

San Francisco Office of the City Administrator

LBEAC Director's Report

October 3, 2024

Agenda

- 1) CMD Program Update: Equal Benefits Organizational Change Initiative
- 2) New Win: Mentor-Protégée Program for TIDA
- 3) Announcements
- 4) Legislative/Policy Update
 - Prop D and other Updates

Equal Benefits Ordinance (EBO)

Enacted in 1996, this was a pioneering piece of social legislation. This law required businesses contracting with the City to provide equal benefits to employees with domestic partners, including same-sex couples, as those with spouses.



This law preceded marriage equality and the insurance industry went through enormous changes in policies to comply with this law.

This Ordinance is in the Labor and Employment Code Section 131-132 and was moved from the Administrative Codes Chapter 12B.

CMD handles compliance for the Equal Benefits Program.

EBO – Compliance and Process Improvements

What is needed to comply?



Firm must have policies that demonstrate the benefits they offer (e.g. health, bereavement, leave, etc) treat employees in marriages and domestic partnerships equally.

A declaration in Peoplesoft, proof of employee count, and memo to employees is provided. This is reviewed by CMD staff.



Do LBEs need to comply?

If you are awarded a contract as a prime, Yes.

EBO – Process Improvements from August 2023 - 2024

CMD Equal Benefits prioritized significant transformation of business process to improve implementation of the Ordinance.

Discovery

- Understand and harmonize staff approaches
- Resolve issues in reporting and systems
- Change management

System Changes

- Clarify staff roles
- Create case docket
- Data systems improvements

Process Changes

- 1 time clearing of backlog
- 30-60-day reminders for firms
- Move documentation from Supplier to Staff level

Improve and Document

- Outreach to firms who received waivers
- Process documentation
- Reporting

EBO – Results

- ✓ Evolution of program without compromising policy
- ✓ Better service to both businesses and City departments
- ✓ Reallocation of staff resources to LBE program

	Where we started 8/8/23	Where we are now 10/1/24
Total Open Caseload	1721	28
Average Days to Compliance	Oct/Nov 30 days	Jun/Sept 19 days / 37% faster
Average Cases Completed	Oct/Nov 28 cases	Jun/Sept 70 cases / 150% more
Reminders to Firms	1 initial email	1 initial email + 2 email reminders

Equal Benefits Team Contacts



415-581-2310



cmd.equalbenefits@sfgov.org



www.sf.gov/equal-benefits-program

New Win: TIDA-focused Mentor Protegée Program (MPP)

The screenshot shows the SF.GOV website page for TI/YBI Small Business Enterprise (SBE) procedures. The page has a blue header with the SF.GOV logo and a search bar. The main content area is white with a blue header for the title. The page is organized into sections: Purpose, Is my business currently eligible?, How can my small business apply for eligibility?, and TI/YBI SBE Procedures contact:.

TI/YBI Small Business Enterprise (SBE) procedures
Creating development-related contracting opportunities for local small business firms and contractors.

Purpose
The TI/YBI Small Business Enterprise (SBE) Procedures are a component of the project's [Jobs and Equal Opportunity Program \(Jobs EOP\)](#). The Procedures establish eligibility criteria for small businesses and specific participation goals for eligible SBEs.
The TI/YBI SBE Procedures require good faith efforts designed to ensure broad contracting opportunities for all SBE categories.
[Small Business Enterprise Procedures - TI/YBI as amended 04/15/2022](#)

Is my business currently eligible?
To be considered an eligible Small Business Enterprise under the TI/YBI SBE Procedures, your business or firm must meet at least one of the following criteria:

1. You are a current [City and County of San Francisco-certified Small or Micro Local Business Enterprise \(SBE\)](#) or
2. You are a current [San Francisco Office of Community Investment and Infrastructure \(OCI\)](#)-certified Small Business Enterprise, or
3. You are a current [Treasure Island](#) member organization or wholly owned by a One Treasure Island member organization, or
4. You apply for, and are granted, recognition by TIDA as an eligible SBE for the development project. Eligible firms meeting all criteria set forth in the TI/YBI SBE Procedures may apply.

Interested parties are encouraged to also refer to the [TI/YBI SBE Procedures frequently asked questions](#).

How can my small business apply for eligibility?
If your firm or business is not currently eligible, and meets all qualification criteria stated in the TI/YBI SBE Procedures, you may submit a request to TIDA for consideration of recognition. Application submission information is found in the TI/YBI SBE Procedures. Interested parties are encouraged to also refer to the [TI/YBI SBE Procedures frequently asked questions](#).

TI/YBI SBE Procedures contact:
Tony Benassini
415-274-0299
TonyB.Benassini@dcw.org

Related

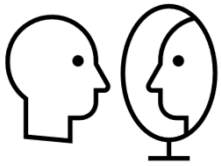
- [TI/YBI Small Business Enterprise Procedures FAQs](#)
Frequently asked questions regarding the Development Project's Small Business Enterprise Procedures.
- [TI/YBI Small Business Enterprise program reports and data](#)
Reports and data for the TI/YBI Development Project's Small Business Enterprise (SBE) program.
- [Contract with the Treasure Island Community Development \(TICD\)](#)
Find open bid opportunities or sign up to get notified for future TICD contracting opportunities.
- [Contract with the Treasure Island Development Authority \(TIDA\)](#)
Find open bid documents or sign up to get notified for future TIDA contracting opportunities.
- [Treasure Island/One Treasure Island Development Project](#)
Get information on the Project's major components and contracting opportunities.

TIDA Board has approved a Memorandum of Understanding (MOU) with CMD to create a cohort of the Mentor-Protegee Program for SBEs, including LBEs. This will focus on TIDA mentors.

The TIDA Mentor-Protegee Program is part of the TIDA Jobs and Equal Opportunity (Jobs EOP).

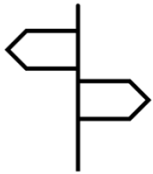
CMD will administer the program using a similar approach to the CMD Mentor-Protegee Program.

Mentor Protégée Program



What is similar between the CMD MPP and TIDA MPP?

The structure is the same – two year commitment, quarterly reporting is required, focus on technical assistance.



How is this program different from the CMD Program?

TIDA program is for protégée with both LBE or SBE status. TIDA program requests that in addition to general mentorship around technical assistance, the mentor also identifies opportunities for networking and connections to other projects within the mentor and partner projects.



How will CMD recruit proteges?

CMD will open an application portal later this year and interested applicants should apply. CMD will announce this through the newsletter and through communications with the LBEAC.

Announcements



U.S. Navy at Shipyard has updated small business goal to a requirement.

There are many advocates in the LBE community who made this happen.



CMD Site Visits have started.

Thank you to the Port of San Francisco for organizing the first site visit.



Program Evaluation consultant contract is in final negotiations.

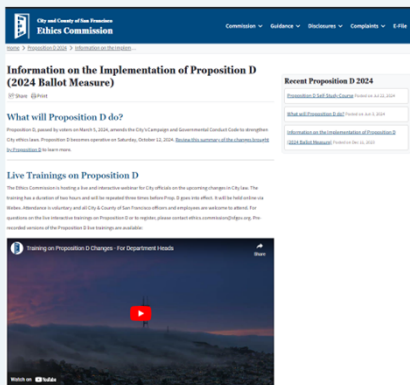


Forecast of Private-Public Projects is updated.

General forecast: <https://www.sf.gov/resource/2023/future-contracting-opportunities>

Private-Public forecast: <https://www.sf.gov/sites/default/files/2024-10/Fall%202024%20Development%20and%20Construction%20Forecasting.pdf>

Legislative Update: Ethics-initiated Prop D Implementation Date Upcoming



Prop D was passed by voters on March 5, 2024 and strengthened the City ethics laws. This operative date is October 12, 2024.

What do LBEs need to know?

The **Restricted Source** definition is **expanded** to include contractors from when they are seeking contracts through 12 months after the contract end.

Prop D Implementation



No gifts are permitted from a restricted source.



For non-restricted sources, gifts of **any value** must be disclosed. Departments must make disclosure reporting monthly.



Former exemptions, like gifts made to an entire department (like a gift basket), have ended. City staff will be required to return gifts or donate to charity.

Questions: Contact Ethics at 415-252-3100
ethics.commission@sfgov.org
<https://sfethics.org/ethics/2023/12/propd.html>

Other Legislative/Policy Updates

Regional Bond Measure

Measure 4 was pulled from ballot. ~~[Measure 4](#) Bay Area Housing Finance Authority (BAHFA) includes \$20 billion bonds to be used towards affordable housing. Some portion will go to San Francisco.~~

San Francisco

[File 240470](#) is awaiting the Mayor's signature. Ordinance exempts Legacy Business Assistance Program from grantmaking rules under Chapter 21B and all other provisions of the Administrative, Labor, and Employment Code.

[File 240902](#) is a proposed ordinance related to lobbying and the requirements for non-profits, city contractors and grantees. There are proposed requirements for the grant contracting process. For Contractors, there are impermissible uses of contract funds. Compliance requires will include recordkeeping and "burden to prove" adherence with the political activity and lobbying requirements.

Questions?