Department of Public Health
Karen Henderson, Mayor's Office of Housing & Community Development
Mary Hom, Controller's Office
Sung Kim, Department of Public Works
Commission File
Commissioners' Binder
Chron

THIS DOCUMENT SUPPORTS
CALENDAR ITEM 7

STAFF REPORT



Edwin M. Lee
Mayor

Micki Callahan
Human Resources Director

Date: April 21, 2014
To: The Honorable Civil Service Commission
Through: Micki Callahan *MC*
Human Resources Director
From: Cynthia Avakian, AIR
Mary Hom, CON
Jacquie Hale, DPH
Sung Kim, DPW
Karen Henderson, MYR

Subject: Personal Services Contracts Approval Request

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

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

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

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

Total of this Report	YTD Expedited Approvals FY 2013-2014	Total for FY 2013-2014
\$31,404,869	\$6,206,578	\$641,002,335

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

Mary Hom
Controller's Office
1 Dr. Carlton B. Goodlett Pl., Rm. 306
San Francisco, CA 94102
(415) 554-7536

Jacquie Hale
Department of Public Health
101 Grove Street, Rm. 307
San Francisco, CA 94102
(415) 554-2609

Sung Kim
Department of Public Works
1155 Market Street, 4th Flr.
San Francisco, CA 94103
(415) 554-6417

Karen Henderson
Mayor's Office of Housing &
Community Development
1 South Van Ness Ave., 5th Flr.
San Francisco, CA 94103
(415) 701-5557

Table of Contents
PSC Submissions

Regular PSCs	Department	Page
40541-13/14	Airport Commission	1
45651-13/14	Controller's Office	11
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POSTING FOR

~~April 7, 2014~~

April 21, 2014

PROPOSED PERSONAL SERVICES CONTRACTS – REGULAR

Commission Hearing Date

2014-04-21

APPLY

PSC No	Dept Designation	PSC Amount	Description of Work	PSC Estimated Start Date	PSC Estimated End Date
40541 - 13/14	AIRPORT COMMISSION	\$200,000.00	This request is to complete the remaining portions of the Airport's Closed-Circuit Television (CCTV) Security System Enhancements project which began in 2011. The project will integrate the existing security video management system (VMS) with a new event management system (EMS). The Contractor will implement and integrate these new software systems within the Airport's existing network structure. Integrator must be familiar with the Airport's existing software and hardware systems supporting aviation security requirements and be able to provide technical services after implementation and acceptance of new system if needed.	April 21, 2014	April 20, 2015
45651 - 13/14	CONTROLLER	\$17,000,000.00	Perform annual financial audit services and report on the financial statements for the City's Comprehensive Annual Financial Report (CAFR), the City's Single Audit, and departments/funds; perform other required compliance audits of grants, projects, and funds of other City departments; perform actuarial studies of the City's General Liability and Workers Compensation reserves; and perform additional audit procedures. See additional attachment for a list of departments/funds.	April 1, 2015	May 31, 2023
47569 - 13/14	CONTROLLER	\$1,200,000.00	The City and County of San Francisco (City) seeks a vendor to provide installation, configuration and implementation services for the Oracle Identity Management (IM) solution. IM will provide public internet access from outside of the City's firewall to eMerge PeopleSoft. It includes account management, provisioning from PeopleSoft, identity validation, self-service password resets, delegated administration to departments, single sign-on, an anti-fraud engine, a Lightweight Directory Access Protocol (LDAP) standards-compliant directory to host identities of non-active City employees, and audit tools.	May 1, 2014	May 1, 2016
48070 - 13/14	PUBLIC HEALTH	\$6,504,869.00	Represent eligible clients who are uninsured, underinsured, or at risk of losing insurance to pursue or maintain Supplemental Security Income/Supplemental Disability Income/Cash Assistance for Immigrants (SSI/SSDI/CAPI) income and corresponding Medi-Cal/Medicare coverage, thus providing them with improved access to healthcare and the financial means to stabilize their living situation. Legal assistance to client in moving disabled residents on to SSI and SSDI benefits by providing specialized SSI consultative and advocacy services and Human Immunodeficiency Virus (HIV) Health Services benefits counseling.	April 1, 2014	June 30, 2018
42815 - 13/14	GENERAL SERVICES AGENCY - PUBLIC WORKS	\$700,000.00	Consultants will perform a full range of highly specialized environmental services in conformance with the provisions of the California Environmental Quality Act (CEQA) for the Rehabilitation and Detention Facility (RDF) project. The RDF project aims to replace County Jails #3 and #4 (828 beds), currently located on the 6th and 7th floors at the Hall of Justice (HOJ) building at 850 Bryant Street, by constructing a new multi-story facility (640 beds) on an adjacent site. Consultants will prepare a variety of technical reports including aesthetics/visual, air quality, cultural resources, geology/soils, hazards and hazardous materials, land use and planning, noise, transportation and traffic, utilities and service systems and other analyses needed to support the environmental analysis.	May 1, 2014	November 1, 2016
44350 - 13/14	MAYOR	\$500,000.00	The Mayor's Office of Housing and Community Development (MOHCD) of the City and County of San Francisco is seeking proposals from qualified consultants to provide a range of environmental services related to the acquisition of land for the development of affordable housing. The funds to be used for potential acquisition are subject to regulation by 24 Code of Federal Regulations (CFR) Part 85. The services may include one or more of the following: Environmental Site Assessments (ESAs) Phase I, II and	July 1, 2014	June 30, 2017

PSC No	Dept Designation	PSC Amount	Description of Work	PSC Estimated Start Date	PSC Estimated End Date
			IIIs; Soil, air and groundwater testing and reporting to evaluate human health risk related to chemical contamination in any or all media; and seismic studies.		

TOTAL AMOUNT \$26,104,869

Posting for April 21, 2014
Proposed Personal Services Contract - Regular
Modification to Increase/Decrease Contract Amount/Duration

ISC No	Dept Description	Modified Amount	Cumulative Amount	Description of Work	PSC Modification Estimated	
					Start Date	End Date
025-09/10	AIRPORT COMMISSION	\$5,300,000.00	\$8,800,000.00	Airport consulting services for: air traffic forecasting; finance, market and economic analyses; maximization of federal assistance programs; negotiation of lease and use agreements; utilization of passenger facility charges (PFCs); assessment of Airport parking, air cargo, and airline passenger rates and charges; bond feasibility reports; Airport economic impact studies; assessment of advanced technologies to improve safety and landing capacity; and development of new airline routes. Analysis of options for hotel development on Airport property, and financial and capital planning.	9/1/2014	8/31/2019

Total Modified Amount: \$5,300,000.00

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

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: AIRPORT COMMISSION -- AIR Dept. Code: AIR

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

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

Type of Service: Software Support for Closed-Circuit Television (CCTV) Integration Project

Funding Source: General Airport Revenue Bonds PSC Duration: 52 weeks
PSC Amount: \$200,000 PSC Est. Start Date: 04/21/2014 PSC Est. End Date: 04/20/2015

1. Description of Work

A. Scope of Work:

This request is to complete the remaining portions of the Airport's Closed-Circuit Television (CCTV) Security System Enhancements project which began in 2011. The project will integrate the existing security video management system (VMS) with a new event management system (EMS). The Contractor will implement and integrate these new software systems within the Airport's existing network structure. Integrator must be familiar with the Airport's existing software and hardware systems supporting aviation security requirements and be able to provide technical services after implementation and acceptance of new system if needed.

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

System integrator and technical guidance is necessary to ensure the successful design, install, and integration of the video management, event management system, and internet protocol (IP) cameras. System integrator must anticipate any software integration problems and maintain contract schedule.

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 work has been previously provided under PSC #4063-10/11; however the prior approval expired before the project was completed. This request is to complete the project.

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

2. Union Notification: On 02/24/2014, the Department notified the following employee organizations of this PSC/RFP request: Professional & Tech Engrs, Local 21, Electrical Workers, Local 6,

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 40541 - 13/14

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 04/21/2014

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:
 Expertise and skills in designing, programming, and integrating Airport security systems at worldwide international airports. Current expertise, skills, and knowledge of Transportation Security Administration requirements.

B. Which, if any, civil service class(es) normally perform(s) this work?
 7318,7329,

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

4. Why Classified Civil Service Cannot Perform

A. Explain why civil service classes are not applicable:

There are currently no civil service classes that have the technical expertise in design, programming, and integration of specialized Airport security systems.

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

No, because Civil Service classes already exist and will be trained and involved with the maintenance after implementation/acceptance.

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

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

THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE AND ACCURATE ON BEHALF OF THE DEPARTMENT HEAD ON 03/20/2014 BY:

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

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

Receipt of Union Notification(s)

◆ **Local 21**

◆ **Local 6**

Cynthia Avakian

From: dhr-psccordinator@sfgov.org
Sent: Monday, February 24, 2014 1:02 PM
To: Cynthia Avakian; L21PSCReview@ifpte21.org; khughes@ibew6.org; Cynthia Avakian; Richard Isen; DHR-PSCCoordinator
Subject: Receipt of Notice for new PCS over \$100K PSC # 40541 - 13/14

RECEIPT for Union Notification for PSC 40541 - 13/14 more than \$100k

The AIRPORT COMMISSION -- AIR has submitted a request for a Personal Services Contract (PSC) 40541 - 13/14 for \$200,000 for Initial Request services for the period 04/21/2014 – 04/20/2015. 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/1492> 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) of Explanation

◇ **Section 1. Description of Work**

**1C. Has this service been provided in the past. If so, how?
If the service was provided via a PSC, provide the most
recently approved PSC # and upload a copy of the PSC.**

PSC # 4063-1D/11

4063-10/11



CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

EDWIN M. LEE
MAYOR

February 16, 2011

E. DENNIS NORMANDY
PRESIDENT

DONALD A. CASPER
VICE PRESIDENT

MORGAN R. GORRONO
COMMISSIONER

MARY Y. JUNG
COMMISSIONER

LISA SEITZ GRUWELL
COMMISSIONER

ANITA SANCHEZ
EXECUTIVE OFFICER

NOTICE OF CIVIL SERVICE COMMISSION ACTION

SUBJECT: REVIEW OF REQUEST FOR APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACT NUMBERS 4063-10/11 THROUGH 4075-10/11.

At its meeting of February 7, 2011 the Civil Service Commission had for its consideration the above matter.

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

It was the decision of the Commission to:

- (1) Postpone PSC #4068-10/11 to the meeting of March 7, 2011.
- (2) PSC #4071-10/11 withdrawn at the request of the Public Utilities Commission.
- (3) Adopt the report; Approve request for all remaining contracts. Notify the Office of the Controller and the Office of Contract Administration.

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

CIVIL SERVICE COMMISSION

ANITA SANCHEZ
Executive Officer

Attachment

- c:
- Sheila Arcelona, Office of the District Attorney
 - Cynthia Avakian, Airport Commission
 - Parveen Boparai, Municipal Transportation Agency
 - Micki Callahan, Human Resources Director
 - Gordon Choy, Department of Public Works
 - Naomi Kelly, Office of Contract Administration
 - Marie de Vera, Department of Human Resources
 - Kendall Gary, Department of Technology
 - Jacque Hale, Department of Public Health
 - Shamica Jackson, Public Utilities Commission
 - Florence Kyaun, Public Utilities Commission
 - Ben Rosenfield, Controller
 - Marie Ryan, Department of Human Resources
 - Commission File
 - Chron

POSTING FOR
2/7/2011

PROPOSED PERSONAL SERVICES CONTRACTS

Regular, Continuing, Annual

PSC No	Dept No.	Dept Name	Approval Type	Contract Amount	Description of Work	Start Date - End Date
4063-10/11	27	Airport Commission	Regular	\$6,000,000	Airport Contract CT8970 CCTV Security System Enhancements is a Transportation Security Administration (TSA) Other Transactions Agreement (OTA) grant that will provide technical and management support for the integration of a video management system, an event management system, the addition of new IP based cameras and the integration of existing Air Train, perimeter and boarding area cameras. Integrator will implement and integrate these new software systems within the Airport's existing network structure. Integrator must be familiar with the Airport's existing software and hardware systems supporting aviation security requirements and be able to provide technical services after implementation and acceptance of new system if needed.	1/1/2011 - 12/31/2013
4064-10/11	81	Public Health	Regular	\$2,000,000	In response to SB1953, which required acute care hospitals to meet explicit seismic safety standards in order to remain functional after a major earthquake, San Francisco General Hospital is being rebuilt and is due to open in 2015. The new facility will have 9 floors, add 32 beds, and move 27 hospital departments and personnel, with many new operating systems. In order to fully prepare for this historic move, SFGH needs consultants to help devise a comprehensive transition and occupancy plan, including details on implementation of compliance with regulatory requirements and review of administrative and clinical and operational systems, a move-in schedule and budget, and recommendations on the details of staffing patterns and training needed, as well as IT functions.	4/1/2011 - 12/31/2019
4065-10/11	81	Public Health	Regular	\$11,272,800	Contractor will provide intermittent, as needed temporary, on-call professional radiology technologists with on-call availability, 7 days per week. Registry personnel will be available on 24 hour notice to back up civil service employees during scheduled and unscheduled staff absences.	1/1/2011 - 6/30/2016
4066-10/11	75	Dept. of Technology	Regular	\$4,158,472	Contractor will provide services to monitor and administer Avaya telephone switches and telecom networks used by all City departments. These 24X7 services include: (1) Network fault management support; (2) Product management performance analysis; (3) PBX traffic and system analysis; (4) Network administration, engineering and consultant support; (5) Network routing software design and administration support; (6) Network translation implementation, and (7) System management.	2/7/2011 - 6/30/2014
4067-10/11	04	District Attorney	Regular	\$700,793	This contract will fund the launch and implementation of the Re-entry Center, a transitional housing and re-entry program for ex-offenders returning from state and local custody. The program will be based upon Delancy Street's proven program model to provide ex-offenders with rehabilitative services in a supportive housing setting. Delancy Street will provide the facility for the program. Contract funds, which come from a federal grant earmarked for this program, will be used to pay for start up costs and for staffing to run the Re-entry Center's programs.	1/1/2011 - 3/31/2013
4068-10/11	35	Municipal Transportation Agency	Regular	\$3,833,760	The San Francisco Municipal Transportation Agency (SFMTA) requires the services of a contractor to perform all the duties pertaining to the SFMTA's red light camera enforcement system. Duties include but are not limited to the following: maintain the system (hardware and software); issue and process citations for red light violations; provide court evidence packages; provide expert witness testimony pertaining to the system; train SF Police Department employees on the system's functions; provide regular reports on the system to the SFMTA; and provide a secure internet site for violators to obtain information on their violation.	2/7/2011 - 2/6/2016

PERSONAL SERVICES CONTRACT SUMMARY

DATE: November 17, 2010

DEPARTMENT NAME: AIRPORT COMMISSION

DEPARTMENT NUMBER: 27

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

TYPE OF REQUEST: [X] INITIAL REQUEST [] MODIFICATION

TYPE OF SERVICE: Technical and Management Support for Closed-Circuit Television (CCTV) Security System Enhancements Design and Integration Project

FUNDING SOURCE: Transportation Security Administration (TSA) Grant, Capital, and Operating Funds

PSC AMOUNT: \$6,000,000

PSC DURATION: 1/1/2011 to 12/31/2013

1. DESCRIPTION OF WORK

A. Concise description of proposed work: Airport Contract CT8970 CCTV Security System Enhancements is a Transportation Security Administration (TSA) Other Transactions Agreement (OTA) grant that will provide technical and management support for the integration of a video management system, an event management system, the addition of new IP based cameras and the integration of existing Air Train, perimeter and boarding area cameras. Integrator will implement and integrate these new software systems within the Airport's existing network structure. Integrator must be familiar with the Airport's existing software and hardware systems supporting aviation security requirements and be able to provide technical services after implementation and acceptance of new system if needed.

B. Explain why this service is necessary and the consequences of denial: System integrator and technical guidance is necessary to ensure the successful design, install, and integration of the video management, event management system, and IP cameras. System integrator must anticipate any software integration problems and maintain contract schedule. The TSA Other Transactions Agreement (OTA) grant has specific time guidelines for completion in order to receive federal funding.

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): Technical services for the development of an RFP for this project have been previously provided through a contract, most recently under PSC #4095-03/04.

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

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

Table with 3 columns: Union Name, Signature of person mailing/faxing form, Date. Rows include IBEW Local 6, IFPTE Local 21, MEA, and SEIU 1021.

City and County of San Francisco

Department of Human Resources

RFP sent to:

IBEW Local 6	on	November 17, 2010
_____ Union Name		_____ Date
IFPTE Local 21	on	November 17, 2010
_____ Union Name		_____ Date
MEA	on	November 17, 2010
_____ Union Name		_____ Date
SEIU 1021	on	November 17, 2010
_____ Union Name		_____ Date

Apollonia P. Chalk

Signature

Apollonia P. Chalk

Signature

Apollonia P. Chalk

Signature

Apollonia P. Chalk

Signature

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC # 4063-10/11
STAFF ANALYSIS/RECOMMENDATION:

Approved 2/7/11

CIVIL SERVICE COMMISSION ACTION:

3. DESCRIPTION OF REQUIRED SKILLS/EXPERTISE

A. Specify required skills and/or expertise:

Expertise and skills in designing, programming, and integrating Airport security systems at worldwide international airports. Current expertise, skills, and knowledge of TSA security requirements.

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

The following class may be involved with the maintenance of the system once developed; however, these classes do not have the expertise in design and installation of these complex security systems: Class 1041 IS Engineer Assistant, 1042 IS Engineer Journey, 1043 IS Engineer Senior, and 1044 IS Engineer Principal, 7345 Electrician, 7388 Fiber Splicer, 7287 Electronic Technician Manager, 7318 Electronic Technician, and 7329 Electronic Technician Supervisor.

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

4. WHY CLASSIFIED CIVIL SERVICE CANNOT PERFORM

A. Explain why civil service classes are not applicable:

There are currently no civil service classes that have the technical expertise in design, programming, and integration of specialized Airport security systems.

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

No, because Civil Service classes already exist and will be trained and involved with the maintenance after implementation/acceptance.

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

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

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

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

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

B. Will the contractor train City and County employees?

- Describe the training and indicate approximate number of hours.

Provide on-site formal hands-on training at the following minimum levels: beginner/novice, intermediate, and advanced training including all systems and sensors integrated:

Airport Operations and Security (AVSEC) staff, including both operational and situational awareness training. Advanced training shall be provided by the manufacturer of their respective systems and subsystems. The DBI or system integrator (SI) shall supply basic training on ALL newly integrated systems including all systems and sensors integrated.

Airport Operations and Security Department (OPS) staff and Airport Communications Center (COM) personnel, including both operational and situational awareness training. Advanced training shall be provided by the manufacturer of their respective systems and subsystems.

Airport Facilities staff (including emergency repairs; provided by manufacturer and integrator) on all systems including hardware, repair and operational training.

Training plans and instructors shall be presented for approval in advance to AVSEC.

Approximately 1040 hours of training will be provided.

- Indicate occupational type of City and County employees to receive training (e.g., clerks, civil engineers, etc.) and approximate numbers to be trained.

The following classifications will be trained: 0923, 0933, 1052, 7287, 7318, 7329, 9203, 9212, and 9220 for a total of approximately 20 people.

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? Attached is Airport Commission Resolution #10-0249.

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

F. Will the proposed work be completed by a contractor that has a current personal services contract with your department? A design-build RFP has been recently issued and it is unknown at this time the results of that process.

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

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



Signature of Departmental Personal Services Contract Coordinator

Cynthia Avakian

(650) 821-2014

Print or Type Name

Telephone Number

Airport Commission, Contracts Administration Unit
P.O. Box 8097, San Francisco, CA 94128

Address

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: CONTROLLER -- CON Dept. Code: CON

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

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

Type of Service: Independent Audit and Actuarial Services

Funding Source: Annual Appropriation Budget PSC Duration: 8 years 8 weeks
PSC Amount: \$17,000,000 PSC Est. Start Date: 04/01/2015 PSC Est. End Date: 05/31/2023

1. Description of Work

A. Scope of Work:

Perform annual financial audit services and report on the financial statements for the City's Comprehensive Annual Financial Report (CAFR), the City's Single Audit, and departments/funds; perform other required compliance audits of grants, projects, and funds of other City departments; perform actuarial studies of the City's General Liability and Workers Compensation reserves; and perform additional audit procedures. See additional attachment for a list of departments/funds.

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

The City is required to have annual financial and compliance audits and auditing services performed by independent public accounting firms in compliance with City Charter Sections 2.115 and 9.117, and federal Single Audit contract and grant provisions. Denial would prevent the City from complying with local and federal mandates.

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

Services have been provided through contracts with independent public accounting firms. PSC#4054-98/99 We don't have electronic files. PSC#4160-98/99 We don't have electronic files. PSC#4054-03/04 CSC approval on 12/15/2003 for 9,000,000. Attached PSC#4075-08/09 CSC approval on 01/05/2009 for 9,000,000, and admin mod 1 on 3/27/13 for total of 13,499,999. Attached

D. Will the contract(s) be renewed? Yes. If the Controller's Office is satisfied up to 7 years

2. Union Notification: On 02/24/2014, the Department notified the following employee organizations of this PSC/RFP request: Professional & Tech Engrs, Local 21, Prof & Tech Eng, Local 21, Management & Superv Local 21,

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 45651 - 13/14

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 04/21/2014

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:
 Certified Public Accountants that has successfully provided Independent Audit Services to at least three (3) cities and/or counties, at least two (2) of which are located in California within the last five (5) years of the date of this Request for Proposals (RFP). Lead staff proposed to be assigned to the City's project(s) must individually have had a similar lead role on the two (2) California engagements in California. See Attachment for more details.

B. Which, if any, civil service class(es) normally perform(s) this work?
 1686,1684,

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:
 Per federal and local regulations, the work must be performed by independent Certified Public Accountants.

B. Would it be practical to adopt a new civil service class to perform this work? Explain.
 No. The work requires the services of independent Certified Public Accountants.

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

	<u>YES</u>	<u>NO</u>
A. Will the contractor directly supervise City and County employee?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B. Will the contractor train City and County employee?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C. Are there legal mandates requiring the use of contractual services? City Charter Sections 2.115 and 9.117	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D. Are there federal or state grant requirements regarding the use of contractual services? City Charter Sections 2.115 and 9.117	<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? Current contractor can reapply.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE AND ACCURATE ON BEHALF OF THE DEPARTMENT HEAD
 ON 03/31/2014 BY:

Name: Mary Hom Phone: 415-554-7536 Email: mary.hom@sfgov.org
 Address: City Hall Room 306 San Francisco, CA

Receipt of Union Notification(s)

◆ Local 21

From: dhr-pescoordinator@sfgov.org
To: Hom, Mary; L21PSCReview@ifpte21.org; Hom, Mary; Isen, Richard; DHR-PSCCoordinator, DHR
Subject: Receipt of Notice for new PCS over \$100K PSC # 45651 - 13/14
Date: Monday, February 24, 2014 4:38:31 PM

RECEIPT for Union Notification for PSC 45651 - 13/14 more than \$100k

The CONTROLLER -- CON has submitted a request for a Personal Services Contract (PSC) 45651 - 13/14 for \$17,000,000 for Initial Request services for the period 04/01/2015 -- 05/31/2023. 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/1500> 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



MEMORANDUM

TO: DHR

FROM: Mary Hom

DATE: 2/24/14

SUBJECT: 45651 - 13/14 5 years plus explanation memo

The Controller's Office requests that the contract cover eight years, including options to renew. The reason for our request is that with new external auditors there is a significant learning curve for their understanding and documenting CCSF, which a longer contract period permits them to recoup the costs of.

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Additional Attachment(s) of Explanation

◇ **Section 1. Description of Work**

1A. Scope of Work

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

3A. Specify required skills and/or expertise

◇ **Section 5. Additional Information**

5C. Are there legal mandates requiring the use of contractual services?

- **City Charter Sections 2.115 and 9.117**

5D. Are there federal or state grant requirements regarding the use of contractual services?

- **City Charter Sections 2.115 and 9.117**

5F. Will the proposed work be completed by a contractor that has a current PSC contract with your department?

Additional Attachment(s) of Explanation

1A: Concise description of proposed work

Departments/Funds include: General City, Employees' Retirement System, San Francisco Redevelopment Agency and Financing Authority, Health Service System, San Francisco International Airport, Port of San Francisco, Public Utilities Commission, Municipal Transportation Agency, San Francisco General Hospital, Laguna Honda Hospital, Local Transportation Fund, Transportation Development Act Projects, Office of Criminal Justice Planning Grants, Department of Insurance Grants, and Department of Justice Grants.

3A: Specify required skills and/or expertise:

Selected firm(s) must be Certified Public Accountants that has successfully provided Independent Audit Services to at least three (3) cities and/or counties, at least two (2) of which are located in California within the last five (5) years of the date of this RFP. The lead staff proposed to be assigned to the City's project(s) must individually have had a similar lead role on the two (2) California engagements in California. Firms must have experience in evaluating internal controls and accounting policies and procedures, including controls and procedures relating to the administration of federal, state and local grant programs. They must have experience designing audit plans and coordinating the performance of audit procedures, and perform compliance and financial statement audits.

ADDITIONAL INFORMATION ON SECTION 5:

5C. Legal Mandates - SAN FRANCISCO CITY CHARTER SECTIONS

SEC. 2.115. FINANCIAL AUDIT.

The Board of Supervisors shall select a firm or firms of independent accountants to audit and report upon the annual financial statements of the City and County.

SEC. 9.117. ESTABLISHMENT OF AUDIT COMMITTEE OF THE BOARD OF SUPERVISORS.

On or before the operative date of this Charter and until this requirement is changed by the Board of Supervisors, the Board of Supervisors shall establish through its rules an Audit Committee.

The Audit Committee shall:

1. Maintain a direct and separate line of communication between the Board of Supervisors and the City and County's independent auditor;
2. Meet with the independent auditor to review the audited annual financial statement and the auditor's report on such matters as the quality and depth of management and compliance;
3. Recommend appropriate action to be taken by the Board of Supervisors to implement recommendations contained in the audit report;
4. Follow up, as necessary, to ensure that approved recommendations are promptly implemented;
and
5. Perform other duties as assigned by the Board of Supervisors.

FEDERAL GOVERNMENT SINGLE AUDIT ACT OF 1984 (amended in 1996 and 2013)

The federal government Single Audit Act of 1984 (as amended in 1996 and 2013) established requirements for audits of states, local governments, and Indian tribal governments that administer Federal financial assistance programs. Under the guidelines set by the Executive Office of the President and the Office of Management and Budget, any non-federal entity that expends Federal awards must be audited. The guidelines for audits of fiscal year ended 6/30/2015 are:

Financial Audit Non-Federal entities that expend \$500,000 or more in a year in Federal awards shall have a single or program-specific audit conducted for that year.

Single Audit Non-Federal entities that expend \$500,000 or more in a year in Federal awards shall have a single audit conducted in that year.

Exemption When Federal awards expended are less than \$500,000. Non-Federal entities that expend less than \$500,000 a year in Federal awards are exempt from Federal audit requirements for that year, except as noted, but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and General Accounting Office (GAO).

FEDERAL GOVERNMENT SINGLE AUDIT ACT OF 1984 (amended in 1996 and 2013)

The federal government Single Audit Act of 1984 (as amended in 1996 and 2013) established requirements for audits of states, local governments, and Indian tribal governments that administer Federal financial assistance programs. Under the guidelines set by the Executive Office of the President and the Office of Management and Budget, any non-federal entity that expends Federal awards must be audited. The guidelines for audits of fiscal year ended 6/30/2016 and after are:

Single Audit Non-Federal entities that expend \$750,000 or more in a year in Federal awards shall have a single audit conducted for that year unless a program specific audit is elected by the entity.

Exemption Non-Federal entities that expend less than \$750,000 a year in Federal awards are exempt from Federal audit requirements for that year, except as noted, but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and General Accounting Office (GAO).

5D. Federal Requirements

See 5C. Any non-Federal entity that expends Federal awards must be audited by a public accountant firm or a Federal or local government audit organization, which meets the general standards specified in generally accepted government auditing standards (GAGAS). Internal auditors are excluded.

From the San Francisco Charter:

Violation of this section shall constitute official misconduct.

SEC. 2.115. FINANCIAL AUDIT .

The Board of Supervisors shall select a firm or firms of independent accountants to **audit** and report upon the annual financial statements of the City and County.

From the United States Government Accountability Office (GAO) Government Accounting Standards (the “Yellow Book”)

Organizational Independence

3.12 The ability of audit organizations in government entities to perform work and report the results objectively can be affected by placement within government, and the structure of the government entity being audited. Whether reporting to third parties externally or to top management within the audited entity internally, audit organizations must be free from organizational impairments to independence with respect to the entities they audit. Impairments to organizational independence result when the audit function is organizationally located within the reporting line of the areas under audit or when the auditor is assigned or takes on responsibilities that affect operations of the area under audit.

Organizational Independence for External Audit Organizations

3.13 External audit organizations can be presumed to be free from organizational impairments to independence when the audit function is organizationally placed outside the reporting line of the entity under audit and the auditor is not responsible for entity operations. Audit organizations in government entities can meet the requirement for organizational independence in a number of ways and may be presumed to be free from organizational impairments to independence from the audited entity if the audit organization is

a. at a level of government other than the one to which the audited entity is assigned (federal, state, or local); for example, federal auditors auditing a state government program; or

b. in a different branch of government within the same level of government as the audited entity; for example, legislative auditors auditing an executive branch program.

3.14 Audit organizations in government entities may also be presumed to be free from organizational impairments if the head of the audit organization meets any of the following criteria:

a. directly elected by voters of the jurisdiction being audited;

b. elected or appointed by a legislative body, subject to removal by a legislative body, and reports the results of audits to and is accountable to a legislative body;

c. appointed by someone other than a legislative body, so long as the appointment is confirmed by a legislative body and removal from the position is subject to oversight or approval by a legislative body,²⁵ and reports the results of audits to and is accountable to a legislative body; or

d. appointed by, accountable to, reports to, and can only be removed by a statutorily created governing body, the majority of whose members are independently elected or appointed and come from outside the organization being audited.

3.15 In addition to the presumptive criteria in paragraphs 3.13 and 3.14, GAGAS recognize that there may be other organizational structures under which audit organizations in government entities could be considered to be free from organizational impairments and thereby be considered organizationally independent for reporting externally. These structures provide safeguards to prevent the audited entity from interfering with the audit organization's ability to perform the work and report the results impartially. For an external audit organization to be considered free from organizational impairments under a structure different from the ones listed in paragraphs 3.13 and 3.14, the audit organization should have all of the following safeguards. In such situations, the audit organization should document how each of the following safeguards were satisfied and provide the documentation to those performing quality control monitoring and to the external peer reviewers to determine whether all the necessary safeguards have been met.

a. statutory protections that prevent the audited entity from abolishing the audit organization;

b. statutory protections that require that if the head of the audit organization is removed from office, the head of the agency report this fact and the reasons for the removal to the legislative body;

c. statutory protections that prevent the audited entity from interfering with the initiation, scope, timing, and completion of any audit;

d. statutory protections that prevent the audited entity from interfering with audit reporting, including the findings and conclusions or the manner, means, or timing of the audit organization's reports;

e. statutory protections that require the audit organization to report to a legislative body or other independent governing body on a recurring basis;

f. statutory protections that give the audit organization sole authority over the selection, retention, advancement, and dismissal of its staff; and

g. statutory access to records and documents related to the agency, program, or function being audited and access to government officials or other individuals as needed to conduct the audit.**26**

5F. Current Professional Services Contract

The intent of this request is to allow the Controller's Office to bid out these services through an open, publicly advertised, and competitive process. Therefore, current contractors will also be eligible to bid on these services.

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Additional Attachment(s) of Explanation

◇ **Section 1. Description of Work**

**1C. Has this service been provided in the past. If so, how?
If the service was provided via a PSC, provide the most
recently approved PSC # and upload a copy of the PSC.**

PSC # 4054-03/04

PSC # 4075-08/09



SAN FRANCISCO

Civil Service Commission

December 15, 2003 Regular



MINUTES

Regular Meeting

December 15, 2003

2:00 p.m.

Room 400, City Hall

1 Dr. Carlton B. Goodlett Place

CALL TO ORDER

2:07 p.m.

ROLL CALL

Commissioner Alicia D. Becerril Present
Commissioner Donald A. Casper Present
Commissioner Morgan R. Gorrono Present
Commissioner Thomas T. Ng Present
Commissioner Linda Richardson Present

Commissioner Morgan R. Gorrono presided.

PUBLIC COMMENT ON MATTERS APPEARING ON THE AGENDA

None.

APPROVAL OF MINUTES

Regular Meeting of December 1, 2003

Action: Approve. (Vote of 5 to 0)

ANNOUNCEMENTS

Paul Zarefsky, Deputy City Attorney and legal counsel to the Civil Service Commission announced that Proposition E approved by the voters in November 2003 became effective on December 5, 2003 with the certification by the Secretary of State of the November 2003 election results. Proposition E amended various sections in the Charter related to conflict of interest. Relevant to a public meeting, Mr. Zarefsky quoted the new section C-9.111 DISCLOSURE OF PERSONAL,

PROFESSIONAL AND BUSINESS RELATIONSHIPS, specifically, "...Section C 9.111 (a) Disclosure. A City officer or employee shall disclose on the public record any personal, professional or business relationship with any individual who is the subject of or has an ownership or financial interest in the subject of a governmental decision being made by the officer or employee where as a result of the relationship, or financial interest in the subject of a governmental decision being made by the officer or employee where as a result of the relationship, the ability of the officer or employee to act for the benefit of the public could reasonably be questioned. For the purposes of this section, the minutes of a public meeting at which the governmental decision is being made, or if the governmental decision is not being made in a public meeting, a memorandum kept on file at the offices of the City officer or employee's department, board, commission or agency shall constitute the public record..."

0792-03-8	Review of request for approval of proposed personal services contracts. (Item No. 5)
-----------	--------------------------------------------------------------------------------------

PSC#	Department	Amount	Type of Service	Type of Approval	Duration
4047-03/04	Office of Contract Administration	\$8,000,000	Will provide as needed information technology consulting services including project management; software development and programming; system design and integration and training.	Regular	12/31/06

December 1, 2003: Postpone to the meeting of December 15, 2003 at the request of the Office of Contract Administration.

Speakers: Deborah Vincent-James, Executive Officer COIT

Action: Adopt the Human Resources Director's report; Notify the offices of the Purchaser and the Controller. (Vote 5 to 0)

0826-03-8 Review of request for approval of proposed personal services contracts. (Item No. 6)

PSC#	Department	Amount	Type of Service	Type of Approval	Duration
4049-03/04	Public Utilities Commission (Water)	\$350,000	Will provide independent peer review of major engineering project deliverables produced by the SFPUC's Conceptual Engineering (CER).	Regular	07/31/06
4050-03/04	Public Utilities Commission (Water)	\$500,000	Will provide financial advisory services related to the issuance of revenue bonds and other financial instruments.	Regular	10/30/06
4051-03/04	Public Utilities Commission (Water)	\$2,500,000	Will provide specialized geotechnical services on an as-needed basis. Will prepare geotechnical performance criteria; design plans, specifications and	Regular	10/31/06

			cost estimates; perform investigations; write studies and reports; and provide field visits.		
4052-03/04	Airport Commission	\$100,000	Will represent the Airport in Washington, DC for many federal issues raised by increased security mandates including access to Federal dollars, immigration policies that affect International Traffic levels, and staffing of Federal agencies at the Airport.	Regular	06/30/04
4053-03/04	District Attorney	\$90,000	Will provide case management and services to women and transgender individuals who have experienced sexual exploitation and violence.	Regular	06/30/04
4054-03/04	Controller	\$9,000,000	Will perform annual financial audit services and report on the financial statements for the City's Comprehensive Annual Financial Report (CAFR), the departments/funds.	Regular	06/30/09

	Speakers:	Wendy Iwata, Public Utilities Commission spoke on PSC #4051-03/04. Monique Zmuda, Controller's Office spoke on PSC #4054-03/04.
	Action:	(1) Adopt the Human Resources Director's report on PSC 4049-03/04 through 4053-03/04. Notify the offices of the Purchaser and the Controller (Vote of 5 to 0) (2) Adopt the Human Resources Director's report on PSC #4054-03/04. Notify the offices of the Purchaser and the Controller (Vote of 3 to 2; Commissioners Becerril and Richardson dissent.)

0794-03-5 **Request to extend Volume I - Civil Service Commission Rule 113 - Certification of Eligibles, Article II, Section 113.2.2 - Expansion of Certification Rules. (Item No. 7)**

December 1, 2003: Direct the Civil Service Commission Executive Officer to post for adoption the recommendation of the Human Resources Director to extend Rule 113, Section 113.2.2 for an additional six months, through June 30, 2004, upon agreement with the affected employee organizations.

Speakers: None.

Action: Adopt the recommendation of the Human Resources Director to extend Rule 113, Section 113.2.2 for an additional six months, through June 30, 2004. (Vote of 5 to 0)

0795-03-5 **Request to extend Volume IV- Civil Service Commission Rule 413 - Certification of Eligibles, Article II, Section 413.2.2 - Expansion of Certification Rules. (Item No. 8)**

December 1,
2003:

Direct the Civil Service Commission Executive Officer to post for adoption the recommendation of the Director

of Transportation to extend Rule 413, Section 413.2.2 for an additional six months, through June 30, 2004, upon agreement with the affected employee organizations.

Speakers: None.

Action: Adopt the recommendation of the Director of Transportation to extend Rule 413, Section 413.2.2 for an additional six months, through June 30, 2004. (Vote of 5 to 0)

0534-03-7 Determination of future employability: Larry Prosper, retired, permanent civil service Institutional Police Sergeant (Job Code 8205) Department of Public Health. (Item No. 9)

December 1, 2003: Postpone to the meeting of December 15, 2003 at the request of Larry Prosper.

Speakers: None.

Action: Postpone to the meeting of January 5, 2004 at the request of the Department of Public Health. (Vote of 5 to 0)

0830-03-2 Request to amend and correct recently adopted eligible lists for Classes 1932 Assistant Storekeeper and 1934 Storekeeper. (Item No. 10)

Speakers: Karen Taylor, Department of Human Resources

Action: Approve staff report; Grant request to amend and correct the recently adopted eligible list for Class 1932 Assistant Storekeeper and 1934 Storekeeper by adding one eligible to the 1934 eligible list and correcting the score of another eligible to reflect veterans preference points entitlement for both the 1932 Assistant Storekeeper and 1934 Storekeeper eligible lists. (Vote 5 to 0)

0827-03-8 Review of request for approval of proposed personal services contracts. (Item No. 11)

PSC#	Department	Amount	Type of Service	Type of Approval	Duration
4077-02/03	Mayor's Office	Increase Amount \$81,771	Will serve as the lead agent in the California State Legislature	Regular	06/30/04

		New Amount \$278,021	working with the Mayor's Office of Legislative Affairs in determining legislative and budget priorities for the City & County of San Francisco.		
4078-02/03	Mayor's Office	Increase Amount \$130,500 New Amount \$442,500	Will serve as Federal Legislative representative.	Regular	06/30/04

Speakers:	Ani Baghdassarian, Mayor's Office
Action:	Adopt the Human Resources Director's report; Notify the offices of the Purchaser and the Controller. (Vote of 5 to 0)

0796-03-5 Draft proposed amendments to Civil Service Commission Rules applicable to the Uniformed Ranks of the San Francisco Police Department - Volume II - Rule 203 - Equal Employment Opportunity Policy; Rule 209 - Position Classification and Related Rules; Rule 210 - Police Examination Qualifications and Applicants; Rule 211 - Examinations; Rule 212 - Eligible Lists - Police Department; Rule 213 - Certification of Eligibles - Police Department. (Item No. 12)

December 1, Discussion continued to the 2003:

meeting of December 15, 2003.

Speakers: Kate Favetti, Executive Officer disclosed that her cousin through marriage, Michael Favetti is active in the Police Officers Association.

Assistant Chief Heather Fong, San Francisco Police Department

Denise Cannonier-Craig, Department of Human Resources

Chris Cunnie, President Police Officers Association

Julie Gonzalez, San Francisco Police Department
Decentralized Examination Unit

Vincent Harrington, Counsel for Police Officers Association

Action:

Discussion continued to a special meeting on Tuesday, January 20, 2004 at 1:00 p.m. in Room 408, City Hall, 1 Dr. Carlton B. Goodlett Place.
(Vote of 5 to 0)

0159-03-7 **Determination of future employability: Dismissal of permanent civil service appointment of Edna Rosete, Registered Nurse (Job Code 2320) Department of Public Health. (Item No. 13)**

November 3, 2003: Postpone to the meeting of December 15, 2003 at the request of SEIU Local 790.

Speakers: None.

Action: Postpone to the meeting of January 20, 2004 at the request of Edna Rosete. (Vote of 5 to 0)

0154-03-7 Determination of future employability: Dismissal of permanent civil service appointment of Carmen Wan, Registered Nurse (Job Code 2320) Department of Public Health. (Item No. 14)

November 3, 2003: Postpone to the meeting of December 15, 2003 at the request of SEIU Local 790.

Speakers: None.

Action: Postpone to the meeting of January 20, 2004 at the request of Carmen Wan. (Vote of 5 to 0)

0858-02-7 Request for hearing on future employment restrictions by Kenneth Johnson, Transit Operator (Job Code 9163) Municipal Transportation Agency. (Item No. 15)

February 3, 2003: Postpone to the meeting of March 3, 2003 at the request of Kenneth Johnson.

March 17, 2003: Postpone to the meeting of April 7, 2003 at the request of TWU Local 250-A. The Commission stipulated that this would be the last continuance granted.

April 7, 2003: Off calendar.

November 3, 2003: Postpone to the meeting of November 17, 2003 at the request of Kenneth Johnson.

November 17, 2003: Postpone to the meeting of December 15, 2003 in order to give Mr. Johnson an opportunity to inquire about service or disability retirement at the Retirement System.

Speakers: Mike Casey, Municipal Transportation Agency

Kenneth Johnson, Appellant

Action: Cancel any current examination and eligibility status; No future employment in any position requiring driving, including Cable Cars; Future employment subject to the review and approval of the Human Resources Director after satisfactory completion of six (6) months continuous employment outside the City and County service. (Vote of 5 to 0)

REQUEST TO SPEAK ON ANY MATTER WITHIN THE JURISDICTION OF THE CIVIL SERVICE COMMISSION

Ricardo Del Barrio spoke regarding regaining sixteen years of seniority following vocational rehabilitation as a result of an assault.

ADJOURNMENT

4:50 p.m.

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4075-08/09



CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

GAVIN NEWSOM
MAYOR

DONALD A. CASPER
PRESIDENT

MORGAN R. GORRONO
VICE PRESIDENT

MARY Y. JUNG
COMMISSIONER

E. DENNIS NORMANDY
COMMISSIONER

ANITA SANCHEZ
EXECUTIVE OFFICER

January 7, 2009

NOTICE OF CIVIL SERVICE COMMISSION ACTION

SUBJECT: REVIEW OF REQUEST FOR APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACT NUMBERS 4074-08/09 THROUGH 4080-08/09; 4082-08/09 THROUGH 4085-08/08; 2013-04/05; 4059-06/07; 4128-06/07 AND 4026-07/08.

At its meeting of January 5, 2009 the Civil Service Commission had for its consideration the above matter.

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

It was the decision of the Commission to:

- (1) Adopt the Human Resources Director's report on PSC #s 4076-08/09 and 4083-08/09 as amended. Notify the offices of the Controller and the Purchaser.
- (2) Adopt the Human Resources Director's report on all remaining contracts. Notify the offices of the Controller and the Purchaser.

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

CIVIL SERVICE COMMISSION

ANITA SANCHEZ
Executive Officer

Attachment

- c: Parveen Boparai, Municipal Transportation Agency
- Micki Callaban, Human Resources Director
- Gordon Choy, Department of Public Works
- Jacque Hale, Department of Public Health
- Mikhael Hart, Planning Department
- Lavena Holmes-Williams, Port
- Shamica Jackson, Public Utilities Commission
- Jennifer Johnston, Department of Human Resources
- Naomi Kelly, Office of Contract Administration
- Florence Kyaun, Public Utilities Commission
- Julian Low, Mayor's Office of Business & Economic Development
- Joan Lubamersky, General Services Agency/County Clerk
- Allison Magee, Javenile Probation
- Esther Reyes, Office of the Controller
- Brigitte Rockett, Department of Human Resources
- Ben Rosenfield, Controller
- Tajel Shah, Treasurer/Tax Collector
- Commission File
- Chron

POSTED FOR
January 05, 2009

RECOMMENDED APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACTS

PSC No.	Dept/No	Dept/Name	Approval Type	Contract Amount	Description of work	Duration
4074-08/09	8	Treasurer/Tax Collector	Regular	\$360,000.00	Will provide installation of a Treasury workstation system in the Investment, Banking, and Treasury Accounting sections, include license & maintenance.	01-Mar-14
4075-08/09	9	Controller	Regular	\$9,000,000.00	Will perform annual financial audit services and report on the financial statements for the City's Comprehensive Annual Financial Report (CAFR), the City's Single Audit, and departments funds.	30-Jun-14
4076-08/09	12	Juvenile Probation	Regular	\$150,000.00	Will be responsible for resolving grievances submitted by detained youth at JPD detention facilities.	31-Jan-12
4077-08/09	35	S.F. Municipal Transportation Agency	Regular	\$99,000.00	Will perform professional services to organize, promote, and conduct bicycle safety education classes in San Francisco for adults and children in accordance with League of American Bicyclist National Bike Ed curriculum.	31-Jan-11
4078-08/09	35	S.F. Municipal Transportation Agency	Regular	\$484,700.00	Will provide removal and replacement of thr drive axes from 130 standard trolley coaches and 30 articulated coaches.	30-Jun-09
4079-08/09	35	S.F. Municipal Transportation Agency	Regular	\$99,000.00	Will provide services to coordinate and promote the City's Bike to Work Day program for the next two years.	31-Jan-11
4080-08/09	39	Port of San Francisco	Regular	\$400,000.00	Will provide construction support and perform other tasks as required to complete the Mission Bay Shoreline Protection for Bayfront Park Project.	31-Dec-10
4082-08/09	40	San Francisco Public Utilities Commission	Regular	\$132,000.00	Will provide installation of proprietary software and integrate it with the data historian program and the GIS systems already in use by the SFPUC.	31-Jan-10
4083-08/09	70	General Services Agency/County Clerk	Regular	\$208,000.00	Will provide services on project management, installation, testing, custom card design, verification training, equipment maintenance, preventive maintenance and repair for a turnkey proprietary Municipal ID system.	14-Jan-10
4084-08/09	90	Public Works	Regular	\$3,000,000.00	Will perform as needed specialized civil engineering tasks that include roadway, curb ramp, and sewer site improvement design, compliance with land surveying services, and pier and marina renovation.	01-May-14
4085-08/09	90	Public Works	Regular	\$3,000,000.00	Will perform as needed specialized geotechnical engineering tasks that include conducting geotechnical field explorations, investigations, and laboratory testing; supplemental testing such as seismic borehole logging, and seismic refraction profiling.	01-May-14

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PERSONAL SERVICES CONTRACT SUMMARY

DATE: 12/05/08

DEPARTMENT NAME: Controller

DEPARTMENT NUMBER 09

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

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

TYPE OF SERVICE: Independent Audit and Actuarial Services

FUNDING SOURCE: Annual Appropriation Budget

PSC AMOUNT: \$9,000,000

PSC DURATION: May 1, 2009 - June 30, 2014

1. DESCRIPTION OF WORK

A. Concise description of proposed work:

Perform annual financial audit services and report on the financial statements for the City's Comprehensive Annual Financial Report (CAFR), the City's Single Audit, and departments/funds; perform other required compliance audits of grants, projects, and funds of other City departments; perform actuarial studies of the City's General Liability and Workers Compensation reserves; and perform additional audit procedures. See Additional Information on page 3 for list of departments/funds.

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

The City is required to have annual financial and compliance audits and auditing services performed by independent public accounting firms in compliance with City Charter Sections 2.115 and 9.117, and federal Single Audit contract and grant provisions. Denial would prevent the City from complying with local and federal mandates.

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 have been provided through contracts with independent public accounting firms. PSC#4054-98/99 for \$2,000,000 approved for PSC duration through 6/30/01 on 11/02/98. PSC#4160-98/99 for \$7,000,000 approved for PSC duration through 6/30/04 on 05/17/99. PSC#4054-03/04 for \$9,000,000 approved for PSC duration through 6/30/09 on 12/15/03.

D. Will the contract(s) be renewed: Yes. If the Controller's Office is satisfied with the selected Contractor's services, it may renew the contract for an additional two (2) years for a full contract term of seven (7) years. The Controller's Office will request Civil Service Commission approval as appropriate.

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

IFPTE Local 21, MEA Union Names Signature of person mailing/faxing form Date 12/8/08

SEIU Local 1021 Union Name Signature of person mailing/faxing form Date 12/8/08

RFP to be posted online http://www.sfgov.org/site/controller_index.asp?id=15521 Union Names , on 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:

Selected firm(s) must be Certified Public Accountants that has successfully provided Independent Audit Services to at least three (3) cities and/or counties, at least two (2) of which are located in California within the last five (5) years of the date of this RFP. The lead staff proposed to be assigned to the City's project(s) must individually have had a similar lead role on the two (2) California engagements in California. Firms must have experience in evaluating internal controls and accounting policies and procedures, including controls and procedures relating to the administration of federal, state and local grant programs. They must have experience designing audit plans and coordinating the performance of audit procedures, and perform compliance and financial statement audits.

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

Per federal and local regulations, the work must be performed by independent Certified Public Accountants.

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

No.

WHY CLASSIFIED CIVIL SERVICE CANNOT PERFORM

A. Explain why civil service classes are not applicable:

Per federal and local regulations, the work must be performed by independent Certified Public Accountants.

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

No. The work requires the services of independent Certified Public Accountants.

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

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

Yes No
[] [x]

B. Will the contractor train City and County employees?

[] [x]

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

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

[x] []

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

[x] []

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

[] [x]

F. Will the proposed work be completed by a contractor that has a current personal services contract with your department? To be determined. See Additional Information on next page.

[] []

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

[Handwritten Signature]

Signature of Departmental Personal Services Contract Coordinator

Esther Reyes

415-554-7819

Print or Type Name

Telephone Number

1 Dr. Carlton B. Goodlett Pl
City Hall, Room 388
San Francisco, CA 94102

Address

ADDITIONAL INFORMATION ON 1A, Concise description of proposed work: Departments/Funds include: General City, Employees' Retirement System, San Francisco Redevelopment Agency and Financing Authority, Health Service System, San Francisco International Airport, Port of San Francisco, Public Utilities Commission, Municipal Transportation Agency, San Francisco General Hospital, Laguna Honda Hospital, Local Transportation Fund, Transportation Development Act Projects, Office of Criminal Justice Planning Grants, Department of Insurance Grants, and Department of Justice Grants.

ADDITIONAL INFORMATION ON SECTION 5:

5C. Legal Mandates

SAN FRANCISCO CITY CHARTER SECTIONS

SEC. 2.115. FINANCIAL AUDIT.

The Board of Supervisors shall select a firm or firms of independent accountants to audit and report upon the annual financial statements of the City and County.

SEC. 9.117. ESTABLISHMENT OF AUDIT COMMITTEE OF THE BOARD OF SUPERVISORS.

On or before the operative date of this Charter and until this requirement is changed by the Board of Supervisors, the Board of Supervisors shall establish through its rules an Audit Committee.

The Audit Committee shall:

1. Maintain a direct and separate line of communication between the Board of Supervisors and the City and County's independent auditor;
2. Meet with the independent auditor to review the audited annual financial statement and the auditor's report on such matters as the quality and depth of management and compliance;
3. Recommend appropriate action to be taken by the Board of Supervisors to implement recommendations contained in the audit report;
4. Follow up, as necessary, to ensure that approved recommendations are promptly implemented; and
5. Perform other duties as assigned by the Board of Supervisors.

FEDERAL GOVERNMENT SINGLE AUDIT ACT OF 1984 (amended in 1996)

The federal government Single Audit Act of 1984 (as amended in 1996) established requirements for audits of states, local governments, and Indian tribal governments that administer Federal financial assistance programs. Under the guidelines set by the Executive Office of the President and the Office of Management and Budget, any non-federal entity that expends Federal awards must be audited. The guidelines are:

Financial Audit

Non-Federal entities that expend \$500,000 or more in a year in Federal awards shall have a single or program-specific audit conducted for that year.

Single Audit

Non-Federal entities that expend \$500,000 or more in a year in Federal awards shall have a single audit conducted in that year.

Exemption

When Federal awards expended are less than \$500,000. Non-Federal entities that expend less than \$500,000 a year in Federal awards are exempt from Federal audit requirements for that year, except as noted, but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and General Accounting Office (GAO).

5D. Federal Requirements

See 5C. Any non-Federal entity that expends Federal awards must be audited by a public accountant firm or a Federal or local government audit organization, which meets the general standards specified in generally accepted government auditing standards (GAGAS). Internal auditors are excluded.

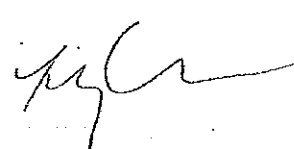
5F. Current Professional Services Contract

The intent of this request is to allow the Controller's Office to bid out these services through an open, publicly advertised, and competitive process. Therefore, current contractors will also be eligible to bid on these services.



MEMORANDUM

TO: Leorah Dang, PSC Analyst

FROM: Steve W. Lee, Admin Analyst
Lily Conover, Contracts Manager – Department PSC Coordinator 

DATE: 3/22/13

SUBJECT: Request for Administrative Approval of PSC Modification (less than 50%)

PSC No: 4075-08/09

Approval Date: 1/5/2009

Description of Service(s):

Independent Audit and Actuarial Services - Perform annual financial audit services and report on the financial statements for the City's Comprehensive Annual Financial Report (CAFR), the City's Single Audit, and departments/funds; perform other required compliance audits of grants, projects, and funds of other City departments; perform actuarial studies of the City's General Liability and Workers Compensation reserves; and perform additional audit procedures.

Original Approved Amount: \$ 9,000,000
 Modification #1 Amount: \$ 4,499,999

Original Approved Duration: 05/01/2009 – 6/30/2014
 Modification #1 Duration: 07/01/2014 – 01/01/2017

Total PSC Amount: \$ 13,499,999

Total PSC Duration: 05/01/2009 -01/01/2017

Reason for the modification:


This request is to increase the contract dollar amount and contract term for Independent Audit and Actuarial Services

Attachment: Copy of approved PSC Summary

FOR DEPARTMENT OF HUMAN RESOURCES USE

DHR ACTION: Approved

Approval Date: 3/27/2013

By: 
Micki Callahan, Human Resources Director

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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 (Omit Posting)

Type of Service: Oracle Identity and Access Management Deployment

Funding Source: Controller's Office and DT PSC Duration: 2 years 1 day
PSC Amount: \$1,200,000 PSC Est. Start Date: 05/01/2014 PSC Est. End Date: 05/01/2016

1. Description of Work

A. Scope of Work:

The City and County of San Francisco (City) seeks a vendor to provide installation, configuration and implementation services for the Oracle Identity Management (IM) solution. IM will provide public internet access from outside of the City's firewall to eMerge PeopleSoft. It includes account management, provisioning from PeopleSoft, identity validation, self-service password resets, delegated administration to departments, single sign-on, an anti-fraud engine, a Lightweight Directory Access Protocol (LDAP) standards-compliant directory to host identities of non-active City employees, and audit tools.

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

C. Has this service been provided in the past. If so, how? If the service was provided via a PSC, provide the most recently approved PSC # and upload a copy of the PSC.
This service has not been provided in the past.

D. Will the contract(s) be renewed? No. This is for highly-specialized installation, etc

2. Union Notification: On 02/24/2014, the Department notified the following employee organizations of this PSC/RFP request: Professional & Tech Engrs, Local 21, Management & Superv Local 21,

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 47569 - 13/14

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 04/21/2014

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:
 Providing Oracle Identity Management installation, configuration and implementation services, and employee training/knowledge transfer requires expert functional and technical knowledge of the Oracle Identity Management suite of products, Oracle Linux system administration, functional and design specification writing, and extensive prior experience with teaching users how to use the product.

B. Which, if any, civil service class(es) normally perform(s) this work?
 1070,1061,1062,1063,1064,1051,1052,1053,1054,1042,1043,1044,1041,

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:
 This is a short-term, highly specialized service requiring expertise with the Oracle Identity Management solution.

B. Would it be practical to adopt a new civil service class to perform this work? Explain.
 No, the work is short-term and highly specialized in nature

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

	<u>YES</u>	<u>NO</u>
A. Will the contractor directly supervise City and County employee?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B. Will the contractor train City and County employee? See additional 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?	<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 04/01/2014 BY:

Name: Mary Hom Phone: 415-554-7536 Email: mary.hom@sfgov.org

Address: City Hall Room 306 San Francisco, CA

Receipt of Union Notification(s)

◆ Local 21



From: dhr-psccordinator@sfgov.org
To: Hom, Mary; L21PSCReview@ifpte21.org; Hom, Mary; Isen, Richard; DHR-PSCCoordinator, DHR
Subject: Receipt of Notice for new PCS over \$100K PSC # 47569 - 13/14
Date: Monday, February 24, 2014 4:12:00 PM

RECEIPT for Union Notification for PSC 47569 - 13/14 more than \$100k

The CONTROLLER -- CON has submitted a request for a Personal Services Contract (PSC) 47569 - 13/14 for \$1,200,000 for Initial Request services for the period 05/01/2014 – 05/01/2016. Notification of 30 days (60 days for SEIU) is required.

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

<http://apps.sfgov.org/dhrdrupal/node/1493> 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) of Explanation

◇ Section 1. Description of Work

1B. Explain why this service is necessary and the consequences of denial

◇ Section 5. Additional Information

5B. Will the contractor train City and County employees?

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

Section 1B:

This service is necessary to provide public internet access to the existing PeopleSoft environment from outside of the City's firewall to support self-service initiatives, including securely hosted paperless pay stubs, online Open Enrollment for health services, and online training. The Department of Technology (DT) selected Oracle Identity Management as the best solution to provide public internet access by extending the citywide Active Directory in a secure way. It will be available for secure authentication of all Citywide and department applications, in addition to eMerge PeopleSoft. Denial of highly specialized consulting services will prevent the City from providing secure public internet access in a timely manner, and prevent implementing self-service initiatives that will provide significant efficiencies to the City. Use of the existing citywide Active Directory outside of the firewall without Identity Management would open the City to identify theft and fraud, such as what happened to Target recently. Denial would also cause the City to need to continue contracting with third party vendor TALX/Equifax to host online paystub information in a less secure manner.

PSC#47569-13/14

Section 5B:

B. Will the contractor train City and County employees?

- Describe the training and indicate approximate number of hours.

There will be two 8-hour days of onsite training. Additionally, 4 days of Identity Management related training for each of approximately 10 staff will be purchased separately from Oracle University. There will also be a knowledge transfer component, as City employees will be working side-by-side with the contractors.

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

Department of Technology and Controller's Office IT staff will receive training to configure and maintain the Identity Management solution. The number of staff to be trained is approximately 10, with the potential for more.

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PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC HEALTH -- DPH Dept. Code: DPH

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

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

Type of Service: Assistance to Clients with Federal and Other Income Assistance Programs

Funding Source: Work Order PSC Duration: 4 years 13 weeks
PSC Amount: \$6,504,869 PSC Est. Start Date: 04/01/2014 PSC Est. End Date: 06/30/2018

1. Description of Work

A. Scope of Work:

Represent eligible clients who are uninsured, underinsured, or at risk of losing insurance to pursue or maintain Supplemental Security Income/Supplemental Disability Income/Cash Assistance for Immigrants (SSI/SSDI/CAPI) income and corresponding Medi-Cal/Medicare coverage, thus providing them with improved access to healthcare and the financial means to stabilize their living situation. Legal assistance to client in moving disabled residents on to SSI and SSDI benefits by providing specialized SSI consultative and advocacy services and Human Immunodeficiency Virus (HIV) Health Services benefits counseling.

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

Clients eligible for SSI and other income assistance programs are more likely to become engaged in ongoing and preventive treatment, are more likely to have access to housing, and tend to better meet their nutritional needs. Denial of those services will result in an increase in disease, poor nutrition, homelessness, and crime.

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. These services were previously included under PSC 4151-09/10.

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

2. Union Notification: On 01/18/2014, the Department notified the following employee organizations of this PSC/RFP request: SEIU 1021 Miscellaneous,

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 48070 - 13/14

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 04/21/2014

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:
 Demonstrated legal expertise in Social Security Administration disability criteria, evidentiary rules and application process; demonstrated experience in providing legal representation for clients through the legal appeal and hearing stages.

B. Which, if any, civil service class(es) normally perform(s) this work?
 2903,2905,2907,

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

4. Why Classified Civil Service Cannot Perform

A: Explain why civil service classes are not applicable:
 There are no current civil service classes established to provide these services, which are provided only to clients with behavioral and other illnesses (not to employees or departments).

B. Would it be practical to adopt a new civil service class to perform this work? Explain.
 No, as the services are as-needed and intermittent, depending on individual clients' needs.

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

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

THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE AND ACCURATE ON BEHALF OF THE DEPARTMENT HEAD
 ON 04/03/2014 BY:

Name: Jacquie Hale Phone: (415) 554-2609 Email: jacquie.hale@sfdph.org
 Address: 101 Grove Street, Room 307 San Francisco, CA 94102

Receipt of Union Notification(s)
◆ Local 1021

Dang, Leorah (HRD)

From: dhr-psccordinator@sfgov.org
Sent: Saturday, January 18, 2014 3:16 PM
To: Hale, Jacquie; david.canham@seiu1021.org; joe.tanner@seiu1021.net;
Larry.Bradshaw@seiu1021.org; Hale, Jacquie; Isen, Richard; DHR-PSCCoordinator, DHR
Subject: Receipt of Notice for new PCS over \$100K PSC # 48070 - 13/14

RECEIPT for Union Notification for PSC 48070 - 13/14 more than \$100k

The PUBLIC HEALTH -- DPH has submitted a request for a Personal Services Contract (PSC) 48070 - 13/14 for \$6,504,869 for Initial Request services for the period 04/01/2014 -- 06/30/2018. 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/1259> 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) of Explanation

◇ **Section 1. Description of Work**

**1C. Has this service been provided in the past. If so, how?
If the service was provided via a PSC, provide the most recently approved PSC # and upload a copy of the PSC.**

PSC # 4151-09/10

4151-09/10



CIVIL SERVICE COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
GAVIN NEWSOM
MAYOR

- E. DENNIS NORMANDY
PRESIDENT
- DONALD A. CASPER
VICE PRESIDENT
- MORGAN R. GORRONO
COMMISSIONER
- MARY Y. JUNG
COMMISSIONER
- ANITA SANCHEZ
EXECUTIVE OFFICER

June 24, 2010

NOTICE OF CIVIL SERVICE COMMISSION ACTION

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

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

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

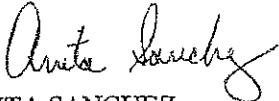
It was the decision of the Commission to:

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

CSC Notice of Action
June 24, 2010
Page 2

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

CIVIL SERVICE COMMISSION


ANITA SANCHEZ
Executive Officer

Attachment

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

POSTING FOR
6/7/2010

PROPOSED PERSONAL SERVICES CONTRACTS - Regular

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

PERSONAL SERVICES CONTRACT SUMMARY

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

DEPARTMENT NAME: Public Health DEPARTMENT NUMBER 81, 82

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

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

TYPE OF SERVICE: Behavioral Health Integrated and Full Service Outpatient Services

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

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

1. DESCRIPTION OF WORK

A. Concise description of proposed work:

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

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

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

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

2013-04/05 and 2012-08/09

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

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

SEIU Local 1021; IFPTE Local 21; UAPD (Unit 8-CC)

Jacque Hale

April 30, 2010

Union Name

Signature of person mailing/faxing form

Date

RFP sent to SEIU Local 1021; IFPTE Local 21, on

July 30, 2009

Mahlet Girma

Union Name

Date

Signature

FOR DEPARTMENT OF HUMAN RESOURCES USE

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

STAFF ANALYSIS/RECOMMENDATION:

CIVIL SERVICE COMMISSION ACTION: June 21, 2010

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

4. WHY CLASSIFIED CIVIL SERVICE CANNOT PERFORM

A. (Continued)

The mental health and substance abuse treatment services System of Care is best performed by community-based service providers which have the required expertise, often specific to the target population they serve, and who have the trust of and credibility in the community, as well as linkages and resources unavailable to the City at a comparable level, and they are able to operate the small, flexible, community-based programs required by State law and found to be most effective in treatment residents who are mentally ill.

5. ADDITIONAL INFORMATION

D. (Continued)

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

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

Health facilities for inpatient and outpatient psychiatric care and treatment shall be permitted in any area zoned for hospitals or nursing homes, or in which hospital and nursing homes are permitted by conditional use permit.

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

5653. In developing the County Short-Doyle plan, optimum use shall be made of appropriate and local public and private organizations, community professional personnel, and state agencies. Optimum use shall also be made of federal, state, county and private funds which may be available for mental health planning. In order that maximum utilization be made of federal and other funds made available to the

Department of Rehabilitation, the Department of Rehabilitation may serve as a contractual provider under the provisions of a county plan of vocational rehabilitation services for the mentally disordered.

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

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

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

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

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

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

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

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PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

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

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

Type of Approval: Expedited Regular (Omit Posting)

Type of Service: Environmental consulting & planning services for the Rehabilitation & Detention Facility Proj

Funding Source: Project Funds PSC Duration: 2 years 26 weeks
PSC Amount: \$700,000 PSC Est. Start Date: 05/01/2014 PSC Est. End Date: 11/01/2016

1. **Description of Work**

A. Scope of Work:

Consultants will perform a full range of highly specialized environmental services in conformance with the provisions of the California Environmental Quality Act (CEQA) for the Rehabilitation and Detention Facility (RDF) project. The RDF project aims to replace County Jails #3 and #4 (828 beds), currently located on the 6th and 7th floors at the Hall of Justice (HOJ) building at 850 Bryant Street, by constructing a new multi-story facility (640 beds) on an adjacent site. Consultants will prepare a variety of technical reports including aesthetics/visual, air quality, cultural resources, geology/soils, hazards and hazardous materials, land use and planning, noise, transportation and traffic, utilities and service systems and other analyses needed to support the environmental analysis.

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

These technical specialized services and expertise are necessary because the City does not currently possess them, and the services are required to complete the CEQA requirement for the RDF project. Denial of this request will delay the environmental clearance and delivery of this major infrastructure project, which will jeopardize the City's eligibility for up to \$80M of State financing.

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.

Specialized Environmental Review Services for major infrastructure projects are routinely provided by consultants who possess unique qualifications. The most recent personal services contracts for similar work was approved for PSC# 4093-06/07 on February 5, 2007 for the SF General Hospital Rebuild Program, & PSC# 4011-13/14 on August 5, 2013 for the Better Market Street Project.

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

2. **Union Notification:** On 02/06/2014, the Department notified the following employee organizations of this PSC/RFP request: Architect & Engineers, Local 21,

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 42815 - 13/14

DHR Analysis/Recommendation:

Commission Approval Required

DHR Approved for 04/21/2014

Civil Service Commission Action:

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:

The project requires specialized CEQA consultants with expertise in complex, major projects to analyze the environmental impact of the RDF project. In particular, the consultants need CEQA expertise to provide aesthetics/visual, air quality, cultural resources, geology/soils, hazards and hazardous materials, land use and planning, noise, transportation and traffic, utilities and service systems and other analyses needed to support the environmental analysis.

B. Which, if any, civil service class(es) normally perform(s) this work?
5288,5289,5290,5277,5278,5291,5293,5298,5299,5620,5642,5644,

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If yes, explain:
Yes. The Consultant will provide facilities, equipment, and computer software for analyses needed for the work.

4. Why Classified Civil Service Cannot Perform

A. Explain why civil service classes are not applicable:

The broad and specialized scope of the necessary environmental services exceeds the City's current capabilities of staff and equipment. The work of consultants will also augment the work of the City Planners through the CEQA process. The City's planners who are experienced with the work will review and substantiate that the environmental analysis and processes by the consultants, are in conformance with CEQA Guideline requirements.

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

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

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

THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE AND ACCURATE ON BEHALF OF THE DEPARTMENT HEAD
ON 02/06/2014 BY:

Name: Sung Kim Phone: 415-554-6417 Email: sung.kim@sfdpw.org
Address: 1155 Market Street, 4th Floor San Francisco, CA 94103

Receipt of Union Notification(s)
◆ Local 21

Carlos, Carina

From: dhr-psccordinator@sfgov.org
Sent: Thursday, February 06, 2014 11:46 AM
To: Kim, Sung; jebrenner@ifpte21.org; L21PSCReview@ifpte21.org; Carlos, Carina; richard.isen@sfgov.org; DHR-PSCCoordinator, DHR
Subject: Receipt of Notice for new PCS over \$100K PSC # 42815 - 13/14

RECEIPT for Union Notification for PSC 42815 - 13/14 more than \$100k

The GENERAL SERVICES AGENCY - PUBLIC WORKS -- DPW has submitted a request for a Personal Services Contract (PSC) 42815 - 13/14 for \$700,000 for Initial Request services for the period 05/01/2014 – 11/01/2016. Notification of 30 days (60 days for SEIU) is required.

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

<http://apps.sfgov.org/dhrdrupal/node/1360> 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) of Explanation

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

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

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

4B. Would it be practical to adopt a new civil service class to perform this work? Explain.

DESCRIPTION OF REQUIRED SKILLS/EXPERTISE

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

None. The Department of City Planning, San Francisco Municipal Transportation Agency, San Francisco Public Utilities Commission, and San Francisco Port Department have planners (CS classes 5288 Transit Planner II, 5289 Transit Planner III, 5290 Transit Planner IV, 5277 Planner I, 5278 Planner II, 5291 Planner III, 5293 Planner IV, 5298 Planner III-Environmental Review, 5299 Planner IV-Environmental Review, 5620 Regulatory Specialist, 5642 Senior Environmental Specialist, 5644 Principal Environmental Specialist) who, by process, become the editors of the CEQA document, and review the work of the consultants for conformance with CEQA, environmental, and other City requirements. The consultants augment the work of the City's planners, who do not have specialized expertise required for many of the technical studies.

4. WHY CLASSIFIED CIVIL SERVICE CANNOT PERFORM

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

No. The work is highly specialized and project specific. Projects of this type and size requiring this particular work are intermittent so the adoption of a new civil service class to perform this work would be impractical. In addition, the utilization of consultants to prepare the environmental document is consistent with City Planning Department's policy and procedures. (See attached Environmental Review Process Summary.)

Additional Attachment(s) of Explanation

◇ **Section 1. Description of Work**

**1C. Has this service been provided in the past. If so, how?
If the service was provided via a PSC, provide the most
recently approved PSC # and upload a copy of the PSC.**

PSC # 4093-06/07

PSC # 4011-13/14

4093-06/07



CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

February 7, 2007

GAVIN NEWSOM
MAYOR

NOTICE OF CIVIL SERVICE COMMISSION ACTION

SUBJECT: REVIEW OF REQUEST FOR APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACT NUMBERS 4092-06/07 THROUGH 4097-06/06 AND 4012-05/06.

THOMAS T. NG
PRESIDENT

At its meeting of February 5, 2007 the Civil Service Commission had for its consideration the above matter.

ALICIA D. BECERRIL
VICE PRESIDENT

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

DONALD A. CASPER
COMMISSIONER

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.

MORGAN R. GORRONO
COMMISSIONER

KATE FAVETTI
EXECUTIVE OFFICER

CIVIL SERVICE COMMISSION

KATE FAVETTI
Executive Officer

Attachment

- c: Parveen Boparai, Municipal Transportation Agency
- Connie Chang, Public Utilities Commission
- Gordon Choy, Department of Public Works
- Ed Harrington, Controller
- Jennifer Johnston, Department of Human Resources
- Naomi Kelly, Office of Contract Administration
- William Lee, Department of Emergency Management
- Galen Leung, San Francisco International Airport
- Jonathan Nelly, Department of Human Resources
- Mary Jane Winslow, City Attorney's Office
- Ted Yamasaki, Acting Human Resources Director
- Commission File
- Chron

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February 5, 2007

RECOMMENDED APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACTS

PSC No.	DeptNo	DeptName	Approval		Contract Amount	Description of work	Duration
			Type				
4092-06/07	03	City Attorney's Office	Regular		\$750,000.00	Will contract with five qualified firms to provide subpoena preparation, process serving, and document retrieval services. These services involve access and acquisition of confidential documents at the City offices, etc.	01-Mar-09
4093-06/07	90	Public Works	Regular		\$600,000.00	Will perform a full range of environmental review services in conformance with provisions of the California Environmental Quality Act. This project requires consultants that may provide consultation for the duration of the project.	29-Feb-12
4094-06/07	40	Public Utilities Commission	Regular		\$240,000.00	Will provide technical advisory and review services for the New Irvington Tunnel Project in specified fields related to the design and construction of tunnels and associated structures/facilities.	14-Jan-09
4095-06/07	40	Public Utilities Commission	Regular		\$111,000.00	Will provide technical advisory and review services for Harry Tracy Water Treatment Plant (HTWTP) Long Term Improvements Project in specified fields related to the planning and conceptual design of water treatment, etc.	14-Feb-09
4096-06/07	77	Department of Emergency Management/Division of Emergency Services	Regular		\$750,000.00	Will complete a comprehensive risk and capabilities assessment based upon current emergency management standards, state and federal guidelines regarding emergency and disaster preparedness.	15-Feb-08
4097-06/07	27	Airport Commission	Regular		\$625,000.00	Will convert the Airport's only current chiller that uses an ozone-depleting refrigerant to a non-ozone-depleting refrigerant and possible as-needed repair work associated with the conversion.	31-Dec-07

PERSONAL SERVICES CONTRACT SUMMARY

DATE: December 21, 2006

DEPARTMENT NAME: PUBLIC WORKS DEPARTMENT NUMBER 90

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

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

TYPE OF SERVICE: Environmental Review Services for the San Francisco General Hospital Rebuild Program

FUNDING SOURCE: Departmental Work Orders

PSC AMOUNT: \$600,000 PSC DURATION: 3/1/2007 through 2/29/2012

1. DESCRIPTION OF WORK

A. Concise description of proposed work: Consultants will perform a full range of environmental review services in conformance with provisions of the California Environmental Quality Act (CEQA), CEQA guidelines, and Chapter 31 of the San Francisco Administrative Code pertaining to the preparation and processing of an environmental evaluation for the San Francisco General Hospital (SFGH) Rebuild Program.

B. Explain why this service is necessary and the consequences of denial: The existing general acute care hospital building does not comply with current California seismic safety requirements established under the 1994 amendment to the Alfred E. Alquist Hospital Seismic Safety Act of 1983 (Senate Bill 1953). It is required that all general acute care patients be relocated from the existing, non-conforming hospital before January 1, 2013. SFGH/the City is obligated to meet this mandate, which establishes the basis for the SFGH Rebuild Program. The environmental review work is a mandatory requirement for a rebuild of this nature.

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): Environmental Review Services are normally provided by consultants that are awarded a professional services contract selected through the RFP or RFQ process. The department currently has as-needed consultants that were approved by PSC #4024-06/07 but these contracts are of limited use when they must expire with 3 to 5 years of award by ordinance; this project requires consultants that may provide consultation for the duration of the project if the project experiences delays.

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

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

Local 21 Union Name, Gordon Chong Signature of person mailing/faxing form, 12/27/2006 Date

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

RFP sent to Local 21 Union Name, on To be sent 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:

Requires qualified consultants with expertise in the preparation of environmental impact reports (EIR) and mitigated negative declarations for complex public works projects and encompassing multiple complex environmental issues, and to provide transportation, parking, noise, historic resource/cultural preservation, archaeological, shadow, and wind analysis, and public outreach services.

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

None. The Department of City Planning has City Planners who, by process, become the author(s) of the EIR, and review the EIR and the work of the consultants for conformance with CEQA, environmental, and City requirements. The consultants augment the work of the City Planners through this EIR process. For objectivity, third party consultants normally do the preparation of the EIR.

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

Yes. Consultant will provide facilities, equipment, and computer software for noise, shadow, wind and other analysis.

4. WHY CLASSIFIED CIVIL SERVICE CANNOT PERFORM

A. Explain why civil service classes are not applicable:

The work of consultants will augment the work of the City Planners through this EIR process. The City's planners who are experienced with environmental review work, do not develop the EIR, but rather, substantiate that the processes and the development of the EIR is in conformance with regulatory requirements. Consultants augment the work of the City's planners and prepare the EIR. This is consistent with Department of City Planning's policies and procedures.

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

No. This work is project specific. Local projects of this type and size requiring this particular work are infrequent and will not be prudent use of taxpayers' money to adopt a civil service class to perform this work on a continuous basis. Further, the utilization of consultants to prepare the EIR is consistent with the City Planning Department's policy and procedures.

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

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

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

B. Will the contractor train City and County employees?

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

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

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

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

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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E. Has a board or commission determined that contracting is the most effective way to provide this service?

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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F. Will the proposed work be completed by a contractor that has a current personal services contract with your department? *Unknown, a RFQ will select the consultant.*

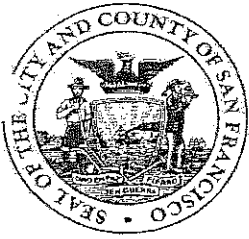
<input type="checkbox"/>	<input checked="" type="checkbox"/>
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THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE AND ACCURATE ON BEHALF OF THE DEPARTMENT HEAD:

Gordon Choy
 Signature of Departmental Personal Services Contract Coordinator

Gordon Choy (415) 554-6230
 Print or Type Name Telephone Number

875 Stevenson Street, Room 420
San Francisco, CA 94103
 Address



4011-13/14

CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

EDWIN M. LEE
MAYOR

August 8, 2013

NOTICE OF CIVIL SERVICE COMMISSION ACTION

SUBJECT: REVIEW OF REQUEST FOR APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACT NUMBERS 4009-13/14 THROUGH 4011-13/14; 4081-09/10; 4009-11/12; 4092-10/11; 4200-06/07; 4005-11/12 AND 4095-08/09.

SCOTT R. HELDFOND
PRESIDENT

E. DENNIS NORMANDY
VICE PRESIDENT

DOUGLAS S. CHAN
COMMISSIONER

KATE FAVETTI
COMMISSIONER

GENA M. ROCCANOVA
COMMISSIONER

JENNIFER C. JOHNSTON
EXECUTIVE OFFICER

At its meeting of August 5, 2013 the Civil Service Commission had for its consideration the above matter.

The Commission:

- 1) Approved PSC #4010-13/14 with the condition that section 4A is amended and submitted to the Department of Human Resources and the Civil Service Commission.
- 2) Adopted the report; Approved the request for all contracts. Notified the Office of the Controller and the Office of Contract Administration.

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

CIVIL SERVICE COMMISSION

JENNIFER JOHNSTON
Executive Officer

Attachment

Cc: Cynthia Avakian, San Francisco International Airport
Parveen Boparai, Municipal Transportation Agency
Micki Callahan, Department of Human Resources
Stacey Camillo, Department of Public Works
Shamica Jackson, Public Utilities Commission
Rebekah Krell, San Francisco Arts Commission
Bree Mawhorter, San Francisco Sheriff's Department
Mabel Ng, San Francisco Ethics Commission
Commission File
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PROPOSED PERSONAL SERVICES CONTRACTS - Regular

PSC No	Dept No.	Dept Name	Approval Type	Contract Amount	Description of Work	Duration
4009-13/14	06	Sheriff	Regular	\$56,875	Implementation of Compass software, including 8 hours of consulting services to customize software to meet the needs of the San Francisco Sheriff's Department (SFSO), installation and testing of Compass software, 14.5 hours spent training staff to use the risk/needs assessment module, and post installation software support.	1/1/2013 - 1/1/2014
4010-13/14	28	Art Commission	Regular	\$3,000,000	Contracts for multiple artists to design, fabricate, transport and/or consult during installation of artworks in a variety of media for the following multi-year Capital Improvement Projects which will be initiated in FY13/14: SFO Terminal 3, Oscar Park/Transbay Streetscape, Fire Stations 5 and 35, Moscone Convention Center-South, Phelan Loop Plaza, Art on Market Street Kiosk Poster Series, miscellaneous Recreation and Park Department projects, Public Utilities Commission South East Community Facility, and various other projects as they arise. The PSC amount is an estimate based on known project budgets and an average amount generated yearly by Art Enrichment Funds associated with Capital Improvement Projects.	7/1/2013 - 6/30/2014
4011-13/14	90	Public Works	Regular	\$2,000,000	Consultants will perform a full range of highly specialized environmental services in conformance with the provisions of the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) for the Better Market Street (BMS) Project, a project to improve pedestrian, transit, bicycle, and vehicular mode circulation, and activate the street by adding street life zones between Oclavia Blvd and the Embarcadero (and possibly Mission Street between S. Van Ness Avenue to the Embarcadero). It is expected that a joint Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) will be required. Consultants will conduct aesthetics/visual, air quality, biological resources, cultural resources, geology/soils, hazards and hazardous materials, land use and planning, noise, transportation and traffic, utilities and service systems and other analyses needed to support that analysis.	9/1/2013 - 2/31/2019

Total Amount - Regular: \$5,056,875

PERSONAL SERVICES CONTRACT SUMMARY

DATE: 06/05/13

DEPARTMENT NAME: PUBLIC WORKS DEPARTMENT NUMBER 90

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

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

TYPE OF SERVICE: Environmental consulting & planning services for the Better Market Street Project

FUNDING SOURCE: Project funds

PSC AMOUNT: \$2,000,000 PSC DURATION: 9/1/2013 - 12/31/2019

1. DESCRIPTION OF WORK

A. Concise description of proposed work:

Consultants will perform a full range of highly specialized environmental services in conformance with the provisions of the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) for the Better Market Street (BMS) Project...

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

These specialized services and expertise are necessary because the City does not currently possess all of them. In addition, the work services are needed to provide the mandatory CEQA/NEPA services for the BMS Project.

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):

Specialized Environmental Review Services for major infrastructure projects are routinely provided by consultants who possess unique qualifications. The most recent personal services contract for similar work was approved via PSC# 4093-06/07 on 2/05/2007...

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

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

Local 21 Union Name Carlos Signature of person mailing/faxing form 6/05/13 Date

Union Name Signature of person mailing/faxing form Date

RFP sent to Union Name, on Date Signature

FOR DEPARTMENT OF HUMAN RESOURCES USE

AFF ANALYSIS/RECOMMENDATION:

CIVIL SERVICE COMMISSION ACTION:

3. DESCRIPTION OF REQUIRED SKILLS/EXPERTISE

A. Specify required skills and/or expertise:

The project requires specialized CEQA/NEPA consultants with expertise in complex, major projects to analyze the environmental impact of the BMS Project. In particular, the consultants need CEQA/NEPA (where NEPA is administered by the US Department of Transportation) expertise to provide aesthetics/visual, air quality, biological resources, cultural resources, geology/soils, hazards and hazardous materials, land use and planning, noise, transportation and traffic, utilities and service systems and other analyses needed to support the joint CEQA/NEPA analysis.

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

None. The Department of City Planning and San Francisco Municipal Transportation Agency has planners (CS classes 5288 Transit Planner II, 5289 Transit Planner III, 5290 Transit Planner IV, 5291 Planner III, 5293 Planner IV, 5298 Planner III-Environmental Review, 5299 Planner IV-Environmental Review, 5620 Regulatory Specialist, 5642 Senior Environmental Specialist, 5644 Principal Environmental Specialist) who, by process, become the editors of the CEQA document, and review the work of the consultants for conformance with CEQA, environmental, and other City requirements. However, the City's Planners do not generally review NEPA documents. This is done by Caltrans on behalf of the US Department of Transportation. The consultants augment the work of the City's planners, who do not have specialized expertise required for many of the technical studies.

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

Yes. The Consultant will provide facilities, equipment, and computer software for analyses needed for the work.

4. WHY CLASSIFIED CIVIL SERVICE CANNOT PERFORM

A. Explain why civil service classes are not applicable:

The broad and specialized scope of the necessary environmental services exceeds the City's current capabilities of staff and equipment. The work of consultants will also augment the work of the City Planners through the CEQA/NEPA process. The City's planners who are experienced with the work will review and substantiate that the environmental analysis and processes by the consultants, are in conformance with CEQA/NEPA Guideline requirements.

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

No, the work is highly specialized and project specific. Projects of this type and size requiring this particular work are infrequent so the adoption of a new civil service class to perform this work would be impractical. In addition, the utilization of consultants to prepare the environmental document is consistent with City Planning Department's policy and procedures (See attached Environmental Review Process Summary.)

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

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

Yes No

B. Will the contractor train City and County employees?

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

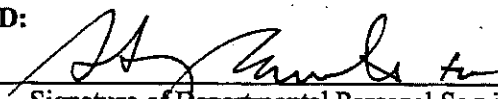
C. Are there legal mandates requiring the use of contractual services?

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

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

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

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


Signature of Departmental Personal Services Contract Coordinator
Gordon Choy
Print or Type Name
(415) 554-6230
Telephone Number

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

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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 (Omit Posting)

Type of Service: Environmental Review Services

Funding Source: HOME, CDBG, ESG and HOPWA PSC Duration: 3 years
PSC Amount: \$500,000 PSC Est. Start Date: 07/01/2014 PSC Est. End Date: 06/30/2017

1. Description of Work

A. Scope of Work:

The Mayor's Office of Housing and Community Development (MOHCD) of the City and County of San Francisco is seeking proposals from qualified consultants to provide a range of environmental services related to the acquisition of land for the development of affordable housing. The funds to be used for potential acquisition are subject to regulation by 24 Code of Federal Regulations (CFR) Part 85. The services may include one or more of the following: Environmental Site Assessments (ESAs) Phase I, II and IIIs; Soil, air and groundwater testing and reporting to evaluate human health risk related to chemical contamination in any or all media; and seismic studies.

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

The City does not have the in-house technical capacity to conduct the studies and prepare the reports necessary for the approval of funding by Housing Urban Development (HUD) for the acquisition of land for development as affordable housing.

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. MOH has previously not provided this service and it was incumbent upon developers to provide the documentation. However, MOHCD has now assumed the responsibility for the conduct of these studies.

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

2. Union Notification: On 02/26/2014, the Department notified the following employee organizations of this PSC/RFP request: all unions were notified

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 44350 - 13/14

Civil Service Commission Action:

DHR Analysis/Recommendation:

Commission Approval Required

DHR Approved for 04/21/2014

3. Description of Required Skills/Expertise

- A. Specify required skills and/or expertise:
Often a multi-disciplinary approach is taken in compiling all the components of an Environmental Site Assessment, since skills in chemistry, atmospheric physics, geology, microbiology and even botany are frequently required. Many of the preparers are environmental scientists who have been trained to integrate these diverse disciplines. The process includes conducting an All Appropriate Inquiry (AAI) by an Environmental Professional as defined by 40 Code of Federal Regulation.
- B. Which, if any, civil service class(es) normally perform(s) this work?
none,
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If yes, explain:
No

4. Why Classified Civil Service Cannot Perform

- A. Explain why civil service classes are not applicable:
The City's Civil Service classifications do not cover the required extensive and detailed level of expertise needed in federal environmental laws and regulations. Especially, as they relate to the release of toxic and hazardous chemicals and the transfer of interests in real property.
- B. Would it be practical to adopt a new civil service class to perform this work? Explain.
No, the City's would need to hire in excess of ten individuals to draft the required level of documentation for compliance. This would far exceed the amount of funds HUD allows for allocation to Environmental Review Activities.

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

	<u>YES</u>	<u>NO</u>
A. Will the contractor directly supervise City and County employee?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B. Will the contractor train City and County employee?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C. Are there legal mandates requiring the use of contractual services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D. Are there federal or state grant requirements regarding the use of contractual services? Procurement Standards	<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 04/03/2014 BY:

Name: Karen Henderson Phone: 701-5557 Email: karen.henderson@sfgov.org

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

Receipt of Union Notification(s)
◆ All Unions

Henderson, Karen

From: dhr-psccordinator@sfgov.org
Sent: Wednesday, February 26, 2014 3:30 PM
To: Henderson, Karen; ritchell@twusf.org; grojo@local39.org; jduritz@uapd.com; staff@sfmea.com; mike@dc16.us; khughes@ibew6.org; L21PSCReview@ifpte21.org; sfsmsa@gmail.com; david.canham@seiu1021.org; joe.tanner@seiu1021.net; Larry.Bradshaw@seiu1021.org; L21PSCReview@ifpte21.org; LiUNA.local261@gmail.com; local200twu@sbcglobal.net; jvannucchi@sbcglobal.net; camaguey@sfmea.com; ecdemvoter@aol.com; tiya.thiang@seiu1021.org; Henderson, Karen; Isen, Richard; DHR-PSCCoordinator, DHR
Subject: Receipt of Notice for new PCS over \$100K PSC # 44350 - 13/14

RECEIPT for Union Notification for PSC 44350 - 13/14 more than \$100k

The MAYOR -- MYR has submitted a request for a Personal Services Contract (PSC) 44350 - 13/14 for \$500,000 for Initial Request services for the period 07/01/2014 -- 06/30/2017. Notification of 30 days (60 days for SEIU) is required.

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

<http://apps.sfgov.org/dhrdrupal/node/1517> 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) of Explanation

◇ Section 1. Description of Work

1A. Scope of Work

- **24 CFR Part 85**

[Code of Federal Regulations]
[Title 24, Volume 1]
[Revised as of January 1, 2007]
From the U.S. Government Printing Office via GPO Access
[CITE: 24CFR85.36]

TITLE 24--HOUSING AND URBAN DEVELOPMENT

PART 85 ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE

Subpart C Post-Award Requirements

Sec. 85.36 Procurement.

(a) States. When procuring property and services under a grant, a State will follow the same policies and procedures it uses for procurements from its non-Federal funds. The State will ensure that every purchase order or other contract includes any clauses required by Federal statutes and executive orders and their implementing regulations. Other grantees and subgrantees will follow paragraphs (b) through (i) in this section.

(b) Procurement standards. (1) Grantees and subgrantees will use their own procurement procedures which reflect applicable State and local laws and regulations, provided that the procurements conform to applicable Federal law and the standards identified in this section.

(2) Grantees and subgrantees will maintain a contract administration system which ensures that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

(3) Grantees and subgrantees will maintain a written code of standards of conduct governing the performance of their employees engaged in the award and administration of contracts. No employee, officer or agent of the grantee or subgrantee shall participate in selection, or in the award or administration of a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:

- (i) The employee, officer or agent,
- (ii) Any member of his immediate family,
- (iii) His or her partner, or
- (iv) An organization which employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award. The grantee's or subgrantee's officers, employees or agents will neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to subagreements. Grantee and subgrantees may set minimum rules where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value. To the extent permitted by State or local law or regulations, such standards or conduct will provide for penalties, sanctions, or other disciplinary actions for violations of such standards by the grantee's and subgrantee's officers, employees, or agents, or by contractors or their agents. The awarding agency may in regulation provide additional prohibitions relative to real, apparent, or potential conflicts of interest.

(4) Grantee and subgrantee procedures will provide for a review of proposed procurements to avoid purchase of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.

(5) To foster greater economy and efficiency, grantees and subgrantees are encouraged to enter into State and local intergovernmental agreements for procurement or use of common goods and services.

(6) Grantees and subgrantees are encouraged to use Federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.

(7) Grantees and subgrantees are encouraged to use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lower cost.

(8) Grantees and subgrantees will make awards only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

(9) Grantees and subgrantees will maintain records sufficient to detail the significant history of a procurement. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

(10) Grantees and subgrantees will use time and material type contracts only--

(i) After a determination that no other contract is suitable, and

(ii) If the contract includes a ceiling price that the contractor exceeds at its own risk.

(11) Grantees and subgrantees alone will be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to source evaluation, protests, disputes, and claims. These standards do not relieve the grantee or subgrantee of any contractual responsibilities under its contracts. Federal agencies will not substitute their judgment for that of the grantee or subgrantee unless the matter is primarily a Federal concern. Violations of law will be referred to the local, State, or Federal authority having proper jurisdiction.

(12) Grantees and subgrantees will have protest procedures to handle and resolve disputes relating to their procurements and shall in all instances disclose information regarding the protest to the awarding agency. A protestor must exhaust all administrative remedies with the grantee and subgrantee before pursuing a protest with the Federal agency. Reviews of protests by the Federal agency will be limited to:

(i) Violations of Federal law or regulations and the standards of this section (violations of State or local law will be under the jurisdiction of State or local authorities) and

(ii) Violations of the grantee's or subgrantee's protest procedures for failure to review a complaint or protest. Protests received by the Federal agency other than those specified above will be referred to the

grantee or subgrantee.

(c) Competition. (1) All procurement transactions will be conducted in a manner providing full and open competition consistent with the standards of Sec. 85.36. Some of the situations considered to be restrictive of competition include but are not limited to:

- (i) Placing unreasonable requirements on firms in order for them to qualify to do business,
- (ii) Requiring unnecessary experience and excessive bonding,
- (iii) Noncompetitive pricing practices between firms or between affiliated companies,
- (iv) Noncompetitive awards to consultants that are on retainer contracts,
- (v) Organizational conflicts of interest,
- (vi) Specifying only a brand name product instead of allowing an equal product to be offered and describing the performance of other relevant requirements of the procurement, and
- (vii) Any arbitrary action in the procurement process.

(2) Grantees and subgrantees will conduct procurements in a manner that prohibits the use of statutorily or administratively imposed in-State or local geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts State licensing laws. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criteria provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

(3) Grantees will have written selection procedures for procurement transactions. These procedures will ensure that all solicitations:

(i) Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured, and when necessary, shall set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a brand name or equal description may be used as a means to define the performance or other salient requirements of a procurement. The specific features of the named brand which must be met by offerors shall be clearly stated; and

(ii) Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

(4) Grantees and subgrantees will ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, grantees and subgrantees will not preclude potential bidders from qualifying during the solicitation period.

(d) Methods of procurement to be followed. (1) Procurement by small purchase procedures. Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than the simplified acquisition threshold fixed at 41 U.S.C. 403(11) (currently set at

\$100,000). If small purchase procedures are used, price or rate quotations shall be obtained from an adequate number of qualified sources.

(2) Procurement by sealed bids (formal advertising). Bids are publicly solicited and a firm-fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bid method is the preferred method for procuring construction, if the conditions in Sec. 85.36(d)(2)(i) apply.

(i) In order for sealed bidding to be feasible, the following conditions should be present:

(A) A complete, adequate, and realistic specification or purchase description is available;

(B) Two or more responsible bidders are willing and able to compete effectively and for the business; and

(C) The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

(ii) If sealed bids are used, the following requirements apply:

(A) The invitation for bids will be publicly advertised and bids shall be solicited from an adequate number of known suppliers, providing them sufficient time prior to the date set for opening the bids;

(B) The invitation for bids, which will include any specifications and pertinent attachments, shall define the items or services in order for the bidder to properly respond;

(C) All bids will be publicly opened at the time and place prescribed in the invitation for bids;

(D) A firm fixed-price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and

(E) Any or all bids may be rejected if there is a sound documented reason.

(3) Procurement by competitive proposals. The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:

(i) Requests for proposals will be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals shall be honored to the maximum extent practical;

(ii) Proposals will be solicited from an adequate number of qualified sources;

(iii) Grantees and subgrantees will have a method for conducting technical evaluations of the proposals received and for selecting awardees;

(iv) Awards will be made to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and

(v) Grantees and subgrantees may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where

price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

(4) Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source, or after solicitation of a number of sources, competition is determined inadequate.

(i) Procurement by noncompetitive proposals may be used only when the award of a contract is infeasible under small purchase procedures, sealed bids or competitive proposals and one of the following circumstances applies:

(A) The item is available only from a single source;

(B) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;

(C) The awarding agency authorizes noncompetitive proposals; or

(D) After solicitation of a number of sources, competition is determined inadequate.

(ii) Cost analysis, i.e., verifying the proposed cost data, the projections of the data, and the evaluation of the specific elements of costs and profits, is required.

(iii) Grantees and subgrantees may be required to submit the proposed procurement to the awarding agency for pre-award review in accordance with paragraph (g) of this section.

(e) Contracting with small and minority firms, women's business enterprise and labor surplus area firms. (1) The grantee and subgrantee will take all necessary affirmative steps to assure that minority firms, women's business enterprises, and labor surplus area firms are used when possible.

(2) Affirmative steps shall include:

(i) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;

(ii) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;

(iii) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority business, and women's business enterprises;

(iv) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority business, and women's business enterprises;

(v) Using the services and assistance of the Small Business Administration, and the Minority Business Development Agency of the Department of Commerce; and

(vi) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (e)(2) (i) through (v) of this section.

(f) Contract cost and price. (1) Grantees and subgrantees must perform a cost or price analysis in connection with every procurement action including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, grantees must make independent estimates before receiving bids or proposals. A cost analysis must be performed when the offeror is required to submit the elements of his estimated cost, e.g., under professional, consulting, and architectural engineering services contracts. A cost analysis will be necessary when adequate price competition is lacking, and for sole source procurements, including contract modifications or change orders, unless price reasonableness can be established on

the basis of a catalog or market price of a commercial product sold in substantial quantities to the general public or based on prices set by law or regulation. A price analysis will be used in all other instances to determine the reasonableness of the proposed contract price.

(2) Grantees and subgrantees will negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration will be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

(3) Costs or prices based on estimated costs for contracts under grants will be allowable only to the extent that costs incurred or cost estimates included in negotiated prices are consistent with Federal cost principles (see Sec. 85.22). Grantees may reference their own cost principles that comply with the applicable Federal cost principles.

(4) The cost plus a percentage of cost and percentage of construction cost methods of contracting shall not be used.

(g) Awarding agency review. (1) Grantees and subgrantees must make available, upon request of the awarding agency, technical specifications on proposed procurements where the awarding agency believes such review is needed to ensure that the item and/or service specified is the one being proposed for purchase. This review generally will take place prior to the time the specification is incorporated into a solicitation document. However, if the grantee or subgrantee desires to have the review accomplished after a solicitation has been developed, the awarding agency may still review the specifications, with such review usually limited to the technical aspects of the proposed purchase.

(2) Grantees and subgrantees must on request make available for awarding agency pre-award review procurement documents, such as requests for proposals or invitations for bids, independent cost estimates, etc. when:

(i) A grantee's or subgrantee's procurement procedures or operation fails to comply with the procurement standards in this section; or

(ii) The procurement is expected to exceed the simplified acquisition threshold and is to be awarded without competition or only one bid or offer is received in response to a solicitation; or

(iii) The procurement, which is expected to exceed the simplified acquisition threshold, specifies a "brand name" product; or

(iv) The proposed award is more than the simplified acquisition threshold and is to be awarded to other than the apparent low bidder under a sealed bid procurement; or

(v) A proposed contract modification changes the scope of a contract or increases the contract amount by more than the simplified acquisition threshold.

(3) A grantee or subgrantee will be exempt from the pre-award review in paragraph (g)(2) of this section if the awarding agency determines that its procurement systems comply with the standards of this section.

(i) A grantee or subgrantee may request that its procurement system be reviewed by the awarding agency to determine whether its system meets these standards in order for its system to be certified. Generally, these reviews shall occur where there is a continuous high-dollar funding, and third-party contracts are awarded on a regular basis.

(ii) A grantee or subgrantee may self-certify its procurement system. Such self-certification shall not limit the awarding agency's right to survey the system. Under a self-certification procedure, awarding agencies may wish to rely on written assurances from the grantee or subgrantee that it is complying with these standards. A grantee or subgrantee will cite specific procedures, regulations, standards, etc., as being in compliance with these requirements and have its system available for review.

(h) Bonding requirements. For construction or facility improvement contracts or subcontracts exceeding the simplified acquisition threshold, the awarding agency may accept the bonding policy and requirements of the grantee or subgrantee provided the awarding agency has made a determination that the awarding agency's interest is adequately protected. If such a determination has not been made, the minimum requirements shall be as follows:

(1) A bid guarantee from each bidder equivalent to five percent of the bid price. The "bid guarantee" shall consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of his bid, execute such contractual documents as may be required within the time specified.

(2) A performance bond on the part of the contractor for 100 percent of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.

(3) A payment bond on the part of the contractor for 100 percent of the contract price. A "payment bond" is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

(i) Contract provisions. A grantee's and subgrantee's contracts must contain provisions in paragraph (i) of this section. Federal agencies are permitted to require changes, remedies, changed conditions, access and records retention, suspension of work, and other clauses approved by the Office of Federal Procurement Policy.

(1) Administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as may be appropriate. (Contracts more than the simplified acquisition threshold)

(2) Termination for cause and for convenience by the grantee or subgrantee including the manner by which it will be effected and the basis for settlement. (All contracts in excess of \$10,000)

(3) Compliance with Executive Order 11246 of September 24, 1965, entitled "Equal Employment Opportunity," as amended by Executive Order 11375 of October 13, 1967, and as supplemented in Department of Labor regulations (41 CFR chapter 60). (All construction contracts awarded in excess of \$10,000 by grantees and their contractors or subgrantees)

(4) Compliance with the Copeland "Anti-Kickback" Act (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR part 3). (All contracts and subgrants for construction or repair)

(5) Compliance with the Davis-Bacon Act (40 U.S.C. 276a to 276a-7) as supplemented by Department of Labor regulations (29 CFR part 5). (Construction contracts in excess of \$2000 awarded by grantees and subgrantees when required by Federal grant program legislation)

(6) Compliance with Sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-330) as supplemented by Department of Labor regulations (29 CFR part 5). (Construction contracts awarded by grantees and subgrantees in excess of \$2000, and in excess of \$2500 for other contracts which involve the employment of mechanics or laborers)

(7) Notice of awarding agency requirements and regulations pertaining to reporting.

(8) Notice of awarding agency requirements and regulations pertaining to patent rights with respect to any discovery or invention which arises or is developed in the course of or under such contract.

(9) Awarding agency requirements and regulations pertaining to copyrights and rights in data.

(10) Access by the grantee, the subgrantee, the Federal grantor agency, the Comptroller General of the United States, or any of their duly authorized representatives to any books, documents, papers, and records of the contractor which are directly pertinent to that specific contract for the purpose of making audit, examination, excerpts, and transcriptions.

(11) Retention of all required records for three years after grantees or subgrantees make final payments and all other pending matters are closed.

(12) Compliance with all applicable standards, orders, or requirements issued under section 306 of the Clean Air Act (42 U.S.C. 1857(h)), section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR part 15). (Contracts, subcontracts, and subgrants of amounts in excess of \$100,000).

(13) Mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94-163, 89 Stat. 871). [53 FR 8068, 8087, Mar. 11, 1988, as amended at 60 FR 19639, 19642, Apr. 19, 1995]

TITLE 24--HOUSING AND URBAN DEVELOPMENT

PART 85 ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE

Subpart C Post-Award Requirements

Sec. 85.42 Retention and access requirements for records.

(a) Applicability. (1) This section applies to all financial and programmatic records, supporting documents, statistical records, and other records of grantees or subgrantees which are:

(i) Required to be maintained by the terms of this part, program regulations or the grant agreement, or

(ii) Otherwise reasonably considered as pertinent to program regulations or the grant agreement.

(2) This section does not apply to records maintained by contractors or subcontractors. For a requirement to place a provision concerning records in certain kinds of contracts, see Sec. 85.36(i)(10).

(b) Length of retention period. (1) Except as otherwise provided, records must be retained for three years from the starting date specified in paragraph (c) of this section.

(2) If any litigation, claim, negotiation, audit or other action involving the records has been started before the expiration of the 3-year period, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the regular 3-year period, whichever is later.

(3) To avoid duplicate recordkeeping, awarding agencies may make special arrangements with grantees and subgrantees to retain any records which are continuously needed for joint use. The awarding agency will request transfer of records to its custody when it determines that the records possess long-term retention value. When the records are transferred to or maintained by the Federal agency, the 3-year retention requirement is not applicable to the grantee or subgrantee.

(c) Starting date of retention period--(1) General. When grant support is continued or renewed at annual or other intervals, the retention period for the records of each funding period starts on the day the grantee or subgrantee submits to the awarding agency its single or last expenditure report for that period. However, if grant support is continued or renewed quarterly, the retention period for each year's records starts on the day the grantee submits its expenditure report for the last quarter of the Federal fiscal year. In all other cases, the retention period starts on the day the grantee submits its final expenditure report. If an expenditure report has been waived, the retention period starts on the day the report would have been due.

(2) Real property and equipment records. The retention period for real property and equipment records starts from the date of the disposition or replacement or transfer at the direction of the awarding agency.

(3) Records for income transactions after grant or subgrant support. In some cases grantees must report income after the period of grant support. Where there is such a requirement, the retention period for the records pertaining to the earning of the income starts from the end of the grantee's fiscal year in which the income is earned.

(4) Indirect cost rate proposals, cost allocations plans, etc. This paragraph applies to the following types of documents, and their supporting records: Indirect cost rate computations or proposals, cost allocation plans, and any similar accounting computations of the rate at which a particular group of costs is chargeable (such as computer usage chargeback rates or composite fringe benefit rates).

(i) If submitted for negotiation. If the proposal, plan, or other computation is required to be submitted to the Federal Government (or to the grantee) to form the basis for negotiation of the rate, then the 3-year retention period for its supporting records starts from the date of such submission.

(ii) If not submitted for negotiation. If the proposal, plan, or other computation is not required to be submitted to the Federal Government (or to the grantee) for negotiation purposes, then the 3-year retention period for the proposal plan, or computation and its supporting records starts from end of the fiscal year (or other accounting period) covered by the proposal, plan, or other computation.

(d) Substitution of microfilm. Copies made by microfilming, photocopying, or similar methods may be substituted for the original records.

(e) Access to records--(1) Records of grantees and subgrantees. The awarding agency and the Comptroller General of the United States, or any of their authorized representatives, shall have the right of access to any pertinent books, documents, papers, or other records of grantees and subgrantees which are pertinent to the grant, in order to make audits, examinations, excerpts, and transcripts.

(2) Expiration of right of access. The rights of access in this section must not be limited to the required retention period but shall last as long as the records are retained.

(f) Restrictions on public access. The Federal Freedom of Information Act (5 U.S.C. 552) does not apply to records Unless required by Federal, State, or local law, grantees and subgrantees are not required to permit public access to their records.

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Modification

Personal Services Contracts

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PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: AIRPORT COMMISSION Dept. Code: AIR

Type of Request: [] Initial [x] Modification of an existing PSC (PSC # 4025 09/10)

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

Type of Service: Consulting services to analyze/develop bond, financial/capital, traffic projects

Funding Source: Airport Operating Funds

PSC Original Approved Amount: \$3,500,000

PSC Original Approved Duration: 09/01/09 - 08/31/14 (5 years)

PSC Mod#1 Amount: \$5,300,000

PSC Mod#1 Duration: 09/01/14-08/31/19 (5 years 1 day)

PSC Mod#2 Amount:

PSC Mod#2 Duration:

PSC Cumulative Amount Proposed: \$8,800,000

PSC Cumulative Duration Proposed: 10 years 1 day

1. Description of Work

A. Scope of Work:

Airport consulting services for: air traffic forecasting; finance, market and economic analyses; maximization of federal assistance programs; negotiation of lease and use agreements; utilization of passenger facility charges (PFCs); assessment of Airport parking, air cargo, and airline passenger rates and charges; bond feasibility reports; Airport economic impact studies; assessment of advanced technologies to improve safety and landing capacity; and development of new airline routes. Analysis of options for hotel development on Airport property, and financial and capital planning.

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

PLEASE SEE ORIGINAL PSC

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, Prior 4025-09/10.

Explanation for 5 year duration: SFO is planning on entering into one or more 5 year contracts under this Mod#1 approval.

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

2. Union Notification: On 03/14/14, the Department notified the following employee organizations of this PSC/RFP request: Professional & Tech Engrs, Local 21;

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 4025 09/10

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 04/21/2014

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:

Expertise in aviation and airport development, experience in airline route development work in major U.S. airport markets, including airport industry and trends, access to data from airlines and other airports, especially with regards to rates and charges modeling, and national recognition for preparing third party bond feasibility reports.

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

1823,1824,9255,

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

No, the contractor will not provide access to facilities or equipment.

4. Why Classified Civil Service Cannot Perform

A. Explain why civil service classes are not applicable:

Existing civil service classifications will be working closely with the consultants; however, the work requires in-depth industry knowledge and access to specialized data related to airports, airport hotels, & airport retailers. The Airport does not have access to the data needed, & Airport staff does not possess the level of industry knowledge for the major projects envisioned under this scope. Also, as required by the Airport's 1991 Master Bond Resolution, bond feasibility reports are prepared by a 3rd party.

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

No, see the answer to the question above.

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

YES NO

- A. Will the contractor directly supervise City and County employee?
- B. Will the contractor train City and County employee?
- C. Are there legal mandates requiring the use of contractual services?
- D. Are there federal or state grant requirements regarding the use of contractual services?
- E. Has a board or commission determined that contracting is the most effective way to provide this service?
- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? Yes, LeighFisher, Inc.

THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE AND ACCURATE ON BEHALF OF THE DEPARTMENT HEAD ON 03/14/14 BY:

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

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

Receipt of Union Notification(s)
◆ Local 21

Cynthia Avakian

From: dhr-psccordinator@sfgov.org
Sent: Friday, March 14, 2014 2:51 PM
To: Cynthia Avakian; L21PSCReview@ifpte21.org; Cynthia Avakian; DHR-PSCCoordinator; Richard Isen
Subject: Receipt of a REGULAR Modification Request to PSC # 4025 09/10 - MODIFICATIONS

PSC RECEIPT of Modification notification sent to Unions and DHR

The AIRPORT COMMISSION -- AIR has submitted a modification request for a Personal Services Contract (PSC) for \$5,300,000 for services for the period September 1, 2014 – August 31, 2019. For Regular/Annual/Continual Modification requests, there is a 7-Day noticed to the union(s) prior to DHR Review.

After logging into the system please select link below:

<http://apps.sfgov.org/dhrdrupal/node/1644>

Email sent to the following addresses: L21PSCReview@ifpte21.org

Additional Attachment(s) of Explanation

◇ Section 4. Why Classified Civil Service Cannot Perform

4A. Explain why civil service classes are not applicable

- **Link to Airport's 1991 Master Bond Resolution**
<http://www.flysfo.com/about-sfo/investor-relations>

Investor Relations

For your convenience, SFO's most recent financial reports, official statements, rating agency reports, debt management policies and other fiscal information relating to SFO's debt portfolio are added frequently to this site. Please be sure to check this page often. SFO provides certain information relating to its outstanding bonds and notes to the Electronic Municipal Market Access (EMMA) system, operated by the Municipal Securities Rulemaking Board (MSRB) each year. SFO also provides notices of any "material events" to EMMA. See the sections titled "Continuing Disclosure" in the Official Statements below. Many of the documents posted are in PDF format. To obtain a free PDF reader, please visit the Adobe website.

Airport Commission Financial Statements

[FY13 Audited Financial Statements \(PDF\)](#)

[FY08 Audited Financial Statements \(PDF\)](#)

[FY12 Audited Financial Statements \(PDF\)](#)

[FY07 Audited Financial Statements \(PDF\)](#)

[FY11 Audited Financial Statements \(PDF\)](#)

[FY06 Audited Financial Statements \(PDF\)](#)

[FY10 Audited Financial Statements \(PDF\)](#)

[FY05 Audited Financial Statements \(PDF\)](#)

[FY09 Audited Financial Statements \(PDF\)](#)

[City and County of San Francisco Comprehensive Annual Financial Report](#)

[Airport Commission Annual Operating Budget](#)

[Official Statements](#)

[Rating Agency Reports](#)

[Series 2013A-E](#)

[Series 2009D Remarketing](#)

[Series 2012AB](#)

[Series 2011FGH](#)

[Series 2011CDE](#)

[Series 2011AB](#)

[Series 2010FG and Series 2009AB Remarketing](#)

[Series 2010BDC](#)

Series 2009CDEF

Series 2009AB

Series 2008A

Series 2008B

Issue 34A-G

Issue 36AB / 37AB

Annual Disclosure Reports

Financial Policies

Amalgamated Bond Resolutions

Interest Rate Swap Confirmations

Rates and Charges

Air Traffic Reports

Information for San Francisco Airport Improvement Corporation "SFAIC" Investors

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Additional Attachment(s) of Explanation

◇ **Section 1. Description of Work**

**1C. Has this service been provided in the past. If so, how?
If the service was provided via a PSC, provide the most
recently approved PSC # and upload a copy of the PSC.**

PSC # 4025-09/10

4025-09/10
Initial



CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

GAVIN NEWSOM
MAYOR

- MORGAN R. GORRONO
PRESIDENT
- E. DENNIS NORMANDY
VICE PRESIDENT
- JOY Y. BOATWRIGHT
COMMISSIONER
- DONALD A. CASPER
COMMISSIONER
- MARY Y. JUNG
COMMISSIONER
- ANITA SANCHEZ
EXECUTIVE OFFICER

August 19, 2009

NOTICE OF CIVIL SERVICE COMMISSION ACTION

SUBJECT: REVIEW OF REQUEST FOR APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACT NUMBERS 4025-09/10 THROUGH 4029-09/10; 4055-05/06; 4004-07/08; 4041-08/09 AND 4019-08/09.

At its meeting of August 17, 2009 the Civil Service Commission had for its consideration the above matter.

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

It was the decision of the Commission to:

- (1) Adopt the Human Resources Director's report on PSC #4028-09/10 on the condition that the General Services Administration meet and/or share the information gathered from the car sharing services program with TWU Local 250A and Auto Machinists Local 1414 to evaluate the effectiveness of the program on a quarterly basis. Notify the offices of the Controller and the Office of Contract Administration. (Vote of 2 to 1; Commissioner Gorrano dissents.) Continue to the meeting of September 21, 2009. (Three (3) votes are needed for Commission action.)
- (2) Adopt the Human Resources Director's report on all remaining contracts. Notify the offices of the Controller and the Office of Contract Administration.

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

CIVIL SERVICE COMMISSION

ANITA SANCHEZ
Executive Officer

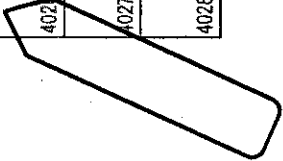
Attachment

- c: Cynthia Avakian, Airport Commission
- Micki Callahan, Human Resources Director
- Vivian Day, Department of Building Inspection
- Jacque Hale, Department of Public Health
- Jessica Huey, Department of Human Resources
- Shamica Jackson, Public Utilities Commission
- Naomi Kelly, Office of Contract Administration
- Florence Kyaun, Public Utilities Commission
- Joan Lubamersky, General Services Agency
- Sheila Maxwell, Department of Technology
- Brigitte Rockett, Department of Human Resources
- Ben Rosenfield, Controller
- Commission File
- Chron

POSTING FOR
August 17, 2009

RECOMMENDED APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACTS

PSC No.	Dept/Id	Dept/Name	Approval Type	Contract Amount	Description of work	Duration
4025-09/10	27	Airport Commission	Regular	\$3,500,000	Will provide consulting services to analyze and develop bond feasibility studies, financial and capital planning, air traffic forecasting, rates and charges modeling, and related airport projects.	31-Aug-14
4027-09/10	27	Airport Commission	Regular	\$1,500,000	Will provide consulting services for concession development; evaluation of Airport's aesthetic design; analysis of options for hotel development on Airport property retail master programming.	31-Aug-14
4027-09/10	19	Dept. of Building Inspection	Regular	\$181,620	Will install, configure, test, and train DBI staff on operating and maintaining a new proprietary Interactive Voice Response (IVR) system that will allow customers to schedule and cancel inspections along with obtaining inspection results.	31-Oct-14
4028-09/10	70	GSA - Fleet Management	Regular	\$500,000	Will provide car-sharing services to supplement City's vehicle fleet to make additional vehicles available during peak demands for City employees to use on official City business.	23-Aug-12



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PERSONAL SERVICES CONTRACT SUMMARY

DATE: July 22, 2009

DEPARTMENT NAME: AIRPORT COMMISSION DEPARTMENT NUMBER: 27

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

TYPE OF REQUEST: [X] INITIAL REQUEST [] MODIFICATION

TYPE OF SERVICE: Consulting services to analyze and develop bond feasibility studies, financial and capital planning, air traffic, rates and charges modeling, and related airport projects

FUNDING SOURCE: Airport Operating Funds

PSC AMOUNT: \$3,500,000 TOTAL PSC DURATION: 9/1/09 - 8/31/14

1. DESCRIPTION OF WORK

A. Concise description of proposed work:

Airport consulting services for: air traffic forecasting; finance, market and economic analyses; maximization of federal assistance programs; negotiation of lease and use agreements; utilization of passenger facility charges (PFCs); assessment of parking, air cargo, and passenger rates and charges; bond feasibility reports; assessment of advanced technologies to improve safety and landing capacity; and development of new airline routes. Analysis of options for hotel development on Airport property, and financial and capital planning.

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

Third-party expertise is required for bond feasibility services, which involves the production of a Traffic and Earnings Report and an Airport consultant's certificate for potential bondholders. Expertise is needed for specific projects to improve the Airport, reduce rates and charges in some areas and recover full costs in other areas; provide access to aviation, demographic, cargo and trade data. Use of a third party assures prospective and current tenants that the methods used match airline industry standards. Denial may lead to higher interest rates on bonds due to lack of independent bond feasibility report; prevent the Airport from exploring alternatives to improve the level and quality of passenger and cargo services; and reduce the ability of the Airport to attract new airlines and/or developing new routes.

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):

Similar services have been previously provided through contracts under PSC #4013-04/05 and PSC #4088-04/05.

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

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

IFPTE, Local 21 Union Name Cynthia P. Avakian Signature of person mailing/faxing form JUL 22 2009 Date
RFP sent to: IFPTE, Local 21 on July 17, 2009 Signature

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC # 4025 -09/10
STAFF ANALYSIS/RECOMMENDATION: approved 8/17/09
CIVIL SERVICE COMMISSION ACTION:

3. DESCRIPTION OF REQUIRED SKILLS/EXPERTISE

A. Specify required skills and/or expertise:

Expertise in aviation and airport development, experience in airline route development work in major U.S. airport markets, including airport industry and trends, access to data from airlines and other airports, especially with regards to rates and charges modeling, and national recognition for preparing third party bond feasibility reports.

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

No one classification normally performs this work. Portions of the work may be performed by 182x series Administrative Analysts and 9255 Airport Economic Planner; however, the Airport does not have access to data on commercial airport industry trends or feasibility models, airport hotels, and airport revenue-generating services.

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

No, the contractor will not provide access to facilities or equipment.

4. WHY CLASSIFIED CIVIL SERVICE CANNOT PERFORM

A. Explain why civil service classes are not applicable:

Existing civil service classifications (1823, 1824, and 9255) will be working closely with the consultants; however, the work requires in-depth industry knowledge and access to specialized data related to airports, airport hotels, and airport retailers. The Airport does not have access to the data needed, and Airport staff does not possess the level of industry knowledge for the major projects envisioned under this scope. Also, as required by the Airport's 1991 Master Bond Resolution, bond feasibility reports are prepared by a third party to ensure that the Airport meets prospective earnings test for issuing additional revenue bonds.

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

No. Please see answer to 4a above.

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

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

Yes No

B. Will the contractor train City and County employees?

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

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

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

E. Has a board or commission determined that contracting is the most effective way to provide this service? Attached is Airport Commission Resolution #09-0013.

F. Will the proposed work be completed by a contractor that has a current personal services contract with your department? A RFQ was issued July 17, 2009 and it is unknown at this time the outcome of that process.

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

Cynthia P. Avakian

Signature of Departmental Personal Services Contract Coordinator

Cynthia P. Avakian

(650) 821-2014

Print or Type Name

Telephone Number

Airport Commission, Contracts Administration Unit
P.O. Box 8097, San Francisco, CA 94128

Address

AIRPORT COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

RESOLUTION NO. 09 0013

**AUTHORIZATION TO ISSUE A REQUEST FOR QUALIFICATIONS TO
ESTABLISH A POOL OF CONSULTANTS FOR AIRPORT MANAGEMENT
CONSULTING SERVICES**

WHEREAS, the continued operation and management of the Airport will require the preparation of various studies, analyses, and reports and assistance in the planning, development, operation, and management of the Airport and its facilities; and

WHEREAS, such consulting services are anticipated to be needed in areas, including, but not limited, to the following:

- Bond feasibility reports
- Rates and charges
- Air traffic forecasting
- Revenues and expense forecasting
- Air cargo business issues
- Rental car industry issues
- Concession issues and programs
- Risk management and insurance issues
- Long-term financial planning
- Strategic planning
- Aviation market analyses
- Airline analyses
- Parking market demand studies
- Other as-needed analyses and surveys
- Environmental data collection and analysis
- Demand management strategies
- Strategies for Lease and Use Agreement negotiations with airlines
- Airport Improvement Program (AIP) grant and Passenger Facility Charges (PFC) matters

WHEREAS, in November 2003, pursuant to Resolution No. 03-0232, the Commission authorized staff to issue a Request for Qualifications (RFQ) to establish a pool of consultants to provide Airport Management Consulting services; and

WHEREAS, in March 2004, pursuant to Resolution No. 04-0051, the Commission authorized the establishment of the Airport Management Consultant pool for a period of five years; now, therefore, be it

RESOLVED, that this Commission hereby authorizes the Director to issue a Request for Qualifications to establish a pool of consultants for Airport management consulting services with a term of two years.

I hereby certify that the foregoing resolution was adopted by the Airport Commission

at its meeting of

JAN 20 2009


Secretary



CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

EDWIN M. LEE
MAYOR

Sent via Electronic Mail

April 10, 2014

NOTICE OF CIVIL SERVICE COMMISSION MEETING

**SUBJECT: SALARY SURVEY FOR REGISTERED NURSE
CLASSIFICATIONS (CHARTER SECTION A8.403), 2014-2015.**

The above matter will be considered by the Civil Service Commission at a meeting to be held on **April 21, 2014** at 2:00 p.m. in Room 400, Fourth Floor, City Hall, 1 Dr. Carlton B. Goodlett Place.

This item will appear on the Consent Agenda. Please refer to the attached Notice for procedural and other information about Commission hearings. The meeting agenda and all meeting materials will be posted on the Civil Service Commission's website at www.sfgov.org/Civil_Service under "Meeting Information" no later than end of day on Wednesday, April 16, 2014.

Attendance by you or an authorized representative is welcome. Should you or your representative not attend, the Commission will rule on the information previously submitted and testimony provided at its meeting.

All non-privileged materials being considered by the Civil Service Commission for this item will be available for public inspection and copying at the Civil Service Commission office Monday through Friday from 8:00 a.m. to 5:00 p.m. beginning Thursday, April 17, 2014.

CIVIL SERVICE COMMISSION

JENNIFER JOHNSTON
Executive Officer

Attachment

Cc: Micki Callahan, Department of Human Resources
Rich David, Department of Human Resources
Susan Gard, Department of Human Resources
Martin Gran, Department of Human Resources
Steve Ponder, Department of Human Resources
Ted Yamasaki, Department of Human Resources
Ron Weigelt, Department of Public Health
David Canham, SEIU Local 1021
Peter Finn, Teamsters Local 856
Commission File
Commissioners' Binder
Chron

THIS DOCUMENT SUPPORTS
CALENDAR ITEM 8

STAFF REPORT

NOTIFICATIONS:

David Canham
Service Employees International
Union, Local 1021
350 Rhode Island, Suite 100 South
San Francisco, CA 94103

Susan Gard
Department of Human Resources
1 South Van Ness Avenue, 4th Floor
San Francisco, CA 94103

Peter Finn
Teamsters, Local 856
453 San Mateo Avenue
San Bruno, CA 94066

Ron Weigelt
Department of Public Health
Human Resources Office
101 Grove Street
San Francisco, CA 94102

Micki Callahan
Department of Human Resources
1 South Van Ness Avenue, 4th Floor
San Francisco, CA 94103

Ted Yamasaki
Department of Human Resources
1 South Van Ness Avenue, 4th Floor
San Francisco, CA 94103

Martin Gran
Department of Human Resources
1 South Van Ness Avenue, 4th Floor
San Francisco, CA 94103

Steve Ponder
Department of Human Resources
1 South Van Ness Avenue, 4th Floor
San Francisco, CA 94103

Rich David
Department of Human Resources
1 South Van Ness Avenue, 4th Floor
San Francisco, CA 94103

City and County of San Francisco
Edwin M. Lee
Mayor



Department of Human Resources
Micki Callahan
Human Resources Director

TO: The Honorable Civil Service Commission

FROM: Micki Callahan, Human Resources Director *MC*

SUBJECT: **Salary Survey of Registered Nurse Classifications, 2014-2015**
(Charter Section 48.403)

RECOMMENDATION: Adopt Staff Report; forward to Board of Supervisors

Charter Section 48.403 requires the Civil Service Commission to certify to the Board of Supervisors the highest collective bargaining salary schedule, at the maximum, for acute care nurses in the six Bay Area counties as of April 15th of each year. It also requires that the Board of Supervisors set a rate of pay for such nurses which does not exceed the schedule certified by the Civil Service Commission.

The Charter specifies: *"At the time the Board of Supervisors fixes the salary schedule as provided, the Board of Supervisors may fix as conditions and benefits of employment other than salaries as compensation for each classification, conditions and benefits not to exceed the intent of those conditions and benefits granted by collective bargaining agreements to comparable classifications by the employer used for certification of the highest prevailing salary schedule by the civil service commission. The Board of Supervisors may establish such conditions and benefits notwithstanding other provisions or limitations of this Charter, with the exception that such conditions and benefits shall not involve any change in the administration of or benefits of the Retirement System, health service system or vacation allowances provided elsewhere in this Charter. Conditions and benefits of employment existing prior to July 1, 1982 may be continued by the Board of Supervisors;*

(f) When the employer used for certification in Subsection (a) above, provides rates of pay during the current fiscal year in excess of those fixed by the Board of Supervisors for said current fiscal year, or vacation and health service benefits greater than such similar benefits provided by this Charter for the staff nurse classification, the civil service commission shall certify to the Board of Supervisors an amount not to exceed the difference of such salary and benefits converted to dollar values and the Board of Supervisors may provide additional salary, conditions and benefits of employment at a cost not to exceed said dollar value."

The City and SEIU Local 1021 are currently in the second year of a two-year collective bargaining agreement covering the City's registered nurses. The purpose of this certification is to demonstrate that the value of wages and benefits provided by that collective bargaining agreement conform to the limits provided by the Charter.

The Department of Human Resources is submitting to the Civil Service Commission for certification to the Board of Supervisors the following:

I. Certification of the Highest Prevailing Salary Schedule

The highest prevailing salary schedule, at maximum, in effect on April 15, 2014 for the acute care staff nurse classification granted by collective bargaining agreement is \$75.74 per hour. This was determined after conducting a survey of the following Bay Area hospitals and medical centers: Alameda County Medical Center, Alta Bates Summit Medical Center, Children's Hospital and Research Center of Oakland, Contra Costa County Regional Medical Center, Kaiser, San Mateo County Medical Center, Santa Clara Valley Medical Center, Seton Medical Center, Stanford Medical Center, UCSF Medical Center and Washington Hospital. The survey includes both public and private entities. Given the competitive nature of the labor market, maintaining the confidentiality of the private organizations is essential to ensuring their future cooperation, and consistent with salary survey best practices. Therefore, the highest payer will not be indicated by name, because the medical center specifically provided this data on the condition of anonymity. It should be noted that the medical center with the highest prevailing salary schedule, at maximum, for a journey-level nurse rate is \$7.83 higher per hour than our current hourly rate of \$67.91. For the purpose of this report, the medical center with the highest prevailing salary schedule, at maximum, will be referred to as "Medical Center A."

Some pertinent facts regarding the wages and conditions of the survey:

1. The survey confirmed with Medical Center A that the classification duties, responsibilities and minimum qualifications of its nurses are comparable to those of the CCSF Registered Nurse classification. The survey matched the level that is considered the journey-level classification.
2. It should be noted that Medical Center A requires 31 years of service to reach the maximum wage rate. Registered nurses employed by the City and County of San Francisco previously required only 10.5 years to reach the maximum wage rate. Two additional tenure steps were added effective the close of business June 30, 2006, providing a new higher maximum at 21 years. At 21 years, Medical Center A is approximately \$4.18 higher per hour than our current hourly rate of \$67.91.

II. Certification of the wage and benefit hourly difference between the City and County of San Francisco and the employer with the highest prevailing wage rate

Since Medical Center A's Staff Nurse II rate of pay exceeds that of the City and County of San Francisco's Registered Nurse, the attached table is provided to establish the dollar difference of maximum salary plus the dollar value of health, vacation and applicable benefits, pursuant to Charter Section A8.403(f), between CCSF and Medical Center A's

comparable journey-level nurse classification.

A. Health Benefits

1. The relevant collective bargaining agreements provide for basic health care for nurses and their dependents. Medical Center A pays \$696.51 to \$1,971.12 per month per nurse and offers one health plan. The City and County pays from \$561.15 to \$2,743.87 per month per nurse, depending on which of the three health plans the nurse chooses. The City & County of San Francisco's maximum benefit of \$2,743.87 per month exceeds Medical Center A's maximum contribution of \$1,971.12 by approximately \$4.46 per hour.
2. Medical Center A also provides a dental coverage plan for such nurses, spouses and/or dependents at a maximum contribution cost of \$147.05 per month. The maximum coverage for the City and County nurses costs \$197.84 per month. The maximum monthly contribution rate for the City and County is approximately \$0.30 per hour more than Medical Center A.

B. Paid Time Off

1. The Medical Center A collective bargaining agreement contains provisions for vacation, holiday and sick accruals. Vacation and sick is accrued depending on length of service. The days off listed below covers vacation, holiday, sick pay, as well as other elective absences.

Medical Center A nurses accrue the following number of days off:

First Year	32 days off earned
Second through fourth year	37 days off earned
Fifth through ninth year	45 days off earned
Tenth and subsequent year	50 days off earned

The City and County of San Francisco's equivalent benefits (vacation, paid sick leave and holidays) are as follows:

First through fifth year	37 days off earned
More than fifth year through fifteenth year	42 days off earned
More than fifteenth year and subsequent year	47 days off earned

2. In addition, the City and County has a Longevity Leave provision of 1 to 6 days depending on length of service. The value of this benefit ranges from \$0.22 to \$1.57 per hour. Medical Center A does not offer this benefit.

C. Longevity Premium

Effective July 1, 2001 the longevity premium for the CCSF Registered Nurse was replaced by a retention bonus for those nurses hired prior to July 1, 2003, which provides an additional 1% of base hourly salary commencing at Year 5 for those on Step 6 or below and 2% of base hourly salary at Year 10 for those on Step 7 or below. Since this bonus is in lieu of a longevity premium, it is included in the analysis since Medical Center A's maximum rate at 31 years of service includes a longevity premium in the base wage.

D. Summary of Wages and Benefits

The total hourly dollar value of Medical Center A's Staff Nurse II for wages and benefits at the maximum rate of pay and 31 years of service exceeds the wage rate and like benefits for the City and County of San Francisco by \$3.80 per hour.

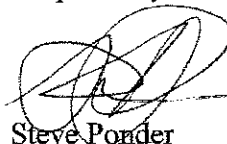
E. Additional Notes

Because no actuarial information was available from the private institutions surveyed, we are unable to note any information regarding retirement comparisons.

III. Recommendations

1. Adopt Staff Report; certify to the Board of Supervisors the Medical Center A Staff Nurse II rate of \$75.74 is the highest prevailing wage rate in effect on April 15, 2014.

Respectfully submitted,



Steve Ponder
Classification and Compensation Manager

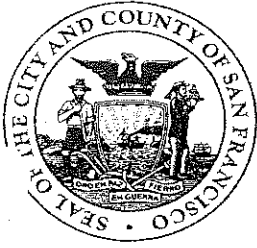
COMPARISON OF WAGES AND BENEFITS

Medical Center A's Staff Nurse II

and
the City and County of San Francisco Registered Nurse
as of April 15, 2014

Years of Service	Base Salary		Health Insurance (max)		Dental Insurance (max)		Paid Time Off**		Longevity Days Off		Retention Bonus**		Total Value Salary and Benefits		Total Hourly Difference CCAF over/ (under) Med Center A	
	CCSF Hourly	MCA Hourly	CCSF Hourly	MCA Hourly	CCSF Hourly	MCA Hourly	CCSF #	CCSF Hourly Value	MCA #	MCA Hourly Value	CCSF over/ (under)	MCA over/ (under)	CCSF over/ (under)	MCA over/ (under)		CCSF
0	\$51.69	\$54.20	\$15.83	\$11.37	\$1.14	\$0.85	37	\$7.36	32	\$6.67	\$0.69	\$0.00	\$0.00	\$76.02	\$73.09	\$2.93
0.5	\$53.34	\$56.91	\$15.83	\$11.37	\$1.14	\$0.85	37	\$7.59	32	\$7.00	\$0.59	\$0.00	\$0.00	\$77.80	\$76.13	\$1.67
1.5	\$54.99	\$58.61	\$15.83	\$11.37	\$1.14	\$0.85	37	\$7.83	37	\$6.10	(\$0.27)	\$0.00	\$0.00	\$79.79	\$77.23	\$2.56
2.5	\$56.58	\$59.76	\$15.83	\$11.37	\$1.14	\$0.85	37	\$8.05	37	\$9.50	(\$0.45)	\$0.00	\$0.00	\$81.60	\$80.48	\$1.12
3.5	\$58.33	\$62.74	\$15.83	\$11.37	\$1.14	\$0.85	37	\$8.30	37	\$9.93	(\$0.63)	\$0.00	\$0.00	\$83.62	\$83.99	(\$0.37)
4.5	\$59.33	\$64.99	\$15.83	\$11.37	\$1.14	\$0.85	37	\$8.56	37	\$9.25	(\$0.95)	\$0.00	\$0.00	\$85.82	\$86.46	(\$0.64)
5.5	\$60.13	\$66.60	\$15.83	\$11.37	\$1.14	\$0.85	37	\$8.56	45	\$11.53	(\$2.97)	\$0.46	\$0.00	\$86.72	\$90.35	(\$3.63)
6.5	\$61.08	\$68.60	\$15.83	\$11.37	\$1.14	\$0.85	42	\$10.01	45	\$11.53	(\$1.52)	\$0.46	\$0.00	\$87.87	\$90.35	(\$2.48)
7.5	\$61.98	\$69.60	\$15.83	\$11.37	\$1.14	\$0.85	42	\$10.01	45	\$11.70	(\$1.69)	\$0.46	\$0.00	\$89.91	\$91.52	(\$1.61)
8.5	\$61.98	\$67.60	\$15.83	\$11.37	\$1.14	\$0.85	42	\$10.01	45	\$11.70	(\$1.69)	\$0.46	\$0.00	\$89.91	\$91.52	(\$1.61)
9.5	\$63.91	\$67.60	\$15.83	\$11.37	\$1.14	\$0.85	42	\$10.32	50	\$13.26	(\$2.68)	\$0.46	\$0.00	\$92.67	\$92.62	\$0.05
10.5	\$63.91	\$68.97	\$15.83	\$11.37	\$1.14	\$0.85	42	\$10.32	50	\$13.26	(\$2.68)	\$0.46	\$0.00	\$92.67	\$94.45	(\$1.78)
11.5	\$63.91	\$68.97	\$15.83	\$11.37	\$1.14	\$0.85	42	\$10.32	50	\$13.26	(\$2.68)	\$0.46	\$0.00	\$92.67	\$94.45	(\$1.78)
12.5	\$63.91	\$68.97	\$15.83	\$11.37	\$1.14	\$0.85	42	\$10.32	50	\$13.26	(\$2.68)	\$0.46	\$0.00	\$92.67	\$94.45	(\$1.78)
13.5	\$63.91	\$68.97	\$15.83	\$11.37	\$1.14	\$0.85	42	\$10.32	50	\$13.26	(\$2.68)	\$0.46	\$0.00	\$92.67	\$94.45	(\$1.78)
14.5	\$63.91	\$68.97	\$15.83	\$11.37	\$1.14	\$0.85	42	\$10.32	50	\$13.26	(\$2.68)	\$0.46	\$0.00	\$92.67	\$94.45	(\$1.78)
15.5	\$63.91	\$68.97	\$15.83	\$11.37	\$1.14	\$0.85	42	\$10.32	50	\$13.26	(\$2.68)	\$0.46	\$0.00	\$92.67	\$94.45	(\$1.78)
16.5	\$65.91	\$70.68	\$15.83	\$11.37	\$1.14	\$0.85	47	\$11.91	50	\$13.59	(\$1.68)	\$0.46	\$0.00	\$96.31	\$96.49	(\$0.18)
17.5	\$65.91	\$70.68	\$15.83	\$11.37	\$1.14	\$0.85	47	\$11.91	50	\$13.59	(\$1.68)	\$0.46	\$0.00	\$96.31	\$96.49	(\$0.18)
18.5	\$65.91	\$70.68	\$15.83	\$11.37	\$1.14	\$0.85	47	\$11.91	50	\$13.59	(\$1.68)	\$0.46	\$0.00	\$96.31	\$96.49	(\$0.18)
19.5	\$65.91	\$70.68	\$15.83	\$11.37	\$1.14	\$0.85	47	\$11.91	50	\$13.59	(\$1.68)	\$0.46	\$0.00	\$96.31	\$96.49	(\$0.18)
20.5	\$65.91	\$70.68	\$15.83	\$11.37	\$1.14	\$0.85	47	\$11.91	50	\$13.59	(\$1.68)	\$0.46	\$0.00	\$96.31	\$96.49	(\$0.18)
21.5	\$67.91	\$72.08	\$15.83	\$11.37	\$1.14	\$0.85	47	\$12.28	50	\$13.86	(\$1.58)	\$0.46	\$0.00	\$98.73	\$98.17	\$0.56
22.5	\$67.91	\$72.08	\$15.83	\$11.37	\$1.14	\$0.85	47	\$12.28	50	\$13.86	(\$1.58)	\$0.46	\$0.00	\$98.73	\$98.17	\$0.56
23.5	\$67.91	\$72.08	\$15.83	\$11.37	\$1.14	\$0.85	47	\$12.28	50	\$13.86	(\$1.58)	\$0.46	\$0.00	\$98.73	\$98.17	\$0.56
24.5	\$67.91	\$72.08	\$15.83	\$11.37	\$1.14	\$0.85	47	\$12.28	50	\$13.86	(\$1.58)	\$0.46	\$0.00	\$98.73	\$98.17	\$0.56
25.5	\$67.91	\$72.08	\$15.83	\$11.37	\$1.14	\$0.85	47	\$12.28	50	\$14.14	(\$1.86)	\$0.46	\$0.00	\$98.73	\$99.90	(\$1.16)
26.5	\$67.91	\$73.54	\$15.83	\$11.37	\$1.14	\$0.85	47	\$12.28	50	\$14.14	(\$1.86)	\$0.46	\$0.00	\$98.73	\$99.90	(\$1.16)
27.5	\$67.91	\$73.54	\$15.83	\$11.37	\$1.14	\$0.85	47	\$12.28	50	\$14.14	(\$1.86)	\$0.46	\$0.00	\$98.73	\$99.90	(\$1.16)
28.5	\$67.91	\$73.54	\$15.83	\$11.37	\$1.14	\$0.85	47	\$12.28	50	\$14.14	(\$1.86)	\$0.46	\$0.00	\$98.73	\$99.90	(\$1.16)
29.5	\$67.91	\$73.54	\$15.83	\$11.37	\$1.14	\$0.85	47	\$12.28	50	\$14.14	(\$1.86)	\$0.46	\$0.00	\$98.73	\$99.90	(\$1.16)
30.5	\$67.91	\$73.54	\$15.83	\$11.37	\$1.14	\$0.85	47	\$12.28	50	\$14.14	(\$1.86)	\$0.46	\$0.00	\$98.73	\$99.90	(\$1.16)
31.5	\$67.91	\$75.14	\$15.83	\$11.37	\$1.14	\$0.85	47	\$12.28	50	\$14.57	(\$2.29)	\$0.46	\$0.00	\$98.73	\$102.53	(\$3.80)

* Field Time Off includes vacation, sick and holiday leave as well as other elective absences.
** Please note effective 7/1/03, the longevity premium of an additional 1% on base hourly salary at Year 10 changed to a retention bonus of 1% of base hourly salary at Year 9 for those below Step 7 and 2% of base hourly salary at Year 10 for those below Step 8. This premium is not available for nurses hired on or after 7/1/03.



CIVIL SERVICE COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

EDWIN M. LEE
MAYOR

Sent via Electronic Mail

April 10, 2014

NOTICE OF CIVIL SERVICE COMMISSION MEETING

SUBJECT: RECOMMENDATION TO ADOPT THE PROPOSED CIVIL SERVICE COMMISSION POLICY ON FUTURE EMPLOYMENT RESTRICTIONS.

SCOTT R. HELDFOND
PRESIDENT

E. DENNIS NORMANDY
VICE PRESIDENT

DOUGLAS S. CHAN
COMMISSIONER

KATE FAVETTI
COMMISSIONER

GINA M. ROCCANOVA
COMMISSIONER

The above matter will be considered by the Civil Service Commission at a meeting to be held on **April 21, 2014** at 2:00 p.m. in Room 400, Fourth Floor, City Hall, 1 Dr. Carlton B. Goodlett Place.

This item will appear on the Regular Agenda. Please refer to the attached Notice for procedural and other information about Commission hearings. The meeting agenda and all meeting materials will be posted on the Civil Service Commission's website at www.sfgov.org/Civil_Service under "Meeting Information" no later than end of day on Wednesday, April 16, 2014. If you would like a copy of the Executive Officer's staff report on the above-captioned matter emailed to you in advance of April 16th, please contact the Civil Service Commission's Office at CivilService@sfgov.org or (415) 252-3247.

JENNIFER C. JOHNSTON
EXECUTIVE OFFICER

Attendance by you or an authorized representative is welcome. Should you or your representative not attend, the Commission will rule on the information previously submitted and testimony provided at its meeting.

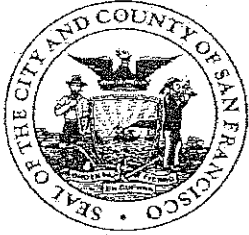
All non-privileged materials being considered by the Civil Service Commission for this item will be available for public inspection and copying at the Civil Service Commission office Monday through Friday from 8:00 a.m. to 5:00 p.m. beginning Thursday, April 17, 2014.

CIVIL SERVICE COMMISSION

JENNIFER JOHNSTON
Executive Officer

Attachment

THIS DOCUMENT SUPPORTS
CALENDAR ITEM 9



CIVIL SERVICE COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

EDWIN M. LEE
MAYOR

Sent via Electronic Mail

SCOTT R. HELDFOND
PRESIDENT

March 26, 2014

E. DENNIS NORMANDY
VICE PRESIDENT

NOTICE OF CIVIL SERVICE COMMISSION ACTION

DOUGLAS S. CHAN
COMMISSIONER

SUBJECT: PROPOSED CIVIL SERVICE COMMISSION POLICY ON FUTURE EMPLOYMENT RESTRICTIONS; AND PROPOSED AMENDMENT TO CIVIL SERVICE RULE SERIES 022, REQUEST TO REMOVE DEPARTMENT BAN.

KATE FAVETTI
COMMISSIONER

GINA M. ROCCANOVA
COMMISSIONER

At its meeting of **March 17, 2014** the Civil Service Commission had for its consideration the above matter.

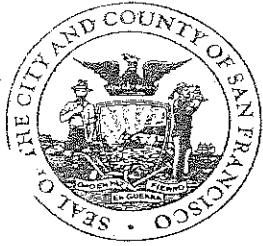
JENNIFER C. JOHNSTON
EXECUTIVE OFFICER

The Commission adopted the Executive's Officer's report; directed the Executive Officer to post the proposed policy on future employment restrictions to meet and discuss the proposed policy with any interested stakeholders; and directed the Executive Officer to post the proposed amendments to Civil Service Rule Series 022 for adoption as required under the Charter and Civil Service Rules, and to meet and discuss the proposed revisions with affected labor union(s) and other interested stakeholders. (Vote of 4 to 0).

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



CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

EDWIN M. LEE
MAYOR

Sent via Electronic Mail

March 7, 2014

NOTICE OF CIVIL SERVICE COMMISSION MEETING

SCOTT R. HELDFOND
PRESIDENT

E. DENNIS NORMANDY
VICE PRESIDENT

DOUGLAS S. CHAN
COMMISSIONER

KATE FAVETTI
COMMISSIONER

GINA M. ROCCANOVA
COMMISSIONER

SUBJECT: PROPOSED CIVIL SERVICE COMMISSION POLICY ON
FUTURE EMPLOYMENT RESTRICTIONS; AND
PROPOSED AMENDMENT TO CIVIL SERVICE RULE SERIES
022, REQUEST TO REMOVE DEPARTMENT BAN.

The above matter will be considered by the Civil Service Commission at a meeting to be held on March 17, 2014 at 2:00 p.m. in Room 400, Fourth Floor, City Hall, 1 Dr. Carlton B. Goodlett Place.

This item will appear on the Regular Agenda. Please refer to the attached Notice for procedural and other information about Commission hearings. The meeting agenda and all meeting materials will be posted on the Civil Service Commission's website at www.sfgov.org/Civil_Service under "Meeting Information" no later than end of day on Thursday, March 13, 2014. If you would like a copy of the Executive Officer's staff report on the above-captioned matter emailed to you in advance of March 13th, please contact the Civil Service Commission's Office at CivilService@sfgov.org or (415) 252-3247.

JENNIFER C. JOHNSTON
EXECUTIVE OFFICER

Attendance by you or an authorized representative is welcome. Should you or your representative not attend, the Commission will rule on the information previously submitted and testimony provided at its meeting.

All non-privileged materials being considered by the Civil Service Commission for this item are available for public inspection and copying at the Civil Service Commission office Monday through Friday from 8:00 a.m. to 5:00 p.m.

CIVIL SERVICE COMMISSION

JENNIFER JOHNSTON
Executive Officer

Attachment

RECEIVED CIVIL SERVICE COMMISSION
MARCH 11 2014

STAFF REPORT



CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Date: April 21, 2014
To: Civil Service Commission
From: Jennifer Johnston, Executive Officer *Jennifer Johnston*
Subject: **Recommendation to Adopt the Proposed Civil Service Commission Policy and Guidelines on Future Employment Restrictions**

During its meeting of March 17, 2014, the Civil Service Commission (“Commission”) acted to accept the Executive Officer’s staff report proposing policies and guidelines on Future Employment Restrictions; and directed the Executive Officer to post the draft policy and guidelines, and to meet and discuss them with any interested stakeholders.

The Executive Officer posted the draft policy and guidelines on March 19, 2014 and scheduled two meetings to discuss them with any interested stakeholders—one on March 26th and one on March 27th, 2014. (See Attachment A for a copy of the posting, *sans* attachment.) No interested stakeholders attended the scheduled meetings; nor did the Executive Officer receive any inquiry regarding, or objection to, the proposed policy and guidelines.

Recommendation:

The Executive Officer has made some additional non-substantive changes to the draft policy and guidelines: 1) references to dates have been updated; and, 2) the attachments have been eliminated, since they may be further revised in the future. See Attachment B.

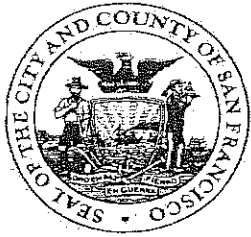
The Executive Officer recommends that the Commission adopt the proposed policy and guidelines on Future Employment Restrictions as further revised (Attachment B), to be effective immediately.

Attachments:

- Attachment A: March 19, 2014 Notice of Posting on the Proposed Policy and Guidelines on Future Employment Restrictions
- Attachment B: Final Proposed Civil Service Commission Policy and Guidelines on Future Employment Restrictions

THIS DOCUMENT SUPPORTS
CALENDAR ITEM 9

Attachment A



CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

EDWIN M. LEE
MAYOR

MEMORANDUM
CSC No. 2014 – 03

SCOTT R. HELDFOND
PRESIDENT

E. DENNIS NORMANDY
VICE PRESIDENT

DOUGLAS S. CHAN
COMMISSIONER

KATE FAVETTI
COMMISSIONER

GINA M. ROCCANOVA
COMMISSIONER

JENNIFER C. JOHNSTON
EXECUTIVE OFFICER

Date: March 19, 2014
To: Department Heads
Departmental Personnel Officers
Employee Organization Representatives
From: Jennifer Johnston
Executive Officer
Subject: Notice of Posting: Proposed Policy and Guidelines regarding Future Employment Restrictions under Civil Service Rule Series 022

The Civil Service Commission acted at its Regular Meeting of March 17, 2014 to accept the Executive Officer's staff report proposing policies and guidelines on Future Employment Restrictions under Rule Series 022 – Separations ("Policy and Guidelines"), and further directed the Executive Officer to post the draft Policy and Guidelines for discussion with any interested stakeholders.

Please see the attached draft Policy and Guidelines, applicable to all employees. Any employee organizations or other stakeholders interested in discussing the Policy and Guidelines are invited to attend either or both of the following scheduled meetings:

Date: Wednesday, March 26, 2014
Time: 9:00 AM – 11:00 AM
and/or
Date: Thursday, March 27, 2014
Time: 9:00 AM – 11:00 AM

The meetings will take place in the Civil Service Commission's Offices, located at 25 Van Ness Avenue, Suite 720. Please contact Commission staff at CivilService@sfgov.org to RSVP for either or both meetings. You may also contact me directly at (415) 252-3250 or Jennifer.Johnston@sfgov.org should you have any questions or wish to discuss the Policy and Guidelines further.

Respectfully submitted,

CIVIL SERVICE COMMISSION

JENNIFER JOHNSTON
Executive Officer

Attachment

Attachment B

DRAFT

Date: April XX, 2014

To: Department Heads
Personnel Officers

Cc: Micki Callahan, Human Resources Director

From: Jennifer Johnston, Executive Officer

Subject: **Policy and Guidelines regarding Future Employment Restrictions
under Civil Service Rule Series 022**

Civil Service Rule Series 022 provides that the appointing officer or Human Resources Director may impose restrictions on a separated employee's future employment with the department and/or City—either indefinitely or conditioned on the individual meeting certain requirements—subject to appeal to the Civil Service Commission (“Commission”). See ~~Attachment A~~. Such restrictions apply to all future employment with the City in any appointment type (e.g., permanent civil service, exempt, provisional, etc.).

This memorandum states the Commission's policies and guidelines on the imposition, removal and appeal of such future employment restrictions, as adopted by the Commission on ~~{DATE}~~ April 21, 2014. Civil Service Adviser No. 21/2003 provides additional guidance on appeals of proposed restrictions on future employment. See ~~Attachment B~~.

I. Authority

Under Charter Section 10.100, the Commission is charged with “the duty of providing qualified persons for appointment to the service of the City and County.” Charter Section 10.101 provides that the Commission shall adopt rules, policies and procedures to carry out the civil service merit system provisions of the Charter, including rules governing eligibility for employment with the City and County of San Francisco.

II. Overview

Departments have an affirmative duty to their employees, other departments, the taxpayers of the City and County of San Francisco and the individuals to whom the City provides services, to ensure that the selection and appointment of individuals for City employment is done in a careful and responsible manner. This includes the obligation to review the circumstances of any negative separation to determine whether it would be appropriate to restrict a former employee's future employment with the City.

This also includes the responsibility to review the employment history of any current or former employee prior to making an appointment. Departments are prohibited from appointing individuals with any applicable restriction on their future employment, irrespective of the appointment type of the position (e.g., permanent civil service, temporary exempt, provisional, etc.).

There are two primary benefits of future employment restrictions. First, they serve to limit the possibility of a City department making any hiring decision mistakes in the future and/or exposing itself to liability for negligent hiring. This is particularly important in light of the fact that there may not be sufficient existing documentation regarding the circumstances of a former employee's release, since City departments are not required to retain a former City employee's personnel file more than seven years following separation pursuant to the Commission's Citywide Employee Personnel Records Guidelines. Second, individuals who are restricted from future employment with the City do not get referred to a department for selection off of an eligible list, and therefore do not count against the number of reachable eligibles that a department may consider for employment under the applicable certification rule.

III. Imposing a Restriction

When to Impose a Restriction on Future Employment

All negative separations (e.g., discharge/negative release/termination, disciplinary release from probation, designation of services unsatisfactory following a resignation, etc.), irrespective of appointment type (e.g., permanent civil service, exempt, etc.), should be evaluated to determine whether a restriction on future employment would be appropriate.

This evaluation should be on a case-by-case basis, based on the totality of the circumstances (e.g., the egregiousness of the conduct, the consequences of the conduct, whether it was repeated or a one-time occurrence, etc.). *Generally speaking*, and depending on the circumstances, one or more of the following situations would likely merit a future employment restriction of some kind (note that the following is not intended to be an exhaustive list):

- Egregious misconduct (malfeasance or nonfeasance) (e.g., being intoxicated in the workplace).
- Serious unethical conduct which may mar the department's reputation and/or the public's trust in the department/City (e.g., using one's City position for personal gain).
- Misappropriation of public/City/department funds or property.
- Destruction or serious misuse of public/City/department property.

- Mistreatment of persons (e.g., sexual harassment, violence in the workplace).
- Acts or conduct which presented a danger to the health and safety of the individual, his or her coworkers or members of the public.
- Significant, continued performance issues/deficiencies that would indicate that the individual would not satisfactorily perform the duties of his or her future employment with the City.

Type of Restriction to be Imposed

There are a multitude of different types of restrictions that a department may consider. They range from any of the following or a combination of the following: requiring evidence of subsequent satisfactory work performance outside the City for a specified duration; cancellation of eligibility status; restricting employment in a particular department, classification or type of job (for example a job that requires driving); and, any other job-related restrictions, up to and including no future employment with the department and/or City and County of San Francisco.

Except in cases of misconduct/malfeasance, the Commission *generally* favors demonstration of satisfactory work experience outside the City consistent with the position for a period of time, prior to allowing a former employee to return to the City workforce.

Departments must be thoughtful in recommending a department-specific ban instead of a City-wide ban, as the latter would be more appropriate absent special circumstances unique to a specific department. For example, an individual who was separated from City employment for violating the City's policy prohibiting workplace violence should be banned from employment in all City departments, not just the one from which he or she was separated. Likewise, a restriction on future employment conditioned on proof of a satisfactory driving record for an individual separated for numerous driving infractions/accidents should apply to any driving position with the City, not just those with the department from which he or she was separated.

There must also be a nexus between the conduct that resulted in the negative separation and the type of the restriction. For example, if an employee has been released due to his or her unsafe driving, the restriction should be related to restricting that person's employment in a driving position with the City pending proof of a satisfactory driving record in a similar position for another employer. This would not prohibit the individual from being appointed to non-driving positions. Again, the restriction should be for *any* driving position with *the City* (not just with the specific department), since many City departments have driving positions.

The severity (scope and duration) of the restriction should also be correlative to, and commensurate with, the conduct that resulted in the negative separation. The duration of the restriction should be meaningful, and should be whatever time period the department believes would be enough to correct the employee's conduct that led to his or her negative separation. Permanent, unconditional bans should be imposed judiciously and only in circumstances that would merit such a severe restriction.

Effective Date of the Employment Restriction

If appealed, recommendations on future employment restrictions become final by action of the Civil Service Commission. In the absence of an appeal, a recommendation of the appointing officer or Human Resources Director that results in a "Final Administrative Action" is in effect a final action of the Commission, provided that the restriction conforms to Civil Service Rules and applicable laws.

Individuals are placed under general waiver for all appointments pending resolution of an appeal of a restriction on their future employment in accordance with the Civil Service Rules. Further, DHR and the Municipal Transportation Agency ("MTA") place individuals under general waiver on all eligible lists pending the outcome of any grievances/arbitrations regarding their dismissal, discharge or termination.

Unless it is a permanent, unconditional ban on any and all future City employment, an individual may still be placed on an eligible list for future consideration under waiver pending satisfaction of any conditions on his or her future employment.

IV. Appeals

The decision of the appointing officer or Human Resource Director to impose restrictions on an individual's future employment with the City may be appealed to the Commission in accordance with Rule Series 022. The Commission may uphold, modify or expand the recommendation of the appointing officer on the future employment restriction. Again, see Civil Service Adviser No. 21/2003 for additional guidance on appeals of future employment restrictions.

A proposed employment restriction should not be rescinded solely because it has been appealed to the Commission. A department should only consider rescinding a proposed restriction for good cause (e.g., in the event that the department learns of new information that mitigates the conduct, or if DHR advises that the circumstances do not warrant the proposed restriction, etc.).

Commission's Review

The Commission does not determine if the negative release itself was appropriate, nor does it re-adjudicate an arbitrator's decision. Rather, the Commission's role is to determine *if the proposed restriction on future employment is appropriate*: 1) whether the circumstances surrounding the individual's negative separation merit a restriction on his or her future employment with the City/department; and, 2) whether the scope, duration and type of restriction itself is appropriate under the circumstances.

Requirement for a Staff Report

As indicated, the individual is placed under general waiver for all appointments pending resolution of an appeal of a restriction on future employment to the Civil Service Commission. Therefore, departments are required to submit a staff report to the Commission within sixty (60) calendar days of receiving notification of an appeal on a future employment restriction to ensure that the matter is resolved expeditiously.

The department's staff report should support the department's position and address the issue to be determined on appeal: whether the proposed restriction on future employment is appropriate (i.e., whether the circumstances surrounding the individual's negative separation merit a restriction on his or her future employment with the City/department; and, whether the scope, duration and type of the restriction itself is appropriate under the circumstances).

The department must notify the Executive Officer as soon as possible if the individual has filed a grievance or lawsuit challenging the underlying separation so that the matter may be postponed until that proceeding has concluded. In the event that the former employee's separation is overturned, therefore making the appeal moot, the department must submit a Form 13 with supporting documentation within ten (10) business days to request administrative closure. In the event that the former employee's separation is upheld, the department must submit a staff report within sixty (60) calendar days so that the appeal can be scheduled for a Commission hearing.

The appeal will be calendared at the next Commission hearing date following receipt of the staff report in accordance with the Commission's meeting calendar.

V. Removing a Restriction

Permanent restrictions on future employment may never be removed. Unless the restriction specifically indicates that it is a "permanent" ban on the individual's future employment with the City and/or department, it will be considered to be a non-permanent restriction eligible for reconsideration after five years in accordance with Civil Service Rule Series 022. A permanent restriction must specify, for example, "Permanent restriction on any future employment with the City and County of San Francisco;" or "Permanent restriction on any future employment in a driving position with the City and County of San Francisco;" or "Permanent restriction on any future employment with the MTA;" etc. Citywide bans imposed before [date of the Commission's action to adopt the proposed revisions to Civil Service Rule Series 022] April 21, 2014 are considered permanent restrictions and are therefore not subject to reconsideration.

Non-permanent, unconditional future employment restrictions may be removed by action of the Commission; and conditional restrictions on future employment may generally be removed with the approval of the Human Resources Director, unless otherwise specified by the Commission. The removal of a restriction does not serve to rescind or abrogate the Commission action that imposed the restriction in the first place.

The procedures for removing a future employment restriction are outlined below. In all instances, it is the individual's responsibility to submit a *complete and thorough* request that the restriction/ban be lifted, including all relevant documentation in support of the request.

Individuals cannot be considered for employment in accordance with the terms of any restriction until it is removed. Therefore, DHR and/or the department should endeavor to respond to and process an individual's request to have a non-permanent ban lifted within a reasonable amount of time.

Request to Remove a Conditional Restriction

Unless otherwise specified by the Commission, the Human Resources Director (or Director of Transportation, if the conditional restriction is specific to an MTA service-critical class or position) may approve the removal of a conditional restriction on an individual's future employment upon determination that he or she has met or otherwise satisfied the terms or conditions of that restriction (e.g., future employment conditioned on the demonstration of one year of satisfactory service with another employer, future employment conditioned on the demonstration of a satisfactory driving record for a period of five years, etc.).

DHR (or the MTA, if the restriction is specific to an MTA service-critical position or class) should endeavor to respond to an individual's *complete* request to remove a conditional ban within thirty (30) calendar days of receipt of the request, notifying him or her of the Human Resources Director's/Director of Transportation's determination on whether the terms or conditions of the restriction have been met. The decision of the Human Resources Director/Director of Transportation is not appealable to the Commission.

Requests to Remove a Non-Permanent, Unconditional Restriction (Request for Reconsideration)

As indicated, the removal of a non-permanent, unconditional ban may only be done through Commission action. Civil Service Rule Series 022 governs the process and procedures for a request to remove such restrictions.

Departments are required to forward to DHR within thirty (30) calendar days, an individual's *complete* request to lift a non-permanent and an accompanying memorandum with the department's recommendation on whether the request should be approved, declined or modified, and the reason(s) therefor. The memorandum must also include sufficient information that may be available regarding the circumstances of the individual's negative separation (including an overview of what happened and the reason(s) for the separation) and any supporting relevant documentation to inform the Human Resources Director's recommendation to the Commission

Within sixty (60) calendar days of receipt of the department's memorandum, DHR must submit a staff report to the Commission (with the department's memorandum packet attached) with the Human Resources Director's recommendation to either approve, decline or modify the individual's request to remove the restriction, and the reason(s) therefore.

VI. Additional Roles and Responsibilities

Appointing Officers/Departments

An Appointing Officer must properly notify an individual of his or her intent to impose a restriction on his or her future employment in accordance with the procedures prescribed by DHR. The notification must clearly indicate the type (i.e., whether it is permanent or not), scope and duration of the restriction; and it must include information on the process for appealing the restriction. Departments are also required to adequately document in the system of record the base(s) for the employment restriction.

Departments are responsible for ensuring that any proposed employment restriction is appropriately and accurately documented in the system of record and in the individual's personnel file. Departments are also responsible for documenting in the system of record when an individual has appealed a proposed employment restriction, and what the disposition was if the matter did not ultimately go before the Commission for review.

Finally, departments are responsible for ensuring that any other necessary actions are undertaken to implement a final employment restriction. This includes notifying the DHR Recruitment and Assessment Services Division and/or the MTA of any restriction that requires that an individual's name from any eligible lists.

Human Resources Director/DHR and Director of Transportation/MTA

The Human Resources Director is responsible for establishing the procedures for implementing these policies and guidelines for all departments except for the MTA, which shall be the responsibility of the Director of Transportation.

DHR is required to report to the Commission in February and August of each year with information on individuals who appealed a restriction on their future employment but ultimately withdrew the appeal because the department reduced or rescinded the restriction. The MTA is also required to report such information to the Commission for MTA service-critical positions in February and August of each year.

DHR and the MTA are responsible for ensuring that the Human Resources Director's/Director of Transportation's decision to lift a conditional employment restriction is appropriately and accurately documented in the system of record, and that any other necessary actions are undertaken to implement that decision.

Executive Officer/Commission Staff

The Executive Officer is responsible for ensuring that departments understand their roles and responsibilities as outlined herein. This includes providing any training that may be needed.

The Executive Officer is also responsible for notifying all parties of the Commission's action on an appeal or request to remove an employment restriction, and for ensuring that such action is properly documented in the system of record.

QUESTIONS

Questions on Civil Service Rules or Commission policies, procedures and guidelines may be directed to Commission staff at (415) 252-3247.

ATTACHMENTS

- Civil Service Rule Series 022
- Civil Service Adviser No. 21/2003

Original Staff Report



CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Date: March 17, 2014

To: Civil Service Commission

From: Jennifer Johnston, Executive Officer *Jennifer Johnston*

Subject: Proposed Policy on Future Employment Restrictions and Recommendation to Amend Civil Service Rule Series 022, Request to Remove Department Ban

I. Overview

Civil Service Rule Series 022 provides that an appointing officer or the Human Resources Director may impose restrictions on a separated employee's future employment with the City, either indefinitely or conditioned on the individual meeting certain requirements, subject to appeal to the Civil Service Commission ("Commission").

Although Civil Service Adviser No. 21/2003 provides information regarding appeals of future employment restrictions under the Civil Service Rules (see Attachment A), departments have very little guidance in determining when it is appropriate to impose a restriction on future employment and the kind of restriction that would be appropriate under the circumstances. Members of the Commission have also expressed frustration in recent years regarding the inconsistent standards and criteria used by City departments in imposing future employment restrictions.

The purpose of this memorandum is to propose for the Commission's consideration, comprehensive policies and guidelines on the imposition, review, documentation and reconsideration of future employment restrictions (see Attachment B). As detailed herein, the Executive Officer is also recommending that Civil Service Rule Series 022 be amended to allow for the reconsideration of City-wide restrictions on future employment, provided that they are not permanent, unconditional bans. (See Attachment C for proposed revisions to Civil Service Rule Series 022.)

II. Authority

Authority to Establish Rules and Policies on Future Employment Restrictions

Under Charter Section 10.100, the Commission is charged with "the duty of providing qualified persons for appointment to the service of the City and County." Charter Section 10.101 provides that the Commission shall adopt rules, policies and procedures to carry out the civil service merit system provisions of the Charter, including rules governing eligibility for employment with the City and County of San Francisco.

Authority to Amend the Civil Service Rules

Charter Section 10.101, General Powers and Duties, provides as follows:

“Changes to the rules may be proposed by members of the Commission, the Executive Assistant or the Human Resources Director and approved or rejected by the Commission. The Commission may, upon ten days’ notice, make changes in the rules, which changes shall thereupon be printed and be in force; provided that no such changes in rules shall affect a case pending before the Commission.”

Civil Service Rule Series 01.5, Amendment of Rules, provides:

“The Commission may at any time amend these Rules. Any such proposed amendment shall be posted for a minimum of ten (10) consecutive calendar days prior to adoption. Upon adoption, changes in the Rules shall be in effect and shall be printed. No change in the Rules shall affect a case pending before the Civil Service Commission.”

III. Proposed Policy on Future Employment Restrictions

The draft policy and guidelines (again, see Attachment B) are primarily based on the comments and concerns expressed by the Commission in the course of its review of appeals on future employment restrictions over the past several years. They are intended to be comprehensive to ensure that restrictions on future employment are imposed consistently and appropriately, that appeals of proposed restrictions and requests to remove existing restrictions are resolved expediently, and that City departments understand their roles and responsibilities for documenting and implementing employment restrictions.

IV. Proposed Rule Amendment

Civil Service Rule Series 022 currently provides that only department-specific bans are subject to reconsideration by the Commission; City-wide bans may never be lifted or removed under any circumstances.

Although in rare cases it may be appropriate to indefinitely ban an individual from ever working for the City again, the distinction as to whether the ban is permanent (and therefore not subject to reconsideration) should not be based on whether it is a department or City-wide ban. As the Commission has noted on several occasions in recent years, it is rarely appropriate to impose a department-only restriction, absent special circumstances unique to that specific department. For example, an individual who was separated from City employment for violating the City’s policy prohibiting workplace violence should be banned from employment in all City departments, not just the one from which he or she was separated. Therefore, departments have been encouraged to impose more City-wide bans, even in circumstances when an indefinite ban on employment may arguably be too severe.

The Executive Officer recommends that Civil Service Rule Series 022 be amended to allow for the reconsideration of a City-wide ban, provided that it is not a permanent and unconditional

restriction. Again, see Attachment C for the recommended revisions. An indefinite ban not subject to reconsideration would specifically state that it is a permanent restriction. For example, a permanent restriction not subject to reconsideration would specify: "Permanent restriction on any future employment with the City and County of San Francisco." Employment restrictions that do not specify that they are "permanent" would be eligible for reconsideration after five years in accordance with the provisions of Rule 022 as revised. See also the highlighted text on page 5 of the proposed policy at Attachment B.

V. Attachments

Attachment A: Civil Service Adviser No. 21/2003 (pages 5 through 8)

Attachment B: Proposed Policy on Restrictions on Future Employment (pages 9 through 18)

Attachment C: Proposed Revisions to Civil Service Rule Series 022 (pages 19 through 28)

Recommendation: Adopt the Executive Officer's report; direct the Executive Officer to post the proposed policy on future employment restrictions (Attachment B) to meet and discuss the proposed policy with any interested stakeholders; and direct the Executive Officer to post the proposed amendments to Civil Service Rule Series 022 (Attachment C) for adoption as required under the Charter and Civil Service Rules, and to meet and discuss the proposed revisions with affected labor union(s) and other interested stakeholders.

ATTACHMENT A



The Civil Service Commission has established the Civil Service Adviser to enhance delivery of information on important employment issues and policies affecting the merit system of the City and County of San Francisco.

APPEALS ON FUTURE EMPLOYMENT RESTRICTIONS

Many changes have occurred in the past decade relating to Release, Discharge and Automatic Resignation of city employees. With Civil Service Charter reforms of the 1990's including provisions for collective bargaining and contract grievance arbitration procedures on discipline and discharge, the nature of appeals on separation matters within the jurisdiction of the Civil Service Commission has changed. This issue of the Adviser attempts to clarify where the Civil Service Commission has jurisdiction and what may be appealed to the Civil Service Commission.

The Civil Service Commission conducts hearings on appeals on future employment restrictions with the City and County of San Francisco and in classified positions at the San Francisco Unified School District and San Francisco Community College District. When taking an action, the Civil Service Commission may uphold, modify or reject the recommendation made by the Human Resources Director, appointing authority/department head, or for Service-Critical Classifications at the Municipal Transportation Agency, the Director of Transportation.

Appeals on recommendations on future employment are forwarded to the Civil Service Commission for a hearing when the grievance/arbitration process has been completed. The Commission's decisions are public and made when the matter is heard. Should an appellant not appear, the Commission acts on the matter based on the written materials submitted. In all cases, the decision of the Civil Service Commission is final.

Probationary Permanent Civil Service - Release: Rule Series 17 addresses the definition and administration of Probationary Periods applicable to all employees. The appointing authority/department head may release an employee at any time during the probationary period. Except in cases where the appointing authority/department head releases an employee for disciplinary reasons and recommends restrictions on future employment, there is no appeal to the Civil Service Commission. Appeals of the department head recommendation on future employment must be filed within 20 days as specified on the Notice of Separation form.

Permanent Civil Service-Discharge: The decision of the appointing authority/department head to discharge an employee may be subject to the applicable grievance/arbitration procedures found in the collective bargaining agreement. Appeals to the Civil Service Commission on the recommendation of the appointing authority/department head on future employment must be filed within 20 days as described in the Notice of Separation form.

Provisional Employees: Generally, provisional employees are considered "at-will" appointments (CSC Rule Series 14) and serve at the pleasure of the appointing authority/department head. However, some collective bargaining agreements have grievance/arbitration procedures applicable to some provisional employees. Future employment restrictions

may be recommended by the department to the Human Resources Director. Employees may appeal the Human Resources decision (CSC Rule Series 05.12 Other Matters) to the Civil Service Commission within 30 days of the postmarked mailing date of the notice of the decision.

Exempt: In accordance with City Charter Section 10.104, employees appointed as "exempt," are considered "at-will" appointments (Charter Section 10.104) and serve at the pleasure of the appointing authority/department head. Future employment restrictions may be recommended to the Human Resources Director. Employees may appeal the Human Resources Director's decision (CSC Rule Series 05.12 Other Matters) to the Civil Service Commission within 30 days of the postmarked mailing date of the notice of decision.

Automatic Resignation: The Commission's jurisdiction on Automatic Resignations covers the employee's eligibility for future employment with the City. Appeals on the recommendation of the appointing authority/department head on future employment must be filed within 15 days. If there is no grievance available through the collective bargaining agreement, the Civil Service Commission has full authority to rule on the Automatic Resignation. Appeals on the decision of the appointing authority/department head to file an automatic resignation must be filed within 15 days. (See Adviser No. 16/2002 for more information)

Unsatisfactory Resignation: The Commission's jurisdiction on unsatisfactory resignations covers the employee's eligibility for future employment with the City. Appeals on the recommendation of the appointing authority/department head on future employment must be filed within 20 days.

Removal of Employment Restriction: The Civil Service Commission Rules allow former employees to request the removal of a department ban after five (5) years. The request is submitted to the Human Resources Director for recommendation to the Civil Service Commission whose decision is final.

Filing an Appeal

Civil Service Commission Rules, Policies, and Procedures require that instructions on how to file an appeal and deadlines for filing be included in the Notice to affected individuals and, when applicable, their representative or advocate.

Appeals must be filed in writing and submitted to the Executive Officer, Civil Service Commission at 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102 within the time frames specified in the Civil Service Commission Rules. Appeals may also be filed by fax - (415) 252-3260 followed by an original signed copy submitted to the Commission office. A Request to Appeal form is available on the Commission website (www.sfgov.org/civil_service) and in the Civil Service Commission office. Appeals may not be filed by E-mail.



QUESTIONS:

Department Of Human Resources:
 Merit System Services 557-4923
 Employee Relations Division 557-4990
 Internal Services 557-4849
 Equal Employment Opportunity 557-4832
 Civil Service Commission 252-3247
 Website: www.sfgov.org/civil_service

CIVIL SERVICE COMMISSION

Morgan R. Gorrone, President
 Rosabella Safont, Vice President
 Donald A. Casper, Commissioner
 Thomas T. Ng, Commissioner
 Linda Richardson, Commissioner
 Kate Favetti, Executive Officer

The information provided in this Adviser is for information purposes only and does not constitute nor intend to provide legal advice.

ATTACHMENT B

DRAFT

Date: April XX, 2014

To: Department Heads
Personnel Officers

Cc: Micki Callahan, Human Resources Director

From: Jennifer Johnston, Executive Officer

Subject: **Policy and Guidelines regarding Future Employment Restrictions
under Civil Service Rule Series 022**

Civil Service Rule Series 022 provides that the appointing officer or Human Resources Director may impose restrictions on a separated employee's future employment with the department and/or City—either indefinitely or conditioned on the individual meeting certain requirements—subject to appeal to the Civil Service Commission (“Commission”). See Attachment A. Such restrictions apply to all future employment with the City in any appointment type (e.g., permanent civil service, exempt, provisional, etc.).

This memorandum states the Commission's policies and guidelines on the imposition, removal and appeal of such future employment restrictions, as adopted by the Commission on [DATE]. Civil Service Adviser No. 21/2003 provides additional guidance on appeals of proposed restrictions on future employment. See Attachment B.

I. Authority

Under Charter Section 10.100, the Commission is charged with “the duty of providing qualified persons for appointment to the service of the City and County.” Charter Section 10.101 provides that the Commission shall adopt rules, policies and procedures to carry out the civil service merit system provisions of the Charter, including rules governing eligibility for employment with the City and County of San Francisco.

II. Overview

Departments have an affirmative duty to their employees, other departments, the taxpayers of the City and County of San Francisco and the individuals to whom the City provides services, to ensure that the selection and appointment of individuals for City employment is done in a careful and responsible manner. This includes the obligation to review the circumstances of any negative separation to determine whether it would be appropriate to restrict a former employee's future employment with the City.

This also includes the responsibility to review the employment history of any current or former employee prior to making an appointment. Departments are prohibited from appointing individuals with any applicable restriction on their future employment, irrespective of the appointment type of the position (e.g., permanent civil service, temporary exempt, provisional, etc.).

There are two primary benefits of future employment restrictions. First, they serve to limit the possibility of a City department making any hiring decision mistakes in the future and/or exposing itself to liability for negligent hiring. This is particularly important in light of the fact that there may not be sufficient existing documentation regarding the circumstances of a former employee's release, since City departments are not required to retain a former City employee's personnel file more than seven years following separation pursuant to the Commission's Citywide Employee Personnel Records Guidelines. Second, individuals who are restricted from future employment with the City do not get referred to a department for selection off of an eligible list, and therefore do not count against the number of reachable eligibles that a department may consider for employment under the applicable certification rule.

III. Imposing a Restriction

When to Impose a Restriction on Future Employment

All negative separations (e.g., discharge/negative release/termination, disciplinary release from probation, designation of services unsatisfactory following a resignation, etc.), irrespective of appointment type (e.g., permanent civil service, exempt, etc.), should be evaluated to determine whether a restriction on future employment would be appropriate.

This evaluation should be on a case-by-case basis, based on the totality of the circumstances (e.g., the egregiousness of the conduct, the consequences of the conduct, whether it was repeated or a one-time occurrence, etc.). *Generally speaking*, and depending on the circumstances, one or more of the following situations would likely merit a future employment restriction of some kind (note that the following is not intended to be an exhaustive list):

- Egregious misconduct (malfeasance or nonfeasance) (e.g., being intoxicated in the workplace).
- Serious unethical conduct which may mar the department's reputation and/or the public's trust in the department/City (e.g., using one's City position for personal gain).
- Misappropriation of public/City/department funds or property.
- Destruction or serious misuse of public/City/department property.

- Mistreatment of persons (e.g., sexual harassment, violence in the workplace).
- Acts or conduct which presented a danger to the health and safety of the individual, his or her coworkers or members of the public.
- Significant, continued performance issues/deficiencies that would indicate that the individual would not satisfactorily perform the duties of his or her future employment with the City.

Type of Restriction to be Imposed

There are a multitude of different types of restrictions that a department may consider. They range from any of the following or a combination of the following: requiring evidence of subsequent satisfactory work performance outside the City for a specified duration; cancellation of eligibility status; restricting employment in a particular department, classification or type of job (for example a job that requires driving); and, any other job-related restrictions, up to and including no future employment with the department and/or City and County of San Francisco.

Except in cases of misconduct/malfeasance, the Commission *generally* favors demonstration of satisfactory work experience outside the City consistent with the position for a period of time, prior to allowing a former employee to return to the City workforce.

Departments must be thoughtful in recommending a department-specific ban instead of a City-wide ban, as the latter would be more appropriate absent special circumstances unique to a specific department. For example, an individual who was separated from City employment for violating the City's policy prohibiting workplace violence should be banned from employment in all City departments, not just the one from which he or she was separated. Likewise, a restriction on future employment conditioned on proof of a satisfactory driving record for an individual separated for numerous driving infractions/accidents should apply to any driving position with the City, not just those with the department from which he or she was separated.

There must also be a nexus between the conduct that resulted in the negative separation and the type of the restriction. For example, if an employee has been released due to his or her unsafe driving, the restriction should be related to restricting that person's employment in a driving position with the City pending proof of a satisfactory driving record in a similar position for another employer. This would not prohibit the individual from being appointed to non-driving positions. Again, the restriction should be for *any* driving position with *the City* (not just with the specific department), since many City departments have driving positions.

The severity (scope and duration) of the restriction should also be correlative to, and commensurate with, the conduct that resulted in the negative separation. The duration of the restriction should be meaningful, and should be whatever time period the department believes would be enough to correct the employee's conduct that led to his or her negative separation. Permanent, unconditional bans should be imposed judiciously and only in circumstances that would merit such a severe restriction.

Effective Date of the Employment Restriction

If appealed, recommendations on future employment restrictions become final by action of the Civil Service Commission. In the absence of an appeal, a recommendation of the appointing officer or Human Resources Director that results in a "Final Administrative Action" is in effect a final action of the Commission, provided that the restriction conforms to Civil Service Rules and applicable laws.

Individuals are placed under general waiver for all appointments pending resolution of an appeal of a restriction on their future employment in accordance with the Civil Service Rules. Further, DHR and the Municipal Transportation Agency ("MTA") place individuals under general waiver on all eligible lists pending the outcome of any grievances/arbitrations regarding their dismissal, discharge or termination.

Unless it is a permanent, unconditional ban on any and all future City employment, an individual may still be placed on an eligible list for future consideration under waiver pending satisfaction of any conditions on his or her future employment.

IV. Appeals

The decision of the appointing officer or Human Resource Director to impose restrictions on an individual's future employment with the City may be appealed to the Commission in accordance with Rule Series 022. The Commission may uphold, modify or expand the recommendation of the appointing officer on the future employment restriction. Again, see Civil Service Adviser No. 21/2003 for additional guidance on appeals of future employment restrictions.

A proposed employment restriction should not be rescinded solely because it has been appealed to the Commission. A department should only consider rescinding a proposed restriction for good cause (e.g., in the event that the department learns of new information that mitigates the conduct, or if DHR advises that the circumstances do not warrant the proposed restriction, etc.).

Commission's Review

The Commission does not determine if the negative release itself was appropriate, nor does it re-adjudicate an arbitrator's decision. Rather, the Commission's role is to determine *if the proposed restriction on future employment is appropriate*: 1) whether the circumstances surrounding the individual's negative separation merit a restriction on his or her future employment with the City/department; and, 2) whether the scope, duration and type of restriction itself is appropriate under the circumstances.

Requirement for a Staff Report

As indicated, the individual is placed under general waiver for all appointments pending resolution of an appeal of a restriction on future employment to the Civil Service Commission. Therefore, departments are required to submit a staff report to the Commission within sixty (60) calendar days of receiving notification of an appeal on a future employment restriction to ensure that the matter is resolved expeditiously.

The department's staff report should support the department's position and address the issue to be determined on appeal: whether the proposed restriction on future employment is appropriate (i.e., whether the circumstances surrounding the individual's negative separation merit a restriction on his or her future employment with the City/department; and, whether the scope, duration and type of the restriction itself is appropriate under the circumstances).

The department must notify the Executive Officer as soon as possible if the individual has filed a grievance or lawsuit challenging the underlying separation so that the matter may be postponed until that proceeding has concluded. In the event that the former employee's separation is overturned, therefore making the appeal moot, the department must submit a Form 13 with supporting documentation within ten (10) business days to request administrative closure. In the event that the former employee's separation is upheld, the department must submit a staff report within sixty (60) calendar days so that the appeal can be scheduled for a Commission hearing.

The appeal will be calendared at the next Commission hearing date following receipt of the staff report in accordance with the Commission's meeting calendar.

V. Removing a Restriction

Permanent restrictions on future employment may never be removed. Unless the restriction specifically indicates that it is a "permanent" ban on the individual's future employment with the City and/or department, it will be considered to be a non-permanent restriction eligible for reconsideration after five years in accordance with Civil Service Rule Series 022. A permanent restriction must specify, for example, "Permanent restriction on any future employment with the City and County of San Francisco;" or "Permanent restriction on any future employment in a driving position with the City and County of San Francisco;" or "Permanent restriction on any future employment with the MTA;" etc. Citywide bans imposed before [date of the Commission's action to adopt the proposed revisions to Civil Service Rule Series 022] are considered permanent restrictions and are therefore not subject to reconsideration.

Non-permanent, unconditional future employment restrictions may be removed by action of the Commission; and conditional restrictions on future employment may generally be removed with the approval of the Human Resources Director, unless otherwise specified by the Commission. The removal of a restriction does not serve to rescind or abrogate the Commission action that imposed the restriction in the first place.

The procedures for removing a future employment restriction are outlined below. In all instances, it is the individual's responsibility to submit a *complete and thorough* request that the restriction/ban be lifted, including all relevant documentation in support of the request.

Individuals cannot be considered for employment in accordance with the terms of any restriction until it is removed. Therefore, DHR and/or the department should endeavor to respond to and process an individual's request to have a non-permanent ban lifted within a reasonable amount of time.

Request to Remove a Conditional Restriction

Unless otherwise specified by the Commission, the Human Resources Director (or Director of Transportation, if the conditional restriction is specific to an MTA service-critical class or position) may approve the removal of a conditional restriction on an individual's future employment upon determination that he or she has met or otherwise satisfied the terms or conditions of that restriction (e.g., future employment conditioned on the demonstration of one year of satisfactory service with another employer, future employment conditioned on the demonstration of a satisfactory driving record for a period of five years, etc.).

DHR (or the MTA, if the restriction is specific to an MTA service-critical position or class) should endeavor to respond to an individual's *complete* request to remove a conditional ban within thirty (30) calendar days of receipt of the request, notifying him or her of the Human Resources Director's/Director of Transportation's determination on whether the terms or conditions of the restriction have been met. The decision of the Human Resources Director/Director of Transportation is not appealable to the Commission.

Requests to Remove a Non-Permanent, Unconditional Restriction (Request for Reconsideration)

As indicated, the removal of a non-permanent, unconditional ban may only be done through Commission action. Civil Service Rule Series 022 governs the process and procedures for a request to remove such restrictions.

Departments are required to forward to DHR within thirty (30) calendar days, an individual's *complete* request to lift a non-permanent and an accompanying memorandum with the department's recommendation on whether the request should be approved, declined or modified, and the reason(s) therefor. The memorandum must also include sufficient information that may be available regarding the circumstances of the individual's negative separation (including an overview of what happened and the reason(s) for the separation) and any supporting relevant documentation to inform the Human Resources Director's recommendation to the Commission

Within sixty (60) calendar days of receipt of the department's memorandum, DHR must submit a staff report to the Commission (with the department's memorandum packet attached) with the Human Resources Director's recommendation to either approve, decline or modify the individual's request to remove the restriction, and the reason(s) therefore.

VI. Additional Roles and Responsibilities

Appointing Officers/Departments

An Appointing Officer must properly notify an individual of his or her intent to impose a restriction on his or her future employment in accordance with the procedures prescribed by DHR. The notification must clearly indicate the type (i.e., whether it is permanent or not), scope and duration of the restriction; and it must include information on the process for appealing the restriction. Departments are also required to adequately document in the system of record the base(s) for the employment restriction.

Departments are responsible for ensuring that any proposed employment restriction is appropriately and accurately documented in the system of record and in the individual's personnel file. Departments are also responsible for documenting in the system of record when an individual has appealed a proposed employment restriction, and what the disposition was if the matter did not ultimately go before the Commission for review.

Finally, departments are responsible for ensuring that any other necessary actions are undertaken to implement a final employment restriction. This includes notifying the DHR Recruitment and Assessment Services Division and/or the MTA of any restriction that requires that an individual's name from any eligible lists.

Human Resources Director/DHR and Director of Transportation/MTA

The Human Resources Director is responsible for establishing the procedures for implementing these policies and guidelines for all departments except for the MTA, which shall be the responsibility of the Director of Transportation.

DHR is required to report to the Commission in February and August of each year with information on individuals who appealed a restriction on their future employment but ultimately withdrew the appeal because the department reduced or rescinded the restriction. The MTA is also required to report such information to the Commission for MTA service-critical positions in February and August of each year.

DHR and the MTA are responsible for ensuring that the Human Resources Director's/Director of Transportation's decision to lift a conditional employment restriction is appropriately and accurately documented in the system of record, and that any other necessary actions are undertaken to implement that decision.

Executive Officer/Commission Staff

The Executive Officer is responsible for ensuring that departments understand their roles and responsibilities as outlined herein. This includes providing any training that may be needed.

The Executive Officer is also responsible for notifying all parties of the Commission's action on an appeal or request to remove an employment restriction, and for ensuring that such action is properly documented in the system of record.

QUESTIONS

Questions on Civil Service Rules or Commission policies, procedures and guidelines may be directed to Commission staff at (415) 252-3247.

ATTACHMENTS

- Civil Service Rule Series 022
- Civil Service Adviser No. 21/2003

ATTACHMENT C

Rule 122

Employee Separation Procedures

Applicability: Rule 122 shall apply to officers and employees in all classes, except the Uniformed Ranks of the Police and Fire Departments and MTA Service-Critical classes; or as noted or as specifically excluded, or except as may be superceded by a collective bargaining agreement for those employees subject to Charter Section 8.409. However, all definitions in Rule 122 are applicable to employees in all classes; excluding only the Uniformed Ranks of the Police and Fire Departments and the MTA Service Critical classes as covered in Volumes II, III and IV. If there is any conflict in the provisions of this Rule and relevant Charter Sections, the Charter language prevails.

Article I: Separation Procedures

Article II: Termination of Temporary Employee

Article III: Termination of Limited Tenure Employee

Applicability: Article III, Rule 122, shall apply to employees in classes represented by the Transport Workers Union (TWU) - Locals 200 and 250A; except MTA Service-Critical classes. However, all definitions in Rule 122 are applicable to employees in all classes; excluding only the Uniformed Ranks of the Police and Fire Departments and the MTA Service Critical classes as covered in Volumes II, III and IV.

Article IV: Dismissal of Permanent Employee

Article V: Resignation - Services Unsatisfactory

Article VI: Absence from Duty Without Leave (Automatic Resignation)

Article VII: Request to Remove Department Ban

Applicability: Article VII, Rule 122, shall apply to officers and employees in all classes, except the Uniformed Ranks of the Police and Fire Departments and MTA Service-Critical classes.

Rule 122

Employee Separation Procedures

Article VII: Request to Remove ~~Department~~ Non-Permanent Ban

Applicability: Article VII, Rule 122, shall apply to officers and employees in all classes, except the Uniformed Ranks of the Police and Fire Departments and MTA Service-Critical classes.

Sec. 122.13 Those Individuals Covered Under Rule 122, Article VII

~~————~~ The provisions of Rule 122, Article VII shall apply only to those individuals who were Former employees of the City and County of San Francisco and who were banned from future employment in one or more department(s) in accordance with the provisions of Civil Service Rule 122 may request reconsideration of any non-permanent ban if it has been separated from employment five (5) or more years since the ban was imposed. For the purpose of this Rule, any or more and who have been banned from any future employment in a department. Citywide ban imposed before [date of the Commission's action to adopt the amendments to this Rule] is considered a permanent ban not subject to reconsideration.

Sec. 122.14 Reconsideration

Individuals as defined in Sec. 122.13 may submit a written request to the Human Resources Director for reconsideration of a ban ~~from working in a department~~ on their future employment. It shall be the responsibility of the requesting individual to submit to the Human Resources Director all available documentation and information regarding the separation. The individual must also provide reasons for the request for reconsideration of the ~~permanent~~ employment restriction.

Sec. 122.15 Action of the Human Resources Director

The Human Resources Director shall consider the request and the recommendation from the affected department(s). The Human Resources Director may request additional information deemed necessary to make a recommendation to the Civil Service Commission. The decision of the Civil Service Commission is final.

Rule 222

Employee Separation Procedure

Applicability: Rule 222 shall apply to all classes of the Uniformed Ranks of the San Francisco Police Department.

- Article I: Separation Procedures**
- Article II: Termination of Temporary Employee**
- Article III: Resignation - Services Unsatisfactory**
- Article IV: Absence from Duty Without Leave**
- Article V: Request to Remove Department Ban**

Rule 222

Employee Separation Procedures

Article V: Request to Remove ~~Department Non-Permanent~~ Ban

Applicability: Article V, Rule 222, shall apply to all classes of the Uniformed Ranks of the San Francisco Police Department.

Sec. 222.10 Those Individuals Covered Under Rule 222, Article V

~~The provisions of Rule 222, Article V shall apply only to those individuals who were Former employees of the City and County of San Francisco and who were banned from future employment in one or more department(s) in accordance with the provisions of Civil Service Rule 222 may request reconsideration of any non-permanent ban if separated from employment it has been five (5) or more years since that ban was imposed. For the purpose of this Rule, any City-wide ban imposed before [date of the Commission's action to adopt the amendments to this Rule] is considered a permanent ban not subject to reconsideration. or more and who have been banned from any future employment in a department.~~

Sec. 222.11 Reconsideration

Individuals as defined in Sec. 222.10 may submit a written request to the Human Resources Director for reconsideration of a ban ~~from working in a department on their future employment~~. It shall be the responsibility of the requesting individual to submit to the Human Resources Director all available documentation and information regarding the separation. The individual must also provide reasons for the request for reconsideration of the ~~permanent~~ employment restriction.

Sec. 222.12 Action of the Human Resources Director

The Human Resources Director shall consider the request and the recommendation from the affected department(s). The Human Resources Director may request additional information deemed necessary to make a recommendation to the Civil Service Commission. The decision of the Civil Service Commission is final.

Rule 322

Employee Separation Procedures

Applicability: Rule 322 shall apply to all classes of the Uniformed Ranks of the San Francisco Fire Department.

- Article I: Separation Procedures**
- Article II: Termination of Temporary Employee**
- Article III: Termination of Limited Tenure Employee**
- Article IV: Dismissal of Permanent Employee**
- Article V: Resignation - Services Unsatisfactory**
- Article VI: Absence from Duty Without Leave (Automatic Resignation)**
- Article VII: Request to Remove Department Ban**

Rule 322

Employee Separation Procedures

Article VII: Request to Remove ~~Department~~ Non-Permanent Ban

Applicability: Article VII, Rule 322, shall apply to all classes of the Uniformed Ranks of the San Francisco Fire Department.

Sec. 322.12 Those Individuals Covered Under Rule 322, Article VII

~~The provisions of Rule 322, Article VII shall apply only to those individuals who were~~ Former employees of the City and County of San Francisco ~~and who were banned from future employment in on or more department(s) in accordance with the provisions of this Civil Service Rule 322 may request reconsideration of any non-permanent ban if it has been separated from employment five (5) years or more years since the ban was imposed. and who have been banned from any future employment in a department. For the purpose of this Rule, any City-wide ban imposed before [date of the Commission's action to adopt the amendments to this Rule] is considered a permanent ban not subject to reconsideration.~~

Sec. 322.13 Reconsideration

Individuals as defined in Sec. 322.12 may submit a written request to the Human Resources Director for reconsideration of a ban ~~from working in a department on their future employment.~~ It shall be the responsibility of the requesting individual to submit to the Human Resources Director all available documentation and information regarding the separation. The individual must also provide reasons for the request for reconsideration of the ~~permanent employment restriction.~~

Sec. 322.14 Action of the Human Resources Director

The Human Resources Director shall consider the request and the recommendation from the affected department(s). The Human Resources Director may request additional information deemed necessary to make a recommendation to the Civil Service Commission. The decision of the Civil Service Commission is final.

Rule 422

Employee Separation Procedures

Applicability: Rule 422 shall apply to all Service-Critical classes of the Municipal Transportation Agency (MTA), except that the provisions of Rule 422 may be superceded in whole or in part by the collective bargaining agreement for those employees subject to Charter Section 8.409. However, all definitions in this Rule are applicable to employees in all classes.

Article I: Separation Procedures

Article II: Termination of Temporary Employee

Article III: Termination of Limited Tenure Employee

Applicability: Article III, Rule 422, shall apply only to all Service-Critical classes of the Municipal Transportation Agency (MTA) represented by the Transport Workers Union (TWU), Locals 200 and 250A, except that the provisions of Rule 422 may be superceded in whole or in part by the collective bargaining agreement for those employees subject to Charter Section 8.409. However, all definitions in this Rule are applicable to employees in all classes.

Article IV: Dismissal of Permanent Employee

Article V: Resignation - Services Unsatisfactory

Article VI: Absence from Duty Without Leave (Automatic Resignation)

Article VII: Request to Remove Department Ban

Rule 422

Employee Separation Procedures

Article VII: Request to Remove Department Non-Permanent Ban

Applicability: Article VII, Rule 422, shall apply to all Service-Critical classes of the Municipal Transportation Agency (MTA).

Sec. 422.13 Those Individuals Covered Under Rule 422, Article VII

~~The provisions of Rule 422, Article VII shall apply only to those individuals who were~~ Former employees of the City and County of San Francisco ~~and who were banned from future separated from employment in accordance with the provisions of Civil Service Rule 422 may request reconsideration of any non-permanent ban if it has been five (5) or more years or more and who since the ban was imposed.~~ For the purpose of this Rule, any City-wide ban imposed before [date of the Commission's action to adopt the amendments to this Rule] is considered a permanent ban not subject to reconsideration. ~~have been banned from any future employment in a department.~~

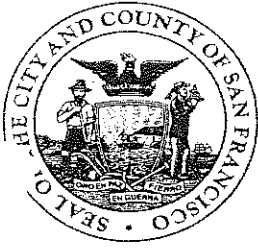
Sec. 422.14 Reconsideration

Individuals as defined in Sec. 422.13 may submit a written request to the Human Resources Director for reconsideration of a ban ~~from working in a department~~ on their future employment. It shall be the responsibility of the requesting individual to submit to the Human Resources Director all available documentation and information regarding the separation. The individual must also provide reasons for the request for reconsideration of the ~~permanent employment restriction.~~

Sec. 422.15 Action of the Human Resources Director

The Human Resources Director shall consider the request and the recommendation from the affected department(s). The Human Resources Director may request additional information deemed necessary to make a recommendation to the Civil Service Commission. The decision of the Civil Service Commission is final.

- END -



CIVIL SERVICE COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

EDWIN M. LEE
MAYOR

Sent via Electronic Mail

SCOTT R. HELDFOND
PRESIDENT

E. DENNIS NORMANDY
VICE PRESIDENT

DOUGLAS S. CHAN
COMMISSIONER

KATE FAVETTI
COMMISSIONER

GINA M. ROCCANOVA
COMMISSIONER

IFER C. JOHNSTON
EXECUTIVE OFFICER

April 10, 2014

NOTICE OF CIVIL SERVICE COMMISSION MEETING

SUBJECT: RECOMMENDATION TO ADOPT THE AMENDMENTS TO CIVIL SERVICE SERIES RULE 022, REQUEST TO REMOVE DEPARTMENT BAN.

The above matter will be considered by the Civil Service Commission at a meeting to be held on **April 21, 2014** at 2:00 p.m. in Room 400, Fourth Floor, City Hall, 1 Dr. Carlton B. Goodlett Place.

This item will appear on the Regular Agenda. Please refer to the attached Notice for procedural and other information about Commission hearings. The meeting agenda and all meeting materials will be posted on the Civil Service Commission's website at www.sfgov.org/Civil_Service under "Meeting Information" no later than end of day on Wednesday, April 16, 2014. If you would like a copy of the Executive Officer's staff report on the above-captioned matter emailed to you in advance of April 16th, please contact the Civil Service Commission's Office at CivilService@sfgov.org or (415) 252-3247.

Attendance by you or an authorized representative is welcome. Should you or your representative not attend, the Commission will rule on the information previously submitted and testimony provided at its meeting.

All non-privileged materials being considered by the Civil Service Commission for this item will be available for public inspection and copying at the Civil Service Commission office Monday through Friday from 8:00 a.m. to 5:00 p.m. beginning Thursday, April 17, 2014.

CIVIL SERVICE COMMISSION

JENNIFER JOHNSTON
Executive Officer

Attachment

THIS DOCUMENT SUPPORTS
CALENDAR ITEM 10



CIVIL SERVICE COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

EDWIN M. LEE
MAYOR

Sent via Electronic Mail

March 26, 2014

SCOTT R. HELDFOND
PRESIDENT

E. DENNIS NORMANDY
VICE PRESIDENT

DOUGLAS S. CHAN
COMMISSIONER

KATE FAVETTI
COMMISSIONER

GINA M. ROCCANOVA
COMMISSIONER

JENNIFER C. JOHNSTON
EXECUTIVE OFFICER

NOTICE OF CIVIL SERVICE COMMISSION ACTION

SUBJECT: PROPOSED CIVIL SERVICE COMMISSION POLICY ON
FUTURE EMPLOYMENT RESTRICTIONS; AND
PROPOSED AMENDMENT TO CIVIL SERVICE RULE SERIES
022, REQUEST TO REMOVE DEPARTMENT BAN.

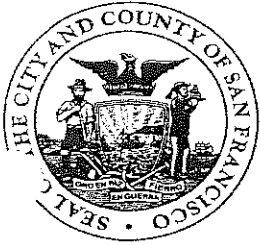
At its meeting of **March 17, 2014** the Civil Service Commission had for its consideration the above matter.

The Commission adopted the Executive's Officer's report; directed the Executive Officer to post the proposed policy on future employment restrictions to meet and discuss the proposed policy with any interested stakeholders; and directed the Executive Officer to post the proposed amendments to Civil Service Rule Series 022 for adoption as required under the Charter and Civil Service Rules, and to meet and discuss the proposed revisions with affected labor union(s) and other interested stakeholders. (Vote of 4 to 0).

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



CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

EDWIN M. LEE
MAYOR

11

Sent via Electronic Mail

SCOTT R. HELDFOND
PRESIDENT

March 7, 2014

E. DENNIS NORMANDY
VICE PRESIDENT

NOTICE OF CIVIL SERVICE COMMISSION MEETING

DOUGLAS S. CHAN
COMMISSIONER

SUBJECT: PROPOSED CIVIL SERVICE COMMISSION POLICY ON
FUTURE EMPLOYMENT RESTRICTIONS; AND
PROPOSED AMENDMENT TO CIVIL SERVICE RULE SERIES
022, REQUEST TO REMOVE DEPARTMENT BAN.

KATE FAVETTI
COMMISSIONER

GINA M. ROCCANOVA
COMMISSIONER

The above matter will be considered by the Civil Service Commission at a meeting to be held on **March 17, 2014** at 2:00 p.m. in Room 400, Fourth Floor, City Hall, 1 Dr. Carlton B. Goodlett Place.

JENNIFER C. JOHNSTON
EXECUTIVE OFFICER

This item will appear on the Regular Agenda. Please refer to the attached Notice for procedural and other information about Commission hearings. The meeting agenda and all meeting materials will be posted on the Civil Service Commission's website at www.sfgov.org/Civil_Service under "Meeting Information" no later than end of day on Thursday, March 13, 2014. If you would like a copy of the Executive Officer's staff report on the above-captioned matter emailed to you in advance of March 13th, please contact the Civil Service Commission's Office at CivilService@sfgov.org or (415) 252-3247.

Attendance by you or an authorized representative is welcome. Should you or your representative not attend, the Commission will rule on the information previously submitted and testimony provided at its meeting.

All non-privileged materials being considered by the Civil Service Commission for this item are available for public inspection and copying at the Civil Service Commission office Monday through Friday from 8:00 a.m. to 5:00 p.m.

CIVIL SERVICE COMMISSION

JENNIFER JOHNSTON
Executive Officer

Attachment

RECEIVED CIVIL SERVICE COMMISSION
CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS
12

STAFF REPORT



CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Date: April 21, 2014
To: Civil Service Commission
From: Jennifer Johnston, Executive Officer *Jennifer Johnston*
Subject: **Recommendation to Adopt the Proposed Amendments to Civil Service Rule Series 022 – Separations, Article VII – Request to Remove Department Ban**

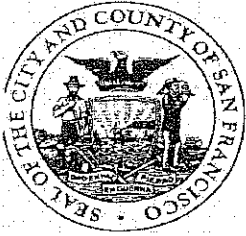
During its meeting of March 17, 2014, the Civil Service Commission (“Commission”) acted to accept the Executive Officer’s staff report recommending revisions to Civil Service Rule Series 022— Separations, Article VII – Request to Remove Department Ban; and directed the Executive Officer to post the draft Rule 022 as required under the Charter and Civil Service Rules, and to meet and discuss the amendments with affected labor unions and other interested stakeholders.

The Executive Officer posted the proposed Rule amendments on March 19, 2014 and scheduled two meetings to discuss them with any interested stakeholders—one on March 26th and one on March 27th, 2014. (See Attachment A for a copy of the posting.) No interested stakeholders attended the scheduled meetings; nor did the Executive Officer receive any inquiry regarding, or objection to, the proposed revisions to Civil Service Rule Series 022.

Recommendation: The Executive Officer therefore recommends that the Commission adopt the amendments to Civil Service Rule Series 022 (see the attachment to Attachment A).

Attachment: Notice of Posting on the Proposed Amendments to Civil Service Rule Series 022— Separations, Article VII – Request to Remove Department Ban

Attachment A



CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

EDWIN M. LEE
MAYOR

MEMORANDUM
CSC No. 2014 – 04

SCOTT R. HELDFOND
PRESIDENT

Date: March 19, 2014

E. DENNIS NORMANDY
VICE PRESIDENT

To: Department Heads
Departmental Personnel Officers
Employee Organization Representatives

DOUGLAS S. CHAN
COMMISSIONER

KATE FAVETTI
COMMISSIONER

From: Jennifer Johnston
Executive Officer

GINA M. ROCCANOVA
COMMISSIONER

Subject: Notice of Posting: Proposed Amendments to Civil Service Rule 022 – Separations, Article VII – Request to Remove Department Ban.

JENNIFER C. JOHNSTON
EXECUTIVE OFFICER

The Civil Service Commission (“Commission”) acted at its Regular Meeting of March 17, 2014, to accept the Executive Officer’s staff report proposing amendments to Civil Service Rule Series 022 – Separations, Article VII – Request to Remove Department Ban; and directed the Executive Officer to post the draft Rule 022, and to meet and discuss the proposed revisions with affected labor unions and other interested stakeholders

Currently, Civil Service Rule Series 022 provides that only department-specific bans on future employment may be lifted; City-wide bans are not subject to reconsideration. The proposed revisions would allow for the reconsideration of any City-wide ban imposed after the adoption of the Rule amendment, provided that it is not a permanent and unconditional restriction.

Please see the attached draft amendments to Civil Service Rule Series 022, applicable to all employees. Any employee organizations or other stakeholders interested in discussing the proposed revisions are invited to attend either or both of the following scheduled meetings:

Date: Wednesday, March 26, 2014

Time: 9:00 AM – 11:00 AM

and/or

Date: Thursday, March 27, 2014

Time: 9:00 AM – 11:00 AM

The meetings will take place in the Civil Service Commission’s Offices, located at

CSC Memorandum 2014 – 04 (Posting: Proposed Amendments to Civil Service Rule Series 022)

March 19, 2014

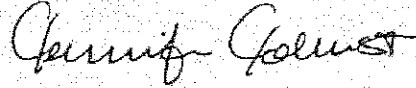
Page 2 of 2

25 Van Ness Avenue, Suite 720. Please contact Commission staff at CivilService@sfgov.org to RSVP for either or both meetings.

Should you have any questions about the proposed amendments, or if you would like a copy of the staff report providing further explanation of the revisions, you may contact me at (415) 252-3247 or at Jennifer.Johnston@sfgov.org.

Respectfully submitted,

CIVIL SERVICE COMMISSION



JENNIFER JOHNSTON

Executive Officer

Attachment

Rule 122

Employee Separation Procedures

Applicability: Rule 122 shall apply to officers and employees in all classes, except the Uniformed Ranks of the Police and Fire Departments and MTA Service-Critical classes; or as noted or as specifically excluded, or except as may be superceded by a collective bargaining agreement for those employees subject to Charter Section 8.409. However, all definitions in Rule 122 are applicable to employees in all classes; excluding only the Uniformed Ranks of the Police and Fire Departments and the MTA Service Critical classes as covered in Volumes II, III and IV. If there is any conflict in the provisions of this Rule and relevant Charter Sections, the Charter language prevails.

Article I: Separation Procedures

Article II: Termination of Temporary Employee

Article III: Termination of Limited Tenure Employee

Applicability: Article III, Rule 122, shall apply to employees in classes represented by the Transport Workers Union (TWU) - Locals 200 and 250A; except MTA Service-Critical classes. However, all definitions in Rule 122 are applicable to employees in all classes; excluding only the Uniformed Ranks of the Police and Fire Departments and the MTA Service Critical classes as covered in Volumes II, III and IV.

Article IV: Dismissal of Permanent Employee

Article V: Resignation - Services Unsatisfactory

Article VI: Absence from Duty Without Leave (Automatic Resignation)

Article VII: Request to Remove Department Non-Permanent Ban

Applicability: Article VII, Rule 122, shall apply to officers and employees in all classes, except the Uniformed Ranks of the Police and Fire Departments and MTA Service-Critical classes.

Rule 122

Employee Separation Procedures

Article VII: Request to Remove ~~Department~~ Non-Permanent Ban

Applicability: Article VII, Rule 122, shall apply to officers and employees in all classes, except the Uniformed Ranks of the Police and Fire Departments and MTA Service-Critical classes.

Sec. 122.13 Those Individuals Covered Under Rule 122, Article VII

~~———— The provisions of Rule 122, Article VII shall apply only to those individuals who were~~ Former employees of the City and County of San Francisco ~~and who were banned from future employment in one or more department(s) in accordance with the provisions of Civil Service Rule 122 may request reconsideration of any non-permanent ban if it has been separated from employment five (5) or more years since the ban was imposed. For the purpose of this Rule, any or more and who have been banned from any future employment in a department.~~ Citywide ban imposed before [date of the Commission's action to adopt the amendments to this Rule] is considered a permanent ban not subject to reconsideration.

Sec. 122.14 Reconsideration

Individuals as defined in Sec. 122.13 may submit a written request to the Human Resources Director for reconsideration of a ban ~~from working in a department~~ on their future employment. It shall be the responsibility of the requesting individual to submit to the Human Resources Director all available documentation and information regarding the separation. The individual must also provide reasons for the request for reconsideration of the ~~permanent~~ employment restriction.

Sec. 122.15 Action of the Human Resources Director

The Human Resources Director shall consider the request and the recommendation from the affected department(s). The Human Resources Director may request additional information deemed necessary to make a recommendation to the Civil Service Commission. The decision of the Civil Service Commission is final.

Rule 222

Employee Separation Procedure

Applicability: Rule 222 shall apply to all classes of the Uniformed Ranks of the San Francisco Police Department.

- Article I: Separation Procedures**
- Article II: Termination of Temporary Employee**
- Article III: Resignation - Services Unsatisfactory**
- Article IV: Absence from Duty Without Leave**
- Article V: Request to Remove ~~Department~~ Non-Permanent Ban**

Rule 222

Employee Separation Procedures

Article V: Request to Remove ~~Department~~ Non-Permanent Ban

Applicability: Article V, Rule 222, shall apply to all classes of the Uniformed Ranks of the San Francisco Police Department.

Sec. 222.10 Those Individuals Covered Under Rule 222, Article V

~~The provisions of Rule 222, Article V shall apply only to those individuals who were~~ Former employees of the City and County of San Francisco and who were banned from future employment in -one or more department(s) in accordance with the provisions of Civil Service Rule 222 may request reconsideration of any non-permanent ban if separated from employment it has been five (5) or more years since that ban was imposed. For the purpose of this Rule, any City-wide ban imposed before [date of the Commission's action to adopt the amendments to this Rule] is considered a permanent ban not subject to reconsideration, or more and who have been banned from any future employment in a department.

Sec. 222.11 Reconsideration

Individuals as defined in Sec. 222.10 may submit a written request to the Human Resources Director for reconsideration of a ban ~~from working in a department~~ on their future employment. It shall be the responsibility of the requesting individual to submit to the Human Resources Director all available documentation and information regarding the separation. The individual must also provide reasons for the request for reconsideration of the ~~permanent~~ employment restriction.

Sec. 222.12 Action of the Human Resources Director

The Human Resources Director shall consider the request and the recommendation from the affected department(s). The Human Resources Director may request additional information deemed necessary to make a recommendation to the Civil Service Commission. The decision of the Civil Service Commission is final.

Rule 322

Employee Separation Procedures

Applicability: Rule 322 shall apply to all classes of the Uniformed Ranks of the San Francisco Fire Department.

Article I: Separation Procedures

Article II: Termination of Temporary Employee

Article III: Termination of Limited Tenure Employee

Article IV: Dismissal of Permanent Employee

Article V: Resignation - Services Unsatisfactory

Article VI: Absence from Duty Without Leave (Automatic Resignation)

Article VII: Request to Remove ~~Department~~ Non-Permanent Ban

Rule 322

Employee Separation Procedures

Article VII: Request to Remove ~~Department~~ Non-Permanent Ban

Applicability: Article VII, Rule 322, shall apply to all classes of the Uniformed Ranks of the San Francisco Fire Department.

Sec. 322.12 Those Individuals Covered Under Rule 322, Article VII

~~The provisions of Rule 322, Article VII shall apply only to those individuals who were~~ Former employees of the City and County of San Francisco ~~and who were banned from future employment in on or more department(s) in accordance with the provisions of this Civil Service Rule 322 may request reconsideration of any non-permanent ban if it has been separated from employment five (5) years or more years since the ban was imposed. and who have been banned from any future employment in a department. For the purpose of this Rule, any City-wide ban imposed before [date of the Commission's action to adopt the amendments to this Rule] is considered a permanent ban not subject to reconsideration.~~

Sec. 322.13 Reconsideration

Individuals as defined in Sec. 322.12 may submit a written request to the Human Resources Director for reconsideration of a ban ~~from working in a department~~ on their future employment. It shall be the responsibility of the requesting individual to submit to the Human Resources Director all available documentation and information regarding the separation. The individual must also provide reasons for the request for reconsideration of the ~~permanent~~ employment restriction.

Sec. 322.14 Action of the Human Resources Director

The Human Resources Director shall consider the request and the recommendation from the affected department(s). The Human Resources Director may request additional information deemed necessary to make a recommendation to the Civil Service Commission. The decision of the Civil Service Commission is final.

Rule 422

Employee Separation Procedures

Applicability: Rule 422 shall apply to all Service-Critical classes of the Municipal Transportation Agency (MTA), except that the provisions of Rule 422 may be superceded in whole or in part by the collective bargaining agreement for those employees subject to Charter Section 8.409. However, all definitions in this Rule are applicable to employees in all classes.

Article I: Separation Procedures

Article II: Termination of Temporary Employee

Article III: Termination of Limited Tenure Employee

Applicability: Article III, Rule 422, shall apply only to all Service-Critical classes of the Municipal Transportation Agency (MTA) represented by the Transport Workers Union (TWU), Locals 200 and 250A, except that the provisions of Rule 422 may be superceded in whole or in part by the collective bargaining agreement for those employees subject to Charter Section 8.409. However, all definitions in this Rule are applicable to employees in all classes.

Article IV: Dismissal of Permanent Employee

Article V: Resignation - Services Unsatisfactory

Article VI: Absence from Duty Without Leave (Automatic Resignation)

Article VII: Request to Remove ~~Department~~ Non-Permanent Ban

Rule 422

Employee Separation Procedures

Article VII: Request to Remove Department Non-Permanent Ban

Applicability: Article VII, Rule 422, shall apply to all Service-Critical classes of the Municipal Transportation Agency (MTA).

Sec. 422.13 Those Individuals Covered Under Rule 422, Article VII

~~The provisions of Rule 422, Article VII shall apply only to those individuals who were~~ Former employees of the City and County of San Francisco and who were ~~banned from future separated from employment in accordance with the provisions of Civil Service Rule 422 may request reconsideration of any non-permanent ban if it has been five (5) or more years or more and who since the ban was imposed.~~ For the purpose of this Rule, any City-wide ban imposed before [date of the Commission's action to adopt the amendments to this Rule] is considered a permanent ban not subject to reconsideration. ~~have been banned from any future employment in a department.~~

Sec. 422.14 Reconsideration

Individuals as defined in Sec. 422.13 may submit a written request to the Human Resources Director for reconsideration of a ban ~~from working in a department~~ on their future employment. It shall be the responsibility of the requesting individual to submit to the Human Resources Director all available documentation and information regarding the separation. The individual must also provide reasons for the request for reconsideration of the ~~permanent~~ employment restriction.

Sec. 422.15 Action of the Human Resources Director

The Human Resources Director shall consider the request and the recommendation from the affected department(s). The Human Resources Director may request additional information deemed necessary to make a recommendation to the Civil Service Commission. The decision of the Civil Service Commission is final.

The Original Staff Report is located behind Agenda Item #9
of this Meeting Binder