



CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Sent Via Electronic Mail

November 10, 2022

NOTICE OF CIVIL SERVICE COMMISSION MEETING

SUBJECT: REVIEW OF REQUEST FOR APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACT 41818-22/23; 47770-22/23; 40013-22/23; 46672-22/23; 43920-22/23; 46236-22/23; 45050-22/23; 48236-22/23; 49342-22/23; 42304-22/23; 41620-22/23; 42270-22/23; 42409-22/23 42602-22/23; 48374-22/23; 41517-22/23; 40888-16/17; 31087-21/22; 36826-18/19; 49873-18/19; 46770-19/20; 4120-12/13; AND 45965-19/20.

The above matter will be considered by the Civil Service Commission at a hybrid meeting (in-person and virtual) in Room 400, City Hall, 1 Dr. Goodlett Place, San Francisco, California 94102 and through Cisco WebEx to be held on **November 21, 2022, at 2:00 p.m.**

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.

CIVIL SERVICE COMMISSION

/s/

SANDRA ENG
Executive Officer

Attachments

Cc: Cynthia Avakian, Airport
Johanna Gendelman, Human Services Agency
Jenny Collins, Economic and Workforce Development
Henry Gong, Sheriff Department
Shawndrea Hale, Public Utilities Commission
Shirley Hao, City Planning
Karen Henderson, Office of the Mayor
Kelly Hiramoto, Department of Public Health
Simone Jacques, Assessor/Recorder
Lynn Khaw, Office of the City Administrator
Daniel Kwon, Public Utilities Commission
Joan Lubamersky, Office of the City Administrator
Amy Nuque, Municipal Transportation Agency
Alysabeth Alexander-Tut, Port
Esperanza Zapien, Human Services Agency
Commission File
Commissioners' Binder
Chron

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 (628) 652-1100. The fax number is (628) 652-1109. The email address is civilservice@sfgov.org and the web address is www.sfgov.org/civilservice/. 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, a available for public inspection and copying at the Civil Service Commission office. Reports from City and County personnel supporting a 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 copy 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 a available for public view 72 hours prior to the Civil Service Commission meeting on the Civil Service Commission's website at www.sfgov.org/CivilService, 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 a 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 (628) 652-1100 and confirmed in writing or by fax at (628) 652-1109.

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/civilservice/.

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. Public Comment and Due Process

During general public comment, members of the public sometimes wish to address the Civil Service Commission regarding matters that may come before the Commission in its capacity as an adjudicative body. The Commission does not restrict this use of general public comment. To protect the due process rights of parties to its adjudicative proceedings, however, the Commission will not consider, in connection with any adjudicative proceeding, statements made during general public comment. If members of the public have information that they believe to be relevant to a matter that will come before the Commission in its adjudicative capacity, they may wish to address the Commission during the public comment portion of that adjudicative proceeding. The Commission will not consider public comment in connection with an adjudicative proceeding without providing the parties an opportunity to respond.

K. 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 (628) 652-1100 or email civilservice@sfgov.org 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/>.



London Breed
Mayor

Carol Isen
Human Resources Director

Date: November 4, 2022

To: The Honorable Civil Service Commission

Through: Carol Isen
Human Resources Director

From: Cynthia Avakian, AIR
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Joan Lubamersky / Lynn Khaw, GSA
Shirley Hao, CPC
Karen Henderson, MYR
Amy Nuque, MTA
Alysabeth Alexander-Tut, PRT
Shawndrea Hale / Daniel Kwon, PUC
Henry Gong, SHF
Jenny Collins, ECN
Esperanza Zapien / Johanna Gendelman, HSA
Kelly Hiramoto, DPH

Subject: **Personal Services Contracts Approval Request**

This report contains twenty-three (23) personal services contracts (PSCs) in accordance with the revised Civil Service Commission (CSC) procedures for processing PSCs that became effective on November 5, 2014.

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

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

DHR has prepared the following cost summary for personal services contracts that have been processed through the Department of Human Resources Fiscal Year 22/23 to date:

Total of this Report	YTD Expedited Approvals FY2022-2023	Total for FY2022-2023
\$112,616,692	\$118,301,715	\$1,191,414,443

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POSTING FOR

November 21, 2022

PROPOSED PERSONAL SERVICES CONTRACTS – REGULAR

<u>PSC No</u>	Dept Designation	PSC Amount	Description of Work	PSC Estimated Start Date	PSC Estimated End Date	Type of Approval
<u>41818 - 22/23</u>	AIRPORT COMMISSION	\$200,000.00	<p>The San Francisco International Airport (Airport) requires a contractor to provide as-needed and intermittent training to the San Francisco Police Department - Airport Bureau (SFPD-AB) police service canines (K-9) and their handlers on explosives detection in accordance with the latest Transportation Security Administration (TSA) standards and important alert notices.</p>	January 1, 2023	June 30, 2026	REGULAR
<u>47770 - 22/23</u>	AIRPORT COMMISSION	\$7,500,000.00	<p>The San Francisco International Airport ("SFO" or "Airport") requires international marketing consultants to perform services in overseas locations to increase international flight activity and to support the current airline service providers at SFO. Consultants will develop and execute marketing programs, promote SFO's new flights, provide market research support based on their respective region, strategic planning and execution of campaigns for SFO with airlines and industry partners to attract new and retain airlines at SFO. These services also include securing and arranging new partnerships with airlines and/or travel trade partners to promote new and existing air service to SFO in the following regions: Asia, Europe, Latin America, and Oceania. Consultants will provide a staff representative in the international marketing industry in each of these regions.</p>	January 1, 2023	December 31, 2027	REGULAR

<u>PSC No</u>	Dept Designation	PSC Amount	Description of Work	PSC Estimated Start Date	PSC Estimated End Date	Type of Approval
<u>40013 - 22/23</u>	ASSESSOR / RECORDER	\$500,000.00	<p>The Office of the Assessor-Recorder (ASR) has an existing contract with BMI Imaging Systems Inc. (BMI) to host approximately 15.1 million pages of documents that were recorded between 1906 and 1999. BMI's proprietary platform Digital Reel is the portal through which members of the public can view and request copies of these archived records.</p> <p>In 2021, the California Legislature approved Assembly Bill 1466 (AB1466) which requires all California Counties to redact from deeds and other property documents any language that is discriminatory or racially restrictive. To achieve this legislated mandate, ASR would like to enter into a new professional services contract with BMI to upgrade the existing software, enable search capability for this restrictive language, and subsequently redact inappropriate content. The estimated contract value is \$280,000 but may increase up to \$500,000 during contract negotiations; the initial contract term is four (4) years with two (2) one-year options to extend for one year each.</p> <p>As part of this software upgrade, historical records will be searched using optical character recognition (OCR) technology to identify unlawfully Restrictive Covenants. Once identified, BMI will perform a manual review of each suspected Restricted Covenant for accuracy, and will manually data enter key document details and page locations within the recorded document where terms were found. Once identified, BMI will route the documents through a secure AB-1466 website which can be accessed by both ASR and the City Attorney for further processing. The City Attorney's Office will review and approve the proposed changes in the software, and ASR will re-record the original document with the illegal</p>	January 1, 2023	December 31, 2028	REGULAR

<u>PSC No</u>	Dept Designation	PSC Amount	Description of Work	PSC Estimated Start Date	PSC Estimated End Date	Type of Approval
			language redacted. Furthermore, this system upgrade would allow ASR to meet the reporting requirement which his required by the legislation.			
<u>46672 - 22/23</u>	GENERAL SERVICES AGENCY - CITY ADMIN	\$750,000.00	Contractors shall provide set-up/installation and breakdown services of barricades, fencing, and other crowd and traffic safety equipment that are rented, and at times, may be purchased by City departments, to ensure public safety during various special events (e.g., Pride Parade, Warriors championship parade, Fleet Week) and for other circumstances, including street/sewer paving and repair, vehicular accidents, etc. that require temporary crowd and/or traffic safety control measures.	October 18, 2022	October 17, 2027	REGULAR
<u>43920 - 22/23</u>	CITY PLANNING	\$9,500,000.00	<p>The San Francisco Planning Department seeks to develop a list of qualified contractors to provide a variety of as-needed consulting services, with a focus on advancing equity and shared prosperity for all residents.</p> <p>The Planning Department is seeking to create four pools of qualified contractors (“Pool[s]”). Each Pool will have expertise in one (1) or more of the following areas:</p> <ol style="list-style-type: none"> 1) Environmental (CEQA Services) 2) Transportation Review 3) Historical Resources 4) Archeology 	June 27, 2022	June 28, 2028	REGULAR
<u>46236 - 22/23</u>	MAYOR	\$2,500,000.00	The Mayor’s Office of Housing and Community Development (MOHCD) is seeking to establish a pool of qualified consultants and financial advisors to advise the City on all pertinent issues relating to particular financings, to ensure that the City’s transactions meet all applicable standards of competence and fiscal prudence, to structure and update existing programs, assist in advocacy and application for funds and other resources,	September 1, 2022	September 1, 2026	REGULAR

<u>PSC No</u>	Dept Designation	PSC Amount	Description of Work	PSC Estimated Start Date	PSC Estimated End Date	Type of Approval
			<p>all while adhering to program requirements and affordable housing objectives. The consultants and financial advisors will; provide advisory services to competitive sales, negotiated sales, private placements, and management of housing assets and/or bond types (tax bond, revenue bonds, etc.), provide financial advisory services to structuring the City's affordable housing programs; provide advisory services for structuring of particularly complex development proposal; provide advisory services for commercial space financing and asset management in affordable housing; assist in applications for state and federal resources; provide policy expertise on structuring new programs and updating existing programs; and to provide advice on advocacy and regulatory changes to housing programs.</p>			
			<p>Project Management Activities:</p> <ul style="list-style-type: none"> -coordinate activities with L3Harris tech to perform on-site maintenance, troubleshooting, etc. -ensure proper updates are communicated to San Francisco Municipal Transportation Agency (SFMTA) (issue, cause, resolution) -conduct ad-hoc meetings as necessary, take meeting notes, send out updates -track actions/issues list and provide updates when required -prepare quarterly invoice packages for SFMTA -assist in coordinating additional resources when required (Patriot, Conduent, additional L3Harris staff) -assist in RMA (Remote Network Management) coordination and ensure timely delivery of materials back to SFMTA 	October 17, 2022	October 17, 2024	REGULAR
<u>45050 - 22/23</u>	MUNICIPAL TRANSPORTATION AGENCY	\$500,000.00				

PSC No

Dept
Designation

PSC Amount

Description of Work

PSC
Estimated
Start Date

PSC
Estimated
End Date

Type of
Approval

Systems Engineering Activities:

- Review of various network management systems in response to emails describing system events and notification of possible system problems.
- Regular review of the tunnel system using Intermapper, the radio system using the remote network management and system center operations manager review of network devices using CiscoPrime, and review of Conduent servers using WhatsUpGold. Report any issues that have been discovered.
- Correction of problems when a remote solution is possible - e.g. remote reboot of a base station the device, configuration reloads on a tunnel Lantronix module when it is reporting "no SNMP response"
- Periodic review (via browser) Alarm Point Duplicator (APO) status, Duracomm control center, Netlocks, and power systems (rectifiers and inverters). Report any issues that have been discovered
- Support for Harris personnel: primarily Brian Gonsalves, Robyn Ferguson, and Tom Brown
- Support for SFMTA personnel: Roi Kingon and Jacky So
- Support for Conduent - generally with respect to configuration changes to WhatsUpGold.
- System configuration changes as required. Historically that has included system database changes (in the user access system, Maestro console layout configuration, managing user accounts and access as required).

MUNICIPAL
TRANSPORTA
TION
AGENCY

48236 - 22/23

\$500,000.00

Execute Central Subway unit/integration test and Market Street regression test for subway sign system changes related to Central Subway. Penta travels on-site for two weeks for two engineers to support test execution for both

November 1, October 31,
2022 2024

REGULAR

<u>PSC No</u>	Dept Designation	PSC Amount	Description of Work	PSC Estimated Start Date	PSC Estimated End Date	Type of Approval
			<p>Market and Central Subway. Penta remote analysis of test results.</p> <p>Software development to address bug fixes and mitigation of issues with Thales Automated Train Control System data feed for Central Subway. Software installation and cut-over support for any required updates.</p> <p>Design and software development to support changes to transit service in Central Subway including new shuttle lines and enhanced passenger information at Chinatown station.</p>			
<u>49342 - 22/23</u>	MUNICIPAL TRANSPORTATION AGENCY	\$3,000,000.00	<ol style="list-style-type: none"> 1. Intelligent Transportation Systems Project Support 2. IT Network Infrastructure Support 3. Data and Analytics Infrastructure Support 4. SharePoint Administration and Migration Support 5. Java / Middleware Engineer Support 6. Salesforce Development and Administration Support <p>(see attached description)</p>	November 1, 2022	October 31, 2026	REGULAR
<u>42304 - 22/23</u>	PORT	\$7,500,000.00	<p>The Port requires the expertise of qualified consultants capable of providing environmental and related professional services on an as-needed basis. Requested services may involve an entire project, several projects, and part of a project or for any project phase. Consultants who are awarded contracts under this RFQ may be expected to work in conjunction with the Port's technical staff and/or other consultants hired by the Port as part of a project team.</p>	January 2, 2022	January 1, 2026	REGULAR
<u>41620 - 22/23</u>	PUBLIC UTILITIES COMMISSION	\$30,000,000.00	<p>Work will consist of technical and project management services in all aspects required for expansion of an existing reservoir accomplished by raising a dam by over</p>	December 31, 2022	December 31, 2026	REGULAR

<u>PSC No</u>	Dept Designation	PSC Amount	Description of Work	PSC Estimated Start Date	PSC Estimated End Date	Type of Approval
			<p>50 feet. The increased reservoir storage will provide regional storage to benefit to 8 Bay Area and Central Valley water agencies.</p> <p>Activities include planning, permitting and design work related to construction of a surface water dam and a 14 mile conveyance pipeline that will enable delivery of water to California State Water Project infrastructure at the California Aqueduct. Operational and hydraulic modeling, regulatory permitting, facility design for Los Vaqueros dam and Transfer Bethany Pipeline, natural resources services, project management services, asset management services, land acquisition and management services, security and emergency response services, environmental and regulatory compliance services.</p> <p>The SFPUC's Alternative Water supplies staff are involved in the planning of the project. SFPUC staff at the Water Enterprise work closely in collaboration with other agencies to provide, engineering, financial, and communication direction and support for the project. In addition, the SFPUC's Assistant General Manager for Water and General Manager serve on the JPA Board of Directors.</p>			
<u>42270 - 22/23</u>	PUBLIC UTILITIES COMMISSION	\$30,000,000.00	<p>The SFPUC requests to solicit the services of a consultant to provide and support ongoing emergency preparedness, response, and support activities to all SFPUC enterprises and divisions. Specifically: Incident Command System (ICS) training under the National Incident Management System (NIMS) to SFPUC employees, updates to Field Operations Guides (FOG's) and Emergency Operations Plans (EOP's), assistance with the creation of an emergency drinking water distribution plan (in conjunction with DEM and other city partners), and other related emergency planning and response services to the</p>	November 21, 2022	November 20, 2026	REGULAR

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SFPUC as needed. Consultant would additionally coordinate any needed updates of existing Divisional EOPs into the general EOP as necessary; and ensure that comments, corrections and editing discussed in after action report/post exercise briefings are incorporated into the EOP, DEOP, and/or FOG, as necessary and/or as prescribed. Consultant would work with SFPUC Emergency Planning and Security (EPS) team to strategize on how to update complex EOP documents, targeted at producing specific checklists for actionable emergency response for operating divisions and front line staff. Consultant would also work with EPS Team to design, coordinate, and conduct multi-divisional emergency response exercises to build upon smaller division specific exercises already being delivered by EPS team.

Contractor will be required to assist the SFPUC with the application of the sodium carbonate peroxyhydrate and hydrogen dioxide in local source water reservoirs, including but not limited to Calaveras, San Antonio Reservoir, Crystal Springs, Pilarcitos and San Andreas Reservoirs.

The Contractor is expected to provide all labor, technical advice, written pest control recommendations, watercraft, precision application inductor systems and GPS tracking equipment for the specified reservoir treatment at the application rate as specified by the SFPUC. The Contractor shall document the aquatic algaecide treatment through the use of GPS data collection equipment to record the path of the treatment boats across the treatment areas within the specified reservoir.

Treatments, once started, shall be fully completed prior to

PUBLIC

42409 - 22/23 UTILITIES \$500,000.00
COMMISSION

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2023

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the Contractor demobilizing from the site and shall be performed on a 24-hour per day, 7-day per week basis.

In addition to the actual algaecide application, the services that shall accompany each treatment are as follows:

All work performed by Contractor must conform to and comply with the requirements of all applicable permits, licenses and environmental mitigation requirements developed under the California Environmental Quality Act.

A pre-treatment inspection shall be conducted by the Consultant, which shall include a survey of the reservoir to be treated to ensure an accurate assessment of the treatment area conditions. A post-treatment report shall be prepared by the Consultant and submitted to the SFPUC presenting a summary of the treatment within 15 working days following each treatment.

This report shall contain a written description of the work performed, a listing of the licensed applicators and other staff who performed the work, equipment used and the treatment methodology.

The post-treatment report shall also contain the GPS treatment data, in digital format, collected during the treatment. The treatment area shall be downloaded into ArcView 9.1 software and overlaid onto an existing aerial photo of the specified reservoir for documentation and regulatory reporting requirements.

The SFPUC will provide the following:

The required amount of algaecide, any water discharge permit modifications and notifications required for application and any surface water quality monitoring

<u>PSC No</u>	Dept Designation	PSC Amount	Description of Work	PSC Estimated Start Date	PSC Estimated End Date	Type of Approval
			associated with the algaecide application that may be required by water discharge permits, if any.			
			The scope of work includes obtain services to augment and assist SFPUC staff with specialized program/ project scheduling, Critical Path Method (CPM) scheduling, forecasting, change control, cost controls, and cost estimating for capital improvement projects and programs, review construction change orders and evaluate cost and schedule impacts, database modifications, upload/download of data from other software systems to the Primavera suite of tools used in Program Controls Group (PCG), and other specialized services such as providing technical training to staff.	February 1, 2023	January 31, 2033	REGULAR
<u>42602 - 22/23</u>	PUBLIC UTILITIES COMMISSION	\$15,000,000.00				
			The SFPUC seeks to select Proposers with proven expertise and extensive experience in the following areas: 1. Provide aerial surveying and patrol services to support the maintenance of the power transmission system; 2. Provide priority transportation services for emergency repairs of infrastructure not accessible during certain periods of the year; 3. Provide transportation to HHWP facilities in the event of unforeseen disasters or emergencies; provide training for Human External Cargo operations, and 4. Provide as-needed shuttle service between the SFPUC facilities in the Sierra Nevada and the Bay Area.	October 1, 2023	September 30, 2028	REGULAR
<u>48374 - 22/23</u>	PUBLIC UTILITIES COMMISSION	\$750,000.00				
			The San Francisco Sheriff's Office propose to enter into a contract with Recology San Bruno for the garbage collection services for San Francisco County Jail #3 located in San Bruno, CA. Under the San Bruno Municipal Code 10.20.050, the City of San Bruno issued	October 1, 2022	September 30, 2023	REGULAR
<u>41517 - 22/23</u>	SHERIFF	\$120,000.00				

<u>PSC No</u>	Dept Designation	PSC Amount	Description of Work	PSC Estimated Start Date	PSC Estimated End Date	Type of Approval
			an exclusive contract for the collection of garbage with Recology San Bruno.			
			TOTAL AMOUNT \$108,820,000			

POSTING FOR

November 21, 2022

PROPOSED PERSONAL SERVICES CONTRACTS – MODIFICATION

<u>PSC Number</u>	<u>Commission Hearing Date</u>	<u>Department</u>	<u>Additional Amount</u>	<u>Cumulative Total</u>	<u>Description</u>	<u>Start Date</u>	<u>End Date</u>	<u>Approval Type</u>
40888 - 16/17 - MODIFICATIONS	November 21, 2022	AIRPORT COMMISSION -- AIR	\$0	\$100,000,000	<p>Project Management Support Services (PMSS) & Design Build (DB) teams will manage and complete the design and construction of the Energy Management Control System (EMCS) program at the San Francisco International Airport (Airport). The EMCS is a system comprised of hardware and software that manages and controls a building's use of energy for heating, ventilation, air conditioning, water, gas, and electricity. The EMCS will replace the multiple systems currently used by stationary engineers with 1 centralized system. The EMCS will comply with American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) 36 guidelines, the most recent industry-standard nationally-recognized uniform standards for heating, ventilating, and air-conditioning systems, (http://gpc36.savemyenergy.com/download/360/) to connect all buildings, provide campus-level management and control, and transfer data to Information Technology and Telecommunications (ITT). This project includes creating the building management system for both terminal and non-terminal buildings from multiple segmented systems to 1 connected system to track energy and utilities</p>	06/01/2023	12/31/2025	REGULAR

<u>PSC Number</u>	<u>Commission Hearing Date</u>	<u>Department</u>	<u>Additional Amount</u>	<u>Cumulative Total</u>	<u>Description</u>	<u>Start Date</u>	<u>End Date</u>	<u>Approval Type</u>
					<p>information. Services include project controls, scheduling, document controls, design management, contracts management, architectural and engineering design services, construction, and special systems integration services. All work will be supervised by the project manager. A staffing plan will be developed and Stationary Engineers will maintain the EMCS equipment and system. Of the amount requested, construction costs will account for an estimated \$80,000,000.</p>			
31087 - 21/22 - MODIFICATIONS	November 21, 2022	ECONOMIC AND WORKFORCE DEVELOPMENT -- ECN	\$250,000	\$350,000	<p>OEWD seeks a qualified consultant (or team of consultants) to support an economic impact analysis, to inform the City's economic recovery efforts with respect to the COVID-19 pandemic. The goals of the analysis include: - To determine changes to the economic make up of San Francisco's office core as a result of COVID-19 and how changes to employee commuting patterns will impact the viability and the space requirements of downtown offices and office-serving small businesses - To assess San Francisco office core's competitiveness relative to other comparable markets within the State and nationally - To identify the policies, programs, resources, and interventions required to maximize new entrants to the San Francisco office market as well as the adaptation and long-term robustness of San Francisco offices operating in the post-COVID economic context, and - To identify the activities, uses, and incentives that will increase the motivation for employees and</p>	07/01/2023	06/30/2024	REGULAR

PSC Number	<u>Commission Hearing Date</u>	Department	Additional Amount	Cumulative Total	Description	Start Date	End Date	Approval Type
36826 - 18/19 - MODIFICATIONS	November 21, 2022	ECONOMIC AND WORKFORCE DEVELOPMENT -- ECN	\$100,000	\$200,000	<p>other stakeholders to choose to work and/or visit the downtown office core. The scope of this contract (or contracts) will include research tasks (surveys, interviews, stakeholder engagement) as well as impact analysis tasks, described below.</p> <p>The Office of Economic and Workforce Development (OEWD) would like to contract with a consultant to provide project management, research, writing, and editing support to produce its mandated Local Workforce Development Plan Update mandated by the California Employment Development Department. Local Workforce Development Areas that administer Department of Labor (DOL) workforce dollars are required by Federal Workforce Innovation and Opportunity Act (WIOA) legislation to submit a Local Plan to the State Workforce Development Board (SWDB) every 4 years. The Plan describes the Local Area's workforce delivery principles and strategies for the subsequent years. The State Workforce Development Board issued directive WSD18-01 on July 27, 2018 requiring Local Workforce Development Boards to submit biennial updates, with the next due in March 2019. While the focus of this contract will be on the Local Plan, additional consulting needs related to WIOA-related DOL and SWDB directives issued within the contract term may be identified and negotiated as part of this contract. Specifically, OEWD wishes to engage a consultant with expert-level knowledge of WIOA to ensure full compliance with all</p>	01/01/2023	12/31/2026	REGULAR

Commission Hearing Date
 PSC Number
 Department
 Additional Amount
 Cumulative Total
 Description
 Start Date
 End Date
 Approval Type

legal and technical requirements for subsequent revisions and updates to the Local Plan. Currently, it is expected that the work completed through this contract will enable the Department to manage biennial updates to the plan after the March 2021 plan is due, but the Department requests an additional 6 months of authority to transition this work (through September 2021) in the event that the Department of Labor requests clarification or resubmission of any documentation.

The Office of Economic and Workforce Development ("OEWD") seeks consultants to provide technical assistance to nonprofit community-based workforce entities to build capacity of organizational staff to improve overall workforce programming. Activities may include the following: Workforce Development and Design: Advising and recommending effective and sustainable employment service models for specific populations, including (but not limited to): at-risk and in-risk young adults, transitional age youth, women, Veterans, re-entry, residents of public housing, individuals with barriers to employment, and the long-term unemployed. Planning and implementing new workforce initiatives and innovative models that have proven success in connecting job seekers to viable employment, including (but not limited to): accelerated learning/skills development, project-based learning, experiential learning, competency-based training and assessment, prior learning

49873 - 18/19 - November 21, 2022
 MODIFICATIONS
 ECONOMIC AND WORKFORCE DEVELOPMENT -- ECN
 \$500,000
 \$950,000
 07/01/2023
 06/30/2027
 REGULAR

Commission
Hearing
Date

PSC Number

Start Date
End Date
Approval Type

Description

Department
Additional Amount
Cumulative Total

assessments, apprenticeship, learning labs and learning networks, and innovation process strategies. Training and Technical Assistance on Regulatory Compliance: Providing technical assistance and training to service providers on administrative compliance with the State and Federal fund sources with an emphasis on Workforce Innovation and Opportunity Act (WIOA) funds and appropriate activities. Training of Best Practices in Workforce Development: Design, develop, deploy and/or facilitate trainings for best practices in workforce programming. Trainings may be delivered online or in person and include interactive, highly participatory activities on topics promoting skills development in one or more of the following areas: Client customer service - motivational interviews and strength-based interviews; effective case management to enhance participant success; competency based assessments; retention best practices; strategies for effective job development and employer engagement; strategies to utilize external resources outside of workforce system to support clients; using Labor Market Information (LMI) to best inform programming; common measures to identifying “job readiness” across workforce system; innovation in incentivizing participants to submit required documentation (i.e. employment/education verification); employment matching based on skills, interests and sustainable wage occupations; and strategies for removing employment barriers.

<u>PSC Number</u>	<u>Commission Hearing Date</u>	<u>Department</u>	<u>Additional Amount</u>	<u>Cumulative Total</u>	<u>Description</u>	<u>Start Date</u>	<u>End Date</u>	<u>Approval Type</u>
46770 - 19/20 - MODIFICATIONS	November 21, 2022	HUMAN SERVICES -- DSS	\$150,000	\$348,000	Assist CalWORKs to complete the components of Cal-OAR (CalWORKs Outcome and Accountability Review), a State of California mandated project. Proposed works are as follow: (1) review of the current system and, (2) development of a system improvement plan.	08/30/2022	06/30/2025	REGULAR
4123 12/13 - MODIFICATIONS	November 21, 2022	PUBLIC HEALTH -- DPH	\$2,421,692	\$6,969,752	Contractor will provide nutrition education and support services, with the goal of transforming environments in order to make healthy eating and physical activity possible in a variety of settings including schools, community-based organizations, childcare settings, youth-serving environments and faith-based organizations.	10/01/2019	06/30/2029	REGULAR
45965 - 19/20 - MODIFICATIONS	November 21, 2022	PUBLIC UTILITIES COMMISSION -- PUC	\$375,000	\$750,000	Crane inspections and repair in accordance with CalOSHA ANSI standards in compliance with Plate V title 8 Federal code including OSHA 1810.179, ASME, and ANSI. Scope of services will include, but is not limited to the following main services on equipment located within SFPUC-WWE system wide: • Quarterly Maintenance and Inspections • Mandatory Partial Load Testing, • Proof Load and Operational Testing, • Mandatory Annual Inspection, Maintenance, Certification • Quadrennial Inspection, Maintenance, Certification, • Troubleshooting and • “As-needed Repairs”	09/30/2022	01/31/2026	REGULAR
TOTAL AMOUNT \$3,796,692								

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

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: AIRPORT COMMISSION -- AIR

Dept. Code: AIR

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

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

Type of Service: Explosive Detection Canine Training

Funding Source: Airport Operating Funds

PSC Amount: \$200,000

PSC Est. Start Date: 01/01/2023

PSC Est. End Date
06/30/2026

1. Description of Work

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

The San Francisco International Airport (Airport) requires a contractor to provide as-needed and intermittent training to the San Francisco Police Department - Airport Bureau (SFPD-AB) police service canines (K-9) and their handlers on explosives detection in accordance with the latest Transportation Security Administration (TSA) standards and important alert notices.

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

TSA requires annual certification for explosive detection of each of the SFPD-AB K-9 teams to ensure continual operational proficiency in the working environment. Denial of services may impact the K-9 teams understanding of the TSA's stringent standards and the preparation needed for the annual certification review.

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

These services have previously been provided under PSC# 49336-18/19.

D. Will the contract(s) be renewed?

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

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

not applicable

2. Reason(s) for the Request

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

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

B. Explain the qualifying circumstances:

The TSA explosive detection canine trainings are on an as-needed and intermittent basis to prepare K-9 unit teams for annual certification.

3. Description of Required Skills/Expertise

- A. Specify required skills and/or expertise: The contractor must have expertise in training police service canines in explosives detection and must have experience with TSA standards as it relates to training K-9 teams working in an airport environment.
- B. Which, if any, civil service class(es) normally perform(s) this work? Q002, Police Officer; Q003, Police Officer 2; Q004, Police Officer 3; Q050, Sergeant, (Police Department); Q051, Sergeant 2; Q052, Sergeant 3;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: No.

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

None. The City has police officers who handle K-9, but no officers that provide training per TSA standards.

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

- A. Explain why civil service classes are not applicable.
The City does not have classifications for staff to provide explosives detection training for K-9 teams in concurrence with TSA standards.
- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. No. The expertise and experience required for the training services are on an as-needed and intermittent basis.

6. Additional Information

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.
No.
- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.
Yes. The contractor will provide an average 20-25 hours of field assessment, training and exercise for each team (handler and K-9) to conform to the TSA certification standards on explosive detection. At this time, the SFPD-AB anticipates that three (3) Q050 Sergeants and 13 Q004 Police Officers and their K-9s will be trained by the contractor.
- C. Are there legal mandates requiring the use of contractual services?
No.
- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.
No.
- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.
No.

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

7. **Union Notification:** On 09/21/2022, the Department notified the following employee organizations of this PSC/RFP request:
SFPOA - Q2-Q50

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

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

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

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 41818 - 22/23

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 11/21/2022

Receipt of Union Notification(s)

Quoc Truong (AIR)

From: dhr-psccordinator@sfgov.org on behalf of cynthia.avakian@flysfso.com
Sent: Wednesday, September 21, 2022 4:13 PM
To: Cynthia Avakian (AIR); mlobre@sfpoa.org; @sfpoa.org; tracym@sfpoa.org; Quoc Truong (AIR); DHR-PSCCoordinator, DHR (HRD)
Subject: Receipt of Notice for new PCS over \$100K PSC # 41818 - 22/23

RECEIPT for Union Notification for PSC 41818 - 22/23 more than \$100k

The AIRPORT COMMISSION -- AIR has submitted a request for a Personal Services Contract (PSC) 41818 - 22/23 for \$200,000 for Initial Request services for the period 01/01/2023 – 06/30/2026. Notification of 30 days (60 days for SEIU) is required.

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

<http://apps.sfgov.org/dhrdrupal/node/19185> For union notification, please see the TO: field of the email to verify receipt. If you do not see all the unions you intended to contact, the PSC Coordinator must change the state back to NOT READY, make sure the classes and unions you want to notify are selected and SAVE. Then VIEW the record and verify the list of unions and emails. EDIT the document again , change the state back START UNION NOTIFICATION and SAVE. You should receive the email with all unions to the TO: field as intended

Additional Attachment(s)

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: AIRPORT COMMISSION -- AIR

Dept. Code: AIR

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

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

Type of Service: Transportation Security Administration Explosive Detection Canine Training

Funding Source: Airport Operating Funds

PSC Amount: \$260,000

PSC Est. Start Date: 11/05/2018

PSC Est. End Date: 06/30/2023

1. Description of Work

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

The contractor will provide training to the San Francisco Police Department – Airport Bureau (SFPD-AB) police service canines (K-9 unit) and their handlers on explosives detection in accordance with Transportation Security Administration (TSA) standards.

Department of Homeland Security - Transportation Security Administration (TSA) required

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

TSA requires annual certification for explosives detection of each of the SFPD-AB K-9 unit teams. This training will ensure the K-9 unit teams are prepared and more successful during TSA's certification reviews. Not providing this training will result in increased failure rates of the K-9 unit teams, which jeopardizes security at SFO. It would further require SFO to bring in new K-9 units to the program at an increased cost, rather than proactively working with the existing K-9's by providing training.

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

This is a new service.

D. Will the contract(s) be renewed?

Yes, if there continues to be need for this service at SFO.

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

not applicable

2. Reason(s) for the Request

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

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

B. Explain the qualifying circumstances:

The work is required on an as-needed intermittent basis.

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise: The contractor must have expertise in training police service K-9's in explosives detection, and must have experience with TSA standards as it relates to training K-9 units working in an Airport environment.

B. Which, if any, civil service class(es) normally perform(s) this work? Q002, Police Officer; Q003, Police Officer 2; Q004, Police Officer 3; Q050, Sergeant, (Police Department); Q051, Sergeant 2; Q052, Sergeant 3;

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

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

None. The City has police officers who handle K-9 units, but not who provide training per TSA standards.

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

A. Explain why civil service classes are not applicable.

The City does not have classifications for staff to provide explosives detection training for K-9 unit teams in concurrence with TSA standards.

B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. No, as the training will happen on an intermittent basis and does not justify creating a new civil service classification.

6. Additional Information

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

B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.
Yes. Yes, the contractor will provide 17 hrs of field assessment, training and exercise for each team (handler and K-9) to conform to the TSA certification standards on explosive detection. Two (2) Q50 sergeants and 13-18 Q4 Police Officers and their K9s will be trained by the contractor.

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

D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain

and include an excerpt or copy of any such applicable requirement.

No.

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

No.

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

No.

7. Union Notification: On 09/10/2018, the Department notified the following employee organizations of this PSC/RFP request:
SFPOA - Q2-Q50

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

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

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

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 49336 - 18/19

DHR Analysis/Recommendation:

action date: 11/19/2018

Commission Approval Required

Approved by Civil Service Commission

11/19/2018 DHR Approved for 11/19/2018

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: AIRPORT COMMISSION -- AIR

Dept. Code: AIR

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

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

Type of Service: International Marketing Services in Overseas Locations

Funding Source: Airport Operating Funds

PSC Amount: \$7,500,000

PSC Est. Start Date: 01/01/2023

PSC Est. End Date
12/31/2027

1. Description of Work

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

The San Francisco International Airport ("SFO" or "Airport") requires international marketing consultants to perform services in overseas locations to increase international flight activity and to support the current airline service providers at SFO. Consultants will develop and execute marketing programs, promote SFO's new flights, provide market research support based on their respective region, strategic planning and execution of campaigns for SFO with airlines and industry partners to attract new and retain airlines at SFO. These services also include securing and arranging new partnerships with airlines and/or travel trade partners to promote new and existing air service to SFO in the following regions: Asia, Europe, Latin America, and Oceania. Consultants will provide a staff representative in the international marketing industry in each of these regions.

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

This service is necessary to protect and maintain the current level of SFO's international flights from future reductions in the highly competitive and volatile aviation industry. In addition, this service is required to continue future expansion of international flights in growing markets. Other United States airports are aggressively building networks of contacts and relationships in similar markets and the absence of SFO in these current and future potential markets puts SFO at risk of losing international service providers. Denial of these services may lead to a loss of international flight activity and revenue to SFO.

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

These services have most recently been provided under PSC#49266-17/18.

D. Will the contract(s) be renewed?

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

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

This PSC is requested for a term of five years to match the contract that the Airport seeks to enter into.

2. Reason(s) for the Request

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

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

B. Explain the qualifying circumstances:

Projects issued are short-term and on an as-needed basis as they are dependent on the need and current market conditions and trends within that region. Expertise and experience in public and foreign relations, tourism and trade show marketing, international marketing and advertising are required, within the following regions: Asia, Europe, Latin America, and Oceania. Consultants will provide a staff representative in the international marketing industry in each of these regions.

3. Description of Required Skills/Expertise

- A. Specify required skills and/or expertise: Expertise and experience in public and foreign relations, tourism and trade show marketing, international marketing and advertising, and familiarity with international market trends and conditions in the following regions: Asia, Europe, Latin America, and Oceania. All marketing and information generated overseas must be provided in the country's local language.
- B. Which, if any, civil service class(es) normally perform(s) this work? 1310, Public Relations Assistant; 1802, Research Assistant; 1822, Administrative Analyst; 1823, Senior Administrative Analyst; 1824, Pr Administrative Analyst; 5320, Illustrator and Art Designer; 5322, Graphic Artist; 5330, Graphics Supervisor; 9251, Public Relations Mgr; 0931, Manager III; 0933, Manager V; 9252, Communications Specialist;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes. The contractor will provide representation offices in various overseas regions including Asia, Europe, Oceania and Latin America.

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

No efforts have been made, since the work will need to be performed in overseas locations.

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

- A. Explain why civil service classes are not applicable.
Civil service classifications are not applicable because those performing the work must be familiar with international markets trends and conditions and the work must be performed in overseas locations by these individuals.
- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. No, as the work must be performed in overseas locations and requires knowledge of local tourism, current market trends, and aviation needs within that region.

6. Additional Information

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

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

7. Union Notification: On 08/23/2022, the Department notified the following employee organizations of this PSC/RFP request:
Municipal Executive Association; Professional & Tech Engrs, Local 21; SEIU 1021 Miscellaneous

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

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

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

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 47770 - 22/23

DHR Analysis/Recommendation:
Commission Approval Required
DHR Approved for 11/21/2022

Civil Service Commission Action:

Receipt of Union Notification(s)

From: dhr-psccordinator@sfgov.org on behalf of cynthia.avakian@flysfso.com
To: [Cynthia Avakian \(AIR\)](mailto:Cynthia.Avakian@AIR); [Jason Klumb](mailto:Jason.Klumb); [Frigault, Noah \(HRC\)](mailto:Frigault.Noah@HRC); [MeYers, Julie \(HSA\)](mailto:MeYers.Julie@HSA); [Thomas Vitale](mailto:Thomas.Vitale); [Ricardo.lopez@sfgov.org](mailto:Ricardo.Lopez@sfgov.org); [Basconcillo, Katherine \(PUC\)](mailto:Basconcillo.Katherine@PUC); pcamarillo_seiu@sbcglobal.net; wendy.frigillana@seiu1021.org; pscreview@seiu1021.org; ted.zarzecki@seiu1021.net; davidmkersten@gmail.com; xiumin.li@seiu1021.org; [Poon, Sin Yee \(HSA\)](mailto:Poon.Sin.Yee@HSA); david.canham@seiu1021.org; jtanner940@aol.com; WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; kschumacher@ifpte21.org; pkim@ifpte21.org; l21pscreview@ifpte21.org; [Laxamana, Junko \(DBI\)](mailto:Laxamana.Junko@DBI); Criss@sfmea.com; camaquey@sfmea.com (contact); christina@sfmea.com; staff@sfmea.com; [Janelle Dung-Sapantay \(AIR\)](mailto:Janelle.Dung-Sapantay@AIR); DHR-PSCCoordinator, [DHR \(HRD\)](mailto:DHR@HRD)
Subject: Receipt of Notice for new PCS over \$100K PSC # 47770 - 22/23
Date: Tuesday, August 23, 2022 5:24:34 PM

RECEIPT for Union Notification for PSC 47770 - 22/23 more than \$100k

The AIRPORT COMMISSION -- AIR has submitted a request for a Personal Services Contract (PSC) 47770 - 22/23 for \$7,500,000 for Initial Request services for the period 01/01/2023 – 12/31/2027. Notification of 30 days (60 days for SEIU) is required.

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

<http://apps.sfgov.org/dhrdrupal/node/18912> For union notification, please see the TO: field of the email to verify receipt. If you do not see all the unions you intended to contact, the PSC Coordinator must change the state back to NOT READY, make sure the classes and unions you want to notify are selected and SAVE. Then VIEW the record and verify the list of unions and emails. EDIT the document again , change the state back START UNION NOTIFICATION and SAVE. You should receive the email with all unions to the TO: field as intended

Additional Attachment(s)

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: 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: International Marketing Services in Overseas Locations

Funding Source: Airport Operating Funds PSC Duration: 7 years 4 weeks
PSC Amount: \$13,000,000 PSC Est. Start Date: 12/01/2017 PSC Est. End Date: 12/31/2024

1. Description of Work

A. Scope of Work:

San Francisco International Airport (SFO) requires the services of International Marketing consultants to perform services in overseas locations to increase international flight activity to SFO. These international services will include: strategic planning and marketing, air service development support, market research, public relations, cultural consultation and branding.

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

This service is necessary to keep SFO competitive in a highly volatile aviation industry. The consultant would work to maintain SFO's current international service or increase flights to new destinations with new airlines. Other U.S. and North American airports are aggressively building networks of contacts and relationships in similar markets and an absence of SFO in these current and future potential markets puts the Airport at risk of losing international service. Denial of these services will most likely lead to a loss of projected international flight activity and revenue.

C. Has this service been provided in the past. If so, how? If the service was provided via a PSC, provide the most recently approved PSC # and upload a copy of the PSC. This service have been provided most recently under PSC No. 4130-08/09.

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

2. Union Notification: On 08/25/2017, the Department notified the following employee organizations of this PSC/RFP request: Municipal Executive Association; Prof & Tech Eng, Local 21; Professional & Tech Engrs, Local 21; SEIU 1021 Miscellan

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 49266 - 17/18

DHR Analysis/Recommendation:

11/20/2017

Commission Approval Required

Approved by Civil Service Commission

DHR Approved for 11/20/2017

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:

Expertise and experience in providing: public and foreign relations; tourism and trade show marketing/representation; and international marketing/international advertising and distribution development. All marketing generated overseas must be provided in the local language of the target destinations. Ability to provide the required expertise in the target overseas locations.

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

0932,0922,1840,1823,1842,1802,

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

Yes. The contractor will provide representation offices in various overseas locations including but not limited to the regions of Asia, Europe, Latin America and Oceania.

4. Why Classified Civil Service Cannot Perform

A. Explain why civil service classes are not applicable:

Civil service classes are not applicable as the work will be performed in overseas locations.

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

None, as the work will be performed in overseas locations.

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

YES NO

- | | | |
|---|--------------------------|-------------------------------------|
| A. Will the contractor directly supervise City and County employee? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| B. Will the contractor train City and County employee?
No training will be provided as the work will be performed overseas locatiior | <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 10/25/2017 BY:

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

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

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: ASSESSOR / RECORDER -- ASR

Dept. Code: ASR

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

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

Type of Service: Digital Reel system upgrade and document review to implement AB1466

Funding Source: ASR department budget (Recorder fund)

PSC Duration: 6 years 1 day

PSC Amount: \$500,000

1. Description of Work

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

The Office of the Assessor-Recorder (ASR) has an existing contract with BMI Imaging Systems Inc. (BMI) to host approximately 15.1 million pages of documents that were recorded between 1906 and 1999. BMI's proprietary platform Digital Reel is the portal through which members of the public can view and request copies of these archived records.

In 2021, the California Legislature approved Assembly Bill 1466 (AB1466) which requires all California Counties to redact from deeds and other property documents any language that is discriminatory or racially restrictive. To achieve this legislated mandate, ASR would like to enter into a new professional services contract with BMI to upgrade the existing software, enable search capability for this restrictive language, and subsequently redact inappropriate content. The estimated contract value is \$280,000 but may increase up to \$500,000 during contract negotiations; the initial contract term is four (4) years with two (2) one-year options to extend for one year each.

As part of this software upgrade, historical records will be searched using optical character recognition (OCR) technology to identify unlawfully Restrictive Covenants. Once identified, BMI will perform a manual review of each suspected Restricted Covenant for accuracy, and will manually data enter key document details and page locations within the recorded document where terms were found. Once identified, BMI will route the documents through a secure AB-1466 website which can be accessed by both ASR and the City Attorney for further processing. The City Attorney's Office will review and approve the proposed changes in the software, and ASR will re-record the original document with the illegal language redacted. Furthermore, this system upgrade would allow ASR to meet the reporting requirement which his required by the legislation.

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

This work is required under Assembly Bill 1466 and requires all California Counties to redact from deeds and other property documents any language that is discriminatory or racially restrictive. This contract will help ASR meet the timeline set forth in its AB 1466 Implementation Plan (<http://www.sfassessor.org/forms-notice/forms/restrictive-covenant-modification-program-implementation-plan>). If denied, this work will be delayed and the department will not be able to meet the requirements of this new law.

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

This particular service has not been provided in the past. However, BMI's existing contract for software and records hosting used the Office of Contract Administration's (OCA) continuing Civil Service approval for proprietary software support, cloud-based applications, and equipment installation and maintenance.

D. Will the contract(s) be renewed?

The initial contract term will be four (4) years with two (2) one-year options to extend for one (1) year each. ASR does not anticipate that this contract will require renewal after that full six (6) year term.

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

This contract will have an initial term of 4 years, with two 1 year options to extend for 1 year each. This is important flexibility for ASR in case additional restrictive keywords must be searched and redacted or the volume of documents identified for redaction is greater than anticipated.

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

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

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

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

B. Explain the qualifying circumstances:

BMI will upgrade their proprietary software, which is work that City personnel cannot complete. In addition, for the document review scope, ASR does not have staffing resources to complete the extensive document review and indexing work required by AB1466. This effort has a short-term duration and limited scope of documents for review, so it is not feasible or practical for ASR to staff up to handle this document review.

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

A. Specify required skills and/or expertise: Ability to perform work on BMI's proprietary Digital Reel system. Ability to review documents for racially restrictive language and index document fields.

B. Which, if any, civil service class(es) normally perform(s) this work? 1052, IS Business Analyst; 1053, IS Business Analyst-Senior; 1054, IS Business Analyst-Principal; 4213, ASR-Office Assistant; 4214, Assessor-Recorder Office Spec; 4215, ASR Senior Office Specialist;

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

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

For the technical system upgrade work, ASR cannot perform work on BMI's proprietary Digital Reel system. For the document review scope, ASR does not have staffing resources to complete the extensive

document review and indexing work required by AB1466.

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

A. Explain why civil service classes are not applicable.

For the technical system upgrade work, ASR cannot perform work on BMI's proprietary Digital Reel system. For the document review scope, ASR does not have staffing resources to complete the extensive document review and indexing work required by AB1466.

B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. No. For the technical system upgrade work, ASR cannot perform work on BMI's proprietary Digital Reel system. For the document review scope, ASR does not have staffing resources to complete the extensive document review and indexing work required by AB1466.

6. Additional Information

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

No.

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

Yes. In partnership with ASR staff, the contractor may train employees on how to use the new parts of the BMI Digital Reel system for restrictive covenant review, indexing, and rerecording under AB1466. A number of training hours cannot be determined at this time. This training would impact staff in the 421X series in ASR's Recorder and Public Service divisions. No training will be performed on the system upgrade scope of this contract.

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

Yes. California Government Code Section 12956.3 notes that County Recorders must identify and redact restrictive covenants. San Francisco County's records are hosted in BMI's Digital Reel system for records prior to 2000.

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

No.

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

No.

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

Yes. The Office of the Assessor-Recorder (ASR) has an existing contract with BMI Imaging Systems Inc. (BMI) to host approximately 15.1 million pages of documents that were recorded between 1906 and 1999. BMI's proprietary platform Digital Reel is the portal through which members of the public can view and request copies of these archived records.

7. Union Notification: On 08/25/2022, the Department notified the following employee organizations of this PSC/RFP request:

Architect & Engineers, Local 21; Management & Superv Local 21; Prof & Tech Eng, Local 21; Professional & Tech Engrs, Local 21; Professional & Tech Engrs, SFAPP; SEIU 1021 Miscellaneous; SEIU Local 1021; SEIU, Local 1021 (Staff Nurse & Per Diem Nurse); SEIU, Local 1021 H-1 Fire-Rescue Paramedics

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

Name: Molly Peterson Phone: 415-554-4734 Email: molly.peterson@sfgov.org

Address: 1 Dr. Carlton B. Goodlett Place, City Hall Room 190 San Francisco, CA 94102

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 40013 - 22/23

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 11/21/2022

Receipt of Union Notification(s)

From: dhrr-psccordinator@sfgov.org on behalf of molly.peterson@sfgov.org
To: [Peterson, Molly \(ASR\)](mailto:Peterson.Molly@ASR); snaranjo@cirseiu.org; jennifer.esteen@seiu1021.org; emathurin@cirseiu.org; abush@cirseiu.org; sbabaria@cirseiu.org; kcartermartinez@cirseiu.org; ablood@cirseiu.org; max.porter@seiu1021.org; sarah.wilson@seiu1021.org; Sandeep.lal@seiu1021.me; leah.berlanga@seiu1021.org; [Jason Klumb](mailto:Jason.Klumb); [Frigault, Noah \(HRC\)](mailto:Frigault.Noah@HRC); [Mevers, Julie \(HSA\)](mailto:Mevers.Julie@HSA); [Thomas Vitale](mailto:Thomas.Vitale); Ricardo.lopez@sfgov.org; [Basconcillo, Katherine \(PUC\)](mailto:Basconcillo.Katherine@PUC); pcamarillo_seiu@sbcglobal.net; wendy.frigillana@seiu1021.org; pscreview@seiu1021.org; ted.zarzecki@seiu1021.net; davidmkersten@gmail.com; xiumin.li@seiu1021.org; [Poon, Sin Yee \(HSA\)](mailto:Poon.Sin.Yee@HSA); david.canham@seiu1021.org; jtanner940@aol.com; [Laxamana, Junko \(DBI\)](mailto:Laxamana.Junko@DBI); amakayan@ifpte21.org; ecassidy@ifpte21.com; WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; kschumacher@ifpte21.org; kpage@ifpte21.org; eerbach@ifpte21.org; pkim@ifpte21.org; l21pscreview@ifpte21.org; [Peterson, Molly \(ASR\)](mailto:Peterson.Molly@ASR); [DHR-PSCCoordinator, DHR \(HRD\)](mailto:DHR-PSCCoordinator,DHR@HRD)
Subject: Receipt of Notice for new PCS over \$100K PSC # 40013 - 22/23
Date: Thursday, August 25, 2022 1:25:00 PM

RECEIPT for Union Notification for PSC 40013 - 22/23 more than \$100k

The ASSESSOR / RECORDER -- ASR has submitted a request for a Personal Services Contract (PSC) 40013 - 22/23 for \$500,000 for Initial Request services for the period 01/01/2023 – 12/31/2028. Notification of 30 days (60 days for SEIU) is required.

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

<http://apps.sfgov.org/dhrrupal/node/19067> 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)


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GOVERNMENT CODE - GOV

TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000 - 22980] (Title 2 enacted by Stats. 1943, Ch. 134.)

DIVISION 3. EXECUTIVE DEPARTMENT [11000 - 15986] (Division 3 added by Stats. 1945, Ch. 111.)

PART 2.8. CIVIL RIGHTS DEPARTMENT [12900 - 12999] (Heading of Part 2.8 amended by Stats. 2022, Ch. 48, Sec. 29.)

CHAPTER 6. Discrimination Prohibited [12940 - 12957] (Chapter 6 added by Stats. 1980, Ch. 992.)

ARTICLE 2. Housing Discrimination [12955 - 12957] (Article 2 added by Stats. 1980, Ch. 992.)

12955. It shall be unlawful:

(a) For the owner of any housing accommodation to discriminate against or harass any person because of the race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, source of income, disability, veteran or military status, or genetic information of that person.

(b) For the owner of any housing accommodation to make or to cause to be made any written or oral inquiry concerning the race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, disability, veteran or military status, or genetic information of any person seeking to purchase, rent, or lease any housing accommodation.

(c) For any person to make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement, with respect to the sale or rental of a housing accommodation that indicates any preference, limitation, or discrimination based on race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, source of income, disability, veteran or military status, or genetic information or an intention to make that preference, limitation, or discrimination.

(d) For any person subject to the provisions of Section 51 of the Civil Code, as that section applies to housing accommodations, to discriminate against any person on the basis of sex, gender, gender identity, gender expression, sexual orientation, color, race, religion, ancestry, national origin, familial status, marital status, disability, genetic information, source of income, veteran or military status, or on any other basis prohibited by that section. Selection preferences based on age, imposed in connection with a federally approved housing program, do not constitute age discrimination in housing.

(e) For any person, bank, mortgage company, or other financial institution that provides financial assistance for the purchase, refinance, organization, or construction of any housing accommodation to discriminate against any person or group of persons because of the race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, source of income, disability, veteran or military status, or genetic information in the terms, conditions, or privileges relating to the obtaining or use of that financial assistance.

(f) For any owner of housing accommodations to harass, evict, or otherwise discriminate against any person in the sale or rental of housing accommodations when the owner's dominant purpose is retaliation against a person who has opposed practices unlawful under this section, informed law enforcement agencies of practices believed unlawful under this section, has testified or assisted in any proceeding under this part, or has aided or encouraged a person to exercise or enjoy the rights secured by this part. Nothing herein is intended to cause or permit the delay of an unlawful detainer action.

(g) For any person to aid, abet, incite, compel, or coerce the doing of any of the acts or practices declared unlawful in this section, or to attempt to do so.

(h) For any person, for profit, to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, sex,

gender, gender identity, gender expression, sexual orientation, marital status, ancestry, disability, genetic information, source of income, familial status, veteran or military status, or national origin.

(i) (1) For any person or other organization or entity whose business involves real estate-related transactions to discriminate against any person in making available a transaction, or in the terms and conditions of a transaction, because of race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, source of income, familial status, disability, veteran or military status, or genetic information.

(2) For any person or other entity whose business includes performing appraisals, as defined in subdivision (b) of Section 11302 of the Business and Professions Code, of residential real property to discriminate against any person in making available those services, or in the performance of those services, because of race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, familial status, source of income, disability, genetic information, veteran or military status, or national origin.

(j) To deny a person access to, or membership or participation in, a multiple listing service, real estate brokerage organization, or other service because of race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, ancestry, disability, genetic information, familial status, source of income, veteran or military status, or national origin.

(k) To otherwise make unavailable or deny a dwelling based on discrimination because of race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, familial status, source of income, disability, genetic information, veteran or military status, or national origin.

(l) To discriminate through public or private land use practices, decisions, and authorizations because of race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, familial status, marital status, disability, genetic information, national origin, source of income, veteran or military status, or ancestry. Discrimination includes, but is not limited to, restrictive covenants, zoning laws, denials of use permits, and other actions authorized under the Planning and Zoning Law (Title 7 (commencing with Section 65000)), that make housing opportunities unavailable.

Discrimination under this subdivision also includes the existence of a restrictive covenant, regardless of whether accompanied by a statement that the restrictive covenant is repealed or void.

(m) As used in this section, "race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, source of income, disability, veteran or military status, or genetic information," includes a perception that the person has any of those characteristics or that the person is associated with a person who has, or is perceived to have, any of those characteristics.

(n) To use a financial or income standard in the rental of housing that fails to account for the aggregate income of persons residing together or proposing to reside together on the same basis as the aggregate income of married persons residing together or proposing to reside together.

(o) In instances where there is a government rent subsidy, to use a financial or income standard in assessing eligibility for the rental of housing that is not based on the portion of the rent to be paid by the tenant.

(p) (1) For the purposes of this section, "source of income" means lawful, verifiable income paid directly to a tenant, or to a representative of a tenant, or paid to a housing owner or landlord on behalf of a tenant, including federal, state, or local public assistance, and federal, state, or local housing subsidies, including, but not limited to, federal housing assistance vouchers issued under Section 8 of the United States Housing Act of 1937 (42 U.S.C. Sec. 1437f). "Source of income" includes a federal Department of Housing and Urban Development Veterans Affairs Supportive Housing voucher. For the purposes of this section, a housing owner or landlord is not considered a representative of a tenant unless the source of income is a federal Department of Housing and Urban Development Veterans Affairs Supportive Housing voucher.

(2) For the purposes of this section, it shall not constitute discrimination based on source of income to make a written or oral inquiry concerning the level or source of income.

(Amended by Stats. 2021, Ch. 352, Sec. 7. (AB 948) Effective January 1, 2022.)

12955.1. (a) For purposes of Section 12955, "discrimination" includes, but is not limited to, a failure to design and construct a covered multifamily dwelling in a manner that allows access to, and use by, disabled persons by providing, at a minimum, the following features:

(1) All covered multifamily dwellings shall have at least one building entrance on an accessible route, unless it is impracticable to do so because of the terrain or unusual characteristics of the site. The burden of establishing

impracticability because of terrain or unusual site characteristics is on the person or persons who designed or constructed the housing facility.

(2) All covered multifamily dwellings with a building entrance on an accessible route shall be designed and constructed in a manner that complies with all of the following:

(A) The public and common areas are readily accessible to and usable by persons with disabilities.

(B) All the doors designed to allow passage into and within all premises are sufficiently wide to allow passage by persons in wheelchairs.

(C) All premises within covered multifamily dwelling units contain the following features of adaptable design:

(i) An accessible route into and through the covered dwelling unit.

(ii) Light switches, electrical outlets, thermostats, and other environmental controls in accessible locations.

(iii) Reinforcements in bathroom walls to allow later installation of grab bars around the toilet, tub, shower stall, and shower seat, where those facilities are provided.

(iv) Useable kitchens and bathrooms so that an individual in a wheelchair can maneuver about the space.

(b) (1) For purposes of Section 12955, "discrimination" includes, but is not limited to, a failure to design and construct 10 percent of the multistory dwelling units in buildings without an elevator that consist of at least four condominium dwelling units or at least three rental apartment dwelling units in a manner that incorporates an accessible route to the primary entry level entrance and that meets the requirements of paragraph (2) of subdivision (a) with respect to the ground floor, at least one bathroom on the primary entry level and the public and common areas. Any fraction thereof shall be rounded up to the next whole number. For purposes of this subdivision, "elevator" does not include an elevator that serves only the first ground floor or any nonresidential area. In multistory dwelling units in these buildings without elevators, the "primary entry level entrance" means the principal entrance through which most people enter the dwelling unit, as designated by the California Building Standards Code or, if not designated by California Building Standards Code, by the building official. To determine the total number of multistory dwelling units subject to this subdivision, all multistory dwelling units in the buildings subject to this subdivision on a site shall be considered collectively. This subdivision shall not be construed to require an elevator within an individual multistory dwelling unit or within a building subject to this subdivision. This subdivision shall apply only to multistory dwelling units in a building subject to this subdivision for which an application for a construction permit is submitted on or after July 1, 2005.

(2) Notwithstanding subdivision (c), the Division of the State Architect and the Department of Housing and Community Development may adopt regulations to clarify, interpret, or implement this subdivision, if either of them deem it necessary and appropriate.

(c) Notwithstanding Section 12935, regulations adopting building standards necessary to implement, interpret, or make specific the provisions of this section shall be developed by the Division of the State Architect for public housing and by the Department of Housing and Community Development for all other residential occupancies, and shall be adopted pursuant to Chapter 4 (commencing with Section 18935) of Part 2.5 of the Health and Safety Code. Prior to the effective date of regulations adopted pursuant to this subdivision, existing federal accessibility standards that provide, to persons with disabilities, greater protections than existing state accessibility regulations shall apply. After regulations pursuant to this subdivision become effective, particular state regulations shall apply if they provide, to persons with disabilities, the same protections as, or greater protections than, the federal standards. If particular federal regulations provide greater protections than state regulations, then those federal standards shall apply. If the United States Department of Housing and Urban Development determines that any portion of the state regulations are not equivalent to the federal standards, the federal standards shall, as to those portions, apply to the design and construction of covered multifamily dwellings until the state regulations are brought into compliance with the federal standards. The appropriate state agency shall provide notice pursuant to the Administrative Procedure Act (Chapter 5 (commencing with Section 11500) of Part 5 of Division 3 of Title 2) of that determination.

(d) In investigating discrimination complaints, the department shall apply the building standards contained in the California Building Standards Code to determine whether a covered multifamily dwelling is designed and constructed for access to and use by disabled persons in accordance with this section.

(e) The building standard requirements for persons with disabilities imposed by this section shall meet or exceed the requirements under the federal Fair Housing Amendments Act of 1988 (P.L. 100-430) and its implementing

regulations (24 C.F.R. 100.1 et seq.) and the existing state law building standards contained in the California Building Standards Code.

(Amended by Stats. 2003, Ch. 642, Sec. 1. Effective January 1, 2004.)

12955.1.1. For purposes of Section 12955.1, the following definitions shall apply:

(a) "Covered multifamily dwellings" means both of the following:

(1) Buildings that consist of at least four condominium dwelling units or at least three rental apartment dwelling units if the buildings have at least one elevator. For purposes of this definition, dwelling units within a single structure separated by firewalls do not constitute separate buildings.

(2) The ground floor dwelling units in buildings that consist of at least four condominium dwelling units or at least three rental apartment dwelling units if the buildings do not have an elevator. For purposes of this definition, dwelling units within a single structure separated by firewalls do not constitute separate buildings.

(b) "Multistory dwelling unit" means a condominium dwelling unit or rental apartment with finished living space on one floor and the floor immediately above or below it or, if applicable, the floors immediately above and below it.

(Added by Stats. 2003, Ch. 642, Sec. 2. Effective January 1, 2004.)

12955.2. For purposes of this part, "familial status" means one or more individuals under 18 years of age who reside with a parent, another person with care and legal custody of that individual, a person who has been given care and custody of that individual by a state or local governmental agency that is responsible for the welfare of children, or the designee of that parent or other person with legal custody of any individual under 18 years of age by written consent of the parent or designated custodian. The protections afforded by this part against discrimination on the basis of familial status also apply to any individual who is pregnant, who is in the process of securing legal custody of any individual under 18 years of age, or who is in the process of being given care and custody of any individual under 18 years of age by a state or local governmental agency responsible for the welfare of children.

(Added by Stats. 1992, Ch. 182, Sec. 9. Effective January 1, 1993.)

12955.3. For purposes of this part, "disability" includes, but is not limited to, any physical or mental disability as defined in Section 12926.

(Amended by Stats. 2000, Ch. 1049, Sec. 8. Effective January 1, 2001.)

12955.4. Nothing in this part shall prohibit a religious organization, association or society, or any nonprofit institution or organization operated, supervised, or controlled by or in conjunction with a religious organization, association, or society, from limiting the sale, rental, or occupancy of dwellings that it owns or operates for other than a commercial purpose to persons of the same religion or from giving preference to those persons, unless membership in that religion is restricted on account of race, color, or national origin.

(Added by Stats. 1992, Ch. 182, Sec. 11. Effective January 1, 1993.)

12955.5. Nothing in this part shall preclude the government from establishing programs to collect information relating to discriminatory housing practices.

(Added by Stats. 1992, Ch. 182, Sec. 12. Effective January 1, 1993.)

12955.6. Nothing in this part shall be construed to afford to the classes protected under this part, fewer rights or remedies than the federal Fair Housing Amendments Act of 1988 (P.L. 100-430) and its implementing regulations (24 C.F.R. 100.1 et seq.), or state law relating to fair employment and housing as it existed prior to the effective date of this section. Any state law that purports to require or permit any action that would be an unlawful practice under this part shall to that extent be invalid. This part may be construed to afford greater rights and remedies to an aggrieved person than those afforded by federal law and other state laws.

(Amended by Stats. 1993, Ch. 1277, Sec. 5.5. Effective January 1, 1994.)

12955.7. It shall be unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of that person having exercised or enjoyed, or on account of that person having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by Section 12955 or 12955.1.

(Added by Stats. 1993, Ch. 1277, Sec. 6. Effective January 1, 1994.)

12955.8. For purposes of this article, in connection with unlawful practices:

(a) Proof of an intentional violation of this article includes, but is not limited to, an act or failure to act that is otherwise covered by this part, that demonstrates an intent to discriminate in any manner in violation of this part. A person intends to discriminate if race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, source of income, disability, veteran or military status, or genetic information is a motivating factor in committing a discriminatory housing practice even though other factors may have also motivated the practice. An intent to discriminate may be established by direct or circumstantial evidence.

(b) Proof of a violation causing a discriminatory effect is shown if an act or failure to act that is otherwise covered by this part, and that has the effect, regardless of intent, of unlawfully discriminating on the basis of race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, source of income, disability, veteran or military status, or genetic information. A business establishment whose action or inaction has an unintended discriminatory effect shall not be considered to have committed an unlawful housing practice in violation of this part if the business establishment can establish that the action or inaction is necessary to the operation of the business and effectively carries out the significant business need it is alleged to serve. In cases that do not involve a business establishment, the person whose action or inaction has an unintended discriminatory effect shall not be considered to have committed an unlawful housing practice in violation of this part if the person can establish that the action or inaction is necessary to achieve an important purpose sufficiently compelling to override the discriminatory effect and effectively carries out the purpose it is alleged to serve.

(1) Any determination of a violation pursuant to this subdivision shall consider whether or not there are feasible alternatives that would equally well or better accomplish the purpose advanced with a less discriminatory effect.

(2) For purposes of this subdivision, the term "business establishment" shall have the same meaning as in Section 51 of the Civil Code.

(Amended by Stats. 2019, Ch. 601, Sec. 8. (SB 222) Effective January 1, 2020.)

12955.9. (a) The provisions of this part relating to discrimination on the basis of familial status shall not apply to housing for older persons.

(b) As used in this section, "housing for older persons" means any of the following:

(1) Housing provided under any state or federal program that the Secretary of Housing and Urban Development determines is specifically designed and operated to assist elderly persons, as defined in the state or federal program.

(2) Housing that meets the standards for senior housing in Sections 51.2, 51.3, and 51.4 of the Civil Code, except to the extent that those standards violate the prohibition of familial status discrimination in the federal Fair Housing Amendments Act of 1988 (Public Law 100-430) and implementing regulations.

(3) Mobilehome parks that meet the standards for "housing for older persons" as defined in the federal Fair Housing Act, as amended by Public Law 104-76, and implementing regulations.

(c) For purposes of this section, the burden of proof shall be on the owner to prove that the housing qualifies as housing for older persons.

(Amended by Stats. 2016, Ch. 714, Sec. 9. (SB 944) Effective January 1, 2017.)

12956. Upon notice that a verified complaint against it has been filed under this part, any owner of housing accommodations shall maintain and preserve any and all rental records or any other written materials relevant to the complaint, until the complaint is fully and finally disposed of and all appeals or related proceedings terminated.

(Added by Stats. 1987, Ch. 605, Sec. 5.)

12956.1. (a) As used in this section.

(1) "Association," "governing documents," and "declaration" have the same meanings as set forth in Sections 4080, 4135, and 4150 or Sections 6528, 6546, and 6552 of the Civil Code.

(2) "Redaction" means the process of rerecording of a document that originally contained unlawful restrictive language, and when presented to the county recorder for rerecording, no longer contains the unlawful language or the unlawful language is masked so that it is not readable or visible.

(3) "Redacted" means the result of the rerecording of a document that originally contained unlawful restrictive language, and when presented to the county recorder for rerecording, no longer contains the unlawful language or the unlawful language is masked so that it is not readable or visible.

(b) (1) A county recorder, title company, escrow company, real estate broker, real estate agent, or association that provides a copy of a declaration, governing document, or deed to any person shall place a cover page or stamp on the first page of the previously recorded document or documents stating, in at least 14-point boldface type, the following:

"If this document contains any restriction based on age, race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, familial status, marital status, disability, veteran or military status, genetic information, national origin, source of income as defined in subdivision (p) of Section 12955, or ancestry, that restriction violates state and federal fair housing laws and is void, and may be removed pursuant to Section 12956.2 of the Government Code by submitting a "Restrictive Covenant Modification" form, together with a copy of the attached document with the unlawful provision redacted to the county recorder's office. The "Restrictive Covenant Modification" form can be obtained from the county recorder's office and may be available on its internet website. The form may also be available from the party that provided you with this document. Lawful restrictions under state and federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status."

(2) The requirements of paragraph (1) shall not apply to documents being submitted for recordation to a county recorder.

(3) A title company, escrow company, or association that delivers a copy of a declaration, governing document, or deed directly to a person who holds an ownership interest of record in property shall also provide a Restrictive Covenant Modification form with procedural information for appropriate processing along with the document.

(c) Any person who records a document for the express purpose of adding a racially restrictive covenant is guilty of a misdemeanor. The county recorder shall not incur any liability for recording the document. Notwithstanding any other provision of law, a prosecution for a violation of this subdivision shall commence within three years after the discovery of the recording of the document.

(Amended by Stats. 2021, Ch. 359, Sec. 1. (AB 1466) Effective January 1, 2022.)

12956.2. (a) (1) A person who holds or is acquiring an ownership interest of record in property that the person believes is the subject of an unlawfully restrictive covenant in violation of subdivision (l) of Section 12955 may record a document titled Restrictive Covenant Modification. A title company, escrow company, county recorder, real estate broker, real estate agent, or other person also may record the modification document provided for in this section. The county recorder may waive the fee prescribed for recording and indexing instruments pursuant to Section 27361 in the case of a restrictive covenant modification document. The modification document shall include a complete copy of the original document containing the unlawfully restrictive language with the unlawfully restrictive covenant language redacted.

(2) Beginning July 1, 2022, if a title company, escrow company, real estate broker, or real estate agent has actual knowledge that a declaration, governing document, or deed that is being directly delivered to a person who holds or is acquiring an ownership interest in property includes a possible unlawfully restrictive covenant, they shall notify the person who holds or is acquiring the ownership interest in the property of the existence of that covenant and their ability to have it removed through the restrictive covenant modification process. There shall be no presumption that a party providing a document has read the document or has actual knowledge of its content.

(3) Beginning July 1, 2022, if requested before the close of escrow, the title company or escrow company directly involved in the pending transaction shall assist in the preparation of a Restrictive Covenant Modification pursuant to this section, but the title company or escrow company shall have no liability associated with the recordation of a Restrictive Covenant Modification that contains modifications not authorized by this section on behalf of the requester.

(b) (1) Before recording the Restrictive Covenant Modification document, the county recorder shall submit the modification document and the original document to the county counsel who shall determine whether the language in the original document contains an unlawful restriction based on age, race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, familial status, marital status, disability, veteran or military status, national origin, source of income as defined in subdivision (p) of Section 12955, or ancestry. The county counsel shall return the documents and inform the county recorder of its determination within a period of time specified in paragraph (2). The county recorder shall refuse to record the modification document if the county counsel or their designee finds that the original document does not contain an unlawful restriction as specified in this subdivision or the modification document contains modifications not authorized by this section.

(2) For documents recorded pursuant to subdivision (a), the period of time shall be a reasonable period of time, not to exceed three months, from the date the request for recordation is made, unless extraordinary circumstances apply.

(c) If a person requests to record a modification document, that person shall provide a return address in order for the county recorder to notify this person of the action taken by the county counsel on the respective property. The notice required pursuant to this subdivision may be made on a postcard mailed by first-class mail.

(d) The modification document shall be indexed in the same manner as the original document being modified. It shall contain a recording reference to the original document in the form of a book and page or instrument number, and date of the recording.

(e) Subject to covenants, conditions, and restrictions that were recorded after the recording of the original document that contains the unlawfully restrictive language and subject to covenants, conditions, and restrictions that will be recorded after the Restrictive Covenant Modification, the restrictions in the Restrictive Covenant Modification, once recorded, are the only restrictions having effect on the property. The effective date of the terms and conditions of the modification document shall be the same as the effective date of the original document.

(f) A Restrictive Covenant Modification form shall be prepared and accepted for submission and recordation in all counties in substantially the following form:

RESTRICTIVE COVENANT MODIFICATION:

The following reference document contains a restriction based on age, race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, familial status, marital status, disability, veteran or military status, genetic information, national origin, source of income as defined in Section 12955 of the Government Code, or ancestry, that violates state and federal fair housing laws and is void. Pursuant to Section 12956.2 of the Government Code, this document is being recorded solely for the purpose of redacting and eliminating that restrictive covenant as shown on page(s) ____ of the document recorded on _____(date) in book _____ and page _____ or instrument number _____ of the official records of the County of _____, State of California.

Attached hereto is a true, correct and complete copy of the document referenced above, with the unlawful restrictive covenant redacted.

This modification document shall be indexed in the same manner as the original document being modified, pursuant to subdivision (d) of Section 12956 of the Government Code.

The effective date of the terms and conditions of the modification document shall be the same as the effective date of the original document.

(Signature of submitting party)

_____ County Counsel, or their designee, pursuant to paragraph (1) of subdivision (b) of Section 12956.2 of the Government Code, hereby states that it has determined that the original document referenced above contains an unlawful restriction and this modification may be recorded.

Or

_____ County Counsel, or their designee, pursuant to paragraph (1) of subdivision (b) of Section 12956.2 of the Government Code, finds that the original document does not contain an unlawful restriction, or the modification document contains modifications not authorized, and this modification may not be recorded.

County Counsel

By:

Date:

(g) The county recorder shall make available to the public Restrictive Covenant Modification forms onsite in an appropriately designated area, or online on the county recorder's internet website, either of which shall be deemed

to satisfy the requirement of paragraphs (1) and (2) of subdivision (b) of Section 12956.1 to provide a Restrictive Covenant Modification form if the procedural information for appropriate processing is attached to the form. Those forms shall permit multiple submissions on behalf of different homes and for processing homes in batches with respect to a modification document that affects multiple homes or lots. The forms shall also permit the submission of a restrictive covenant modification form for a homeowners' association or a common interest development to modify covenants, conditions, and restrictions that will correct unlawfully restrictive covenants for multiple dwellings within a subdivision.

(h) If a person causes to be recorded a modified document pursuant to this section that contains modifications not authorized by this section, the county recorder shall not incur liability for recording the document. The liability that may result from the unauthorized recordation is the sole responsibility of the person who caused the modified recordation as provided in subdivision (a).

(i) (1) A restrictive covenant modification that is approved by county counsel or their designee and recorded pursuant to this section removes the illegal covenant from all property affected by the original covenant regardless of who submits the modification.

(2) This section does not affect the obligations of the governing board of a common interest development as defined in Section 4100 or 6534 of the Civil Code if the board of directors of that common interest development is subject to the requirements of subdivision (b) of Section 4225 or of subdivision (b) of Section 6606 of the Civil Code.

(j) For purposes of this section, "redaction" and "redacted" mean the same as defined in Section 12956.1.

(Amended by Stats. 2021, Ch. 359, Sec. 2. (AB 1466) Effective January 1, 2022.)

12956.3. (a) The county recorder of each county shall establish a restrictive covenant program to assist in the redaction of unlawfully restrictive covenants in violation of subdivision (l) of Section 12955.

(b) Each county recorder as part of their restrictive covenant program shall undertake all of the following:

(1) By July 1, 2022, prepare an implementation plan, which shall be publicly available and may be posted on the internet website of the county recorder, that does all of the following:

(A) Outlines how the county recorder will carry out the identification and redaction of unlawfully restrictive covenants.

(B) Provides timelines for when elements of their plan will be accomplished.

(C) Provides how the county recorder's office plans to track and maintain a record of homes with unlawfully restrictive covenants once they have been identified.

(2) Identify unlawfully restrictive covenants in violation of subdivision (l) of Section 12955 in the records of the county recorder's office.

(3) Beginning January 1, 2022, index a restrictive covenant modification document under the title of "Restrictive Covenant Modification" and shall make that index available in their office for the public, and if the county recorder has an index online, include the title in the online index.

(4) Redact unlawfully restrictive covenants in the records of the respective county recorder's office, subject to county counsel approval, by rerecording a copy of the original document with the unlawfully restrictive language redacted so that it is not readable or visible, using a Restrictive Covenant Modification Form substantially similar to the form set forth in subdivision (f) of Section 12956.2.

(c) The county recorder shall retain each nonredacted record for future reference and public request needs.

(d) (1) The County Recorders Association of California shall submit status reports on the progress of each county's restrictive covenant program established pursuant to this section by January 1, 2023, and January 1, 2025, to the Legislature. The report may describe the number of documents identified for redaction, and the implementation timelines for actions taken by each county recorder's office.

(2) The County Recorders Association of California shall convene a best practices meeting to share concepts on implementation of this section no later than December 31, 2022, with all California county recorder offices and meet annually thereafter until December 31, 2027.

(e) Nothing in this section shall be construed to restrict, delay, or modify access to any official record, or modify any existing agreements regarding access to any official record.

(f) For purposes of this section "redaction" and "redacted" mean the same as defined in Section 12956.1.

(g) The failure of a county recorder to identify or redact illegal restrictive covenants, as required by this section, or the county recorder's identification or redaction of any restrictive covenants that are later determined not to be illegal, shall not result in any liability against the county recorder or the county.

(Added by Stats. 2021, Ch. 359, Sec. 3. (AB 1466) Effective January 1, 2022.)

12957. (a) It is the policy of this state and the purpose of this section to facilitate and support the development and operation of housing for homeless youth.

(b) The provision of housing for homeless youth is hereby authorized and shall not be considered unlawful age discrimination, notwithstanding any other provision of law, including, but not limited to, Sections 51, 51.2, and 51.10 of the Civil Code, Sections 11135, 12920, and 12955 of this code, Chapter 11.5 (commencing with Section 50800) of Part 2 of Division 31 of the Health and Safety Code, and local housing or age discrimination ordinances.

(c) This section shall not be construed to permit discrimination against families with children.

(d) This section shall occupy the field of regulation of housing for homeless youth by any local public entity, including, but not limited to, a city, county, and city and county.

(e) For purposes of this section, the following definitions shall apply:

(1) "At risk of becoming homeless" means facing eviction or termination of one's current housing situation.

(2) "Homeless youth" means either of the following:

(A) A person who is not older than 24 years of age, and meets one of the following conditions:

(i) Is homeless or at risk of becoming homeless.

(ii) Is no longer eligible for foster care on the basis of age.

(iii) Has run away from home.

(B) A person who is younger than 18 years of age, who is emancipated pursuant to Part 6 (commencing with Section 7000) of Division 11 of the Family Code, and who is homeless or at risk of becoming homeless.

(3) "Housing for homeless youth" means emergency, transitional, or permanent housing tied to supportive services that assist homeless youth in stabilizing their lives and developing the skills and resources they need to make a successful transition to independent, self-sufficient adulthood.

(Added by Stats. 2016, Ch. 870, Sec. 15. (SB 1442) Effective January 1, 2017.)

Appendix A SaaS Application & Hosting Services

- I. Description of the SaaS Application and Hosted Services**
- II. SaaS Data Centers**
- III. SaaS Maintenance Services**
- IV. City Responsibilities**
- V. Technical Support & Training**

I. Description of the SaaS Application and Hosted Services: “SaaS Application and Hosted Services” include the following services:

A. Hosting City’s Content / Imaged Product: Contractor shall host the City’s Content and Imaged Product as defined in Article 1 of this Agreement.

B. Access Services:

A.B.1 Contractor shall allow access to the Imaged Product to City enabled users via the City's Website and/or End User's processing environment from one or more of Contractor's data repositories. Members of the public authorized by City program administrators to view the Imaged Product will be able to do so through the Website created by Contractor for City for public viewing.

A.B.2 Contractor shall provide City Designated Master Administrator Rights to create other Master Administrators, Administrators, or End Users. City Designated Master Administrators or others as approved by City Master Administrator shall issue passwords to City's employee End Users authorizing these employees to view City's Content. Adding or removing City employee End Users will be at the discretion of the Assessor-Recorder Master Administrator or his/her designee(s). City acknowledges that Contractor shall have no rights to allow end user access to the City data and that all user access and data suitability and confidentiality is at the discretion and responsibility of the City alone.

A.B.3 For documents that have been OCR'd, End Users shall be able to search using keywords that appear anywhere in the record (e.g., parcel address, APN, or party name). For records that have not been OCR'd, End Users shall be able to search by several fields, including but not limited to: book and page number, reel and image number, certificate year and number, and document number depending on the type of record being searched.

C. Software: Use of Contractor’s Software operating on hosted equipment located at Contractor’s facility and/or any Data Center as further outlined under Section II (SaaS Data Centers) of this Appendix B. This includes the Digital Reel software provided by BMI. City

shall be given unlimited Internal User Licenses for the most recent browser and/or software version.

D. Reserved (Third-Party Software)

E. Remote Software: Contractor shall provide access to and use of a remote software tool for City management of Authorized Users, access rights and other similar role-based controls as they pertain to the SaaS Services. Method will be published through Contractor portal and be made available to Authorized Users with elevated privileges.

F. Back-Up of City's Data:

1. Reserved (Online hourly data retention for SaaS Software operation and functionality)
2. If there are changes to the data being stored by Contractor, Contractor will create and maintain updated hard drive backups of all City data at a secure offline archive.

E. SaaS Environments: The SaaS Application and Hosted Services shall be hosted in one Tier-2 and one certified and secure Tier-4 data hosting center.

1. A single Back-up Environment available as needed to serve as the backup or “failover” environment for the SaaS and Hosted Services
2. A single test environment available to the Contractor for the evaluation and eventual promotion of SaaS Software updates, patches, fixes or otherwise deemed tests.

F. Reporting: Contractor shall provide electronic notification within 2 hours of discovery and subsequent monthly reporting of any incidents or breaches that had occurred within the environment or to the hosted application. In the event of a breach, Contractor shall follow the procedures set forth in Section 13.1.5 of the Agreement.

G. Availability of SaaS Services: Contractor (or its Hosting Service contractor) shall host the **SaaS Services** on computers owned or controlled by Contractor (or its contractor) and shall provide the City with access to multiple production locations with SaaS Application and data a via Internet-access to use according to the terms herein.

1. Hosted System Uptime: Other than Scheduled SaaS Maintenance Services as outlined in Section III, emergency maintenance described below, Force Majeure as described in the Agreement and lack of Internet availability as described below, Contractor shall provide uptime to the SaaS Application and Hosted Service to achieve a 99.9% Service Level Availability.

2. Scheduled SaaS Maintenance

- i. Contractor shall conduct Scheduled SaaS Maintenance during the following hours: on Weekends or National Holidays.
- ii. Scheduled SaaS Maintenance shall not exceed an average of 4 hours per month over a twelve (12) month period except for major scheduled upgrades.
- iii. Contractor shall provide City with no less than twenty-four (24) hours' notice prior to hosted SaaS Application unavailability due to planned maintenance (other than during Contractor's standard maintenance window outside of normal business hours or over the weekend).
- iv. Contractor shall provide as much notice as is practicable under the circumstances for updates and fixes which must be applied on a more urgent basis.
- v. Contractor will provide five (5) business days' notice prior to any planned network, server hardware, operating environment, or database modifications of a material nature.
- vi. Excluding the foregoing events, Contractor warrants that the hosted SaaS Application will be generally available no less than ninety-nine point nine percent (99.9%) of each calendar month. For each calendar month during which the availability of the hosted SaaS Application does not achieve the established standard, Contractor will provide a credit as set forth in Exhibit 1, provided substandard availability is identified by City in writing or by e-mail to Contractor and can be objectively verified.

3. Unscheduled SaaS Maintenance. Contractor shall use commercially reasonable efforts to prevent more than one (1) hour of continuous down time during business hours in any month for which unscheduled SaaS maintenance is required. If Contractor fails to meet this obligation for a period of three successive calendar months, Contractor shall furnish City with a Performance Credit in the amount of 10% of the Services Fees (as calculated on a monthly basis for the reporting month).

4. Emergency Maintenance. If Force Majeure Events or emergencies arise or continue, Contractor shall be entitled to take any actions that Contractor, in good faith, determines is necessary or advisable to prevent, remedy, mitigate, or otherwise address actual or potential harm, interruption, loss, threat, security or like concern to any of the SaaS systems or the SaaS Software. Such emergency maintenance may include, but is not limited to: analysis, testing, repair, maintenance, re-setting and other servicing of the hardware, cabling, networks, software and other devices, materials and systems through which access to and/or use of the SaaS Software by City is made available. Contractor shall endeavor to provide advance written notice of such emergency maintenance to City as soon as is reasonably possible.

5. Notice of Unavailability: In the event there will be more than thirty (30) minutes down time of any SaaS or Hosted Service components for any reason, including but not limited to, Scheduled SaaS Maintenance or emergency maintenance, Contractor shall provide notice to users by posting a web page that indicates that the site is temporarily unavailable and to please come back later. Contractor shall also provide advanced e-mail notice to

ASRIT@sfgov.org which will include at least a brief description of the reason for the down time and an estimate of the time when City can expect the site to be up and available.

H. Changes in Functionality. During the term of this Agreement, Contractor shall not reduce or eliminate functionality in SaaS Services. Where Contractor has reduced or eliminated functionality in SaaS Services, City, in its sole election, shall have, the right to immediately terminate this Agreement and be entitled to a return of any prepaid fees. Where Contractor increases functionality in the SaaS Services, such functionality shall be provided to City without any increase in the Services fees.

II. SaaS Data Centers

A. Control: The method and means of providing the Services shall be under the exclusive control, management, and supervision of Contractor, giving due consideration to the requests of City. Contractor, or any previously approved subcontractor, shall provide the Services (including data storage) solely from within the continental United States and on computing and data storage devices residing in the United States.

B. Data Center Standards.

Contractor's Data Centers shall have fully redundant and diverse network paths to City endpoints. Data Centers shall be located in geographically different seismic zones characterized by the lowest predicted chance of damage as defined by the US Geological Survey Earthquake Hazards Program.

Environmental systems must monitor/detect temperature, humidity, fluid leaks, fire/smoke/particulate and have accompanying suppression systems. Power should be fully conditioned to avoid spikes and other aberrations that can damage equipment. Temporary power units, such as generators, must be in place to support SaaS Services in the event of a power outage for up to three calendar days, at a minimum of the Tier 4 site.

C. Location: The location of the approved Data Centers that will be used to host the SaaS Application are as follows:

Primary Tier 4 data center:

NTT Global Data Center CA-1 1200 Striker Ave Sacramento

Back-up Tier 2 data center:

BMI Imaging Systems 1115 East Arques Sunnyvale

D. Replacement Hosted Provider: In the event Contractor changes the foregoing Hosted Provider, Contractor shall provide City with prior written notice of said change and disclose the name and location of the replacement Hosted Provider. The replacement Hosted Provider shall be a reputable Hosted Provider comparable to Contractor's current Hosted Provider, and said replacement Hosted Provider shall be located within the United States. The replacement Hosted Provider shall perform a SOC 1 and/or SOC 2, Type 2 Report Audit Report at least annually, in accordance with Section 13.3 of this Agreement.

E. Notice of Change: If the location of the Data Center used to host the SaaS Application is changed, Contractor shall provide City with written notice of said change at least sixty (60) days prior to any such change taking place. Contractor shall disclose the address of the new facility, which shall be within the United States. The Data Centers referenced above are subcontractors that must be approved by City.

F. Subcontractors. Contractor shall not enter into any subcontracts for the performance of the Services, or assign or transfer any of its rights or obligations under this Agreement, without City's prior written consent and any attempt to do so shall be void and without further effect and shall be a material breach of this Agreement. Contractor's use of subcontractors shall not relieve Contractor of any of its duties or obligations under this Agreement.

III. SaaS Maintenance Services.

A. The SaaS Software maintained under this Agreement shall be the SaaS Software set forth in Appendix A to this Agreement.

B. The following SaaS Maintenance Services are included as part of this Agreement:

1. Contractor Software Version Upgrades, Software Revisions and Patches. Contractor shall provide and implement all SaaS Software Version upgrades, SaaS Software Revisions and SaaS Software Patches to ensure: (a) that the functionality of the SaaS Software and Services, as described in the Documentation, is available to Authorized Users; (b) that the functionality of the SaaS Software and Services is in accordance with the representations and warranties set forth herein, including but not limited to, the SaaS Software and Services conforming in all material respects to the specifications, functions, descriptions, standards, and criteria set forth in the Documentation; (c) that the Service Level Standards can be achieved; and (d) that the SaaS Software Services work with the non-hosted browser version.

- i. **Planning:** Contractor must assist the City with the planning and logistics of upgrades and updates of any significant functionality changes or major revisions, but Contractor may make security updates or bug fixes without notice.
- ii. **Technical Assistance.** Contractor must provide technical assistance regarding release notes, new functionality, and new application workflows.
- iii. **Deployment:** Deployment of these revisions will be mutually agreed upon between Contractor and City.
- iv. **Software Releases:** Release of Software revisions as defined will be conducted on a schedule as determined by Contractor. Contractor shall provide no less than a thirty (30) calendar day prior written notice of when any such revision is scheduled to be released. City will be granted a fifteen (15) calendar day

evaluation window to review release documentation regarding software modules being impacted and general revision changes.

- v. **Testing.** After the evaluation period, Contractor shall conduct a deployment of the revision to the City test environment. The Software deployment will be scheduled in writing five (5) calendar days prior to actual deployment activities. As part of the upgrade activities within the Test Environment, Contractor may provide nominal testing to ensure all systems are functional and the revision deployment was successful. Post deployment activities include an e-mail or portal post to serve as written notification that this service has been completed. City shall have forty-five (45) calendar day test window in which City has ability to test and raise issues with Contractor. Test environment deployment activities will be conducted during a mutually agreed-to time window and may not necessarily align with the production maintenance windows as described within this document.
- vi. **Severity 1 and Severity 2 Incident Correction:** If a SaaS Severity Level 1 or Severity Level 2 Issue is identified and appropriately triaged and classified by both Contractor and City during the test environment deployment test window, Contractor shall correct the SaaS Issue. The severity of a SaaS Issue will be initially defined by the City and confirmed by Contractor. Until the SaaS Issue has been resolved, the Severity Level may be raised or lowered based on Contractor's analysis of impact to business. If the SaaS Issue can be corrected and can be redeployed within the remainder of the deployment test window, City will have an additional five (5) testing days in which to evaluate and further test for the SaaS Issue resolution. If the SaaS Issue cannot be corrected within the remainder of the test window, Contractor will deploy immediately upon availability with as much notice as practicable. City will be allowed an additional five (5) testing days to evaluate the correction post the test window if desired.
- vii. **Testing Suspension:** If at any time during the testing window City identifies the presence of multiple SaaS Severity Level 1 or Severity Level 2 Issues that can be shown to materially impact City ability to continue testing, City may in writing elect to suspend testing until corrections for the SaaS Issues can be provided. Contractor will deploy corrections immediately upon availability with as much notice as practicable. Upon release of corrections, City will have five (5) calendar days to commence the testing within the then available remaining testing window.
- viii. **Software Promotion:** Contractor will promote revision from Test Environment to Production and Back-up environments after the

provided test window has elapsed. The Software promotion will be scheduled in writing five (5) calendar days prior to actual deployment activities. As part of the promotion activities within the Production and Back-up environment, Contractor may provide nominal testing to ensure all systems are functional and the revision promotion was successful. Post promotion activities include an e-mail or portal post to serve as written notification that this service has been completed. At the point of e-mail or portal posting, the new revision will be considered “in production” and supported under the maintenance service terms described here within.

- ix. **Documentation.** In support of such SaaS Software Version upgrades, SaaS Software Revisions and SaaS Software patches, Contractor shall provide updated user technical documentation reflecting the SaaS Software Version upgrades, SaaS Software Revisions and SaaS Software patches as soon as reasonably practical after the SaaS Software Version upgrades, SaaS Software Revisions and SaaS Software Patches have been released. Updated user technical documentation that corrects SaaS Software Errors or other minor discrepancies will be provided to Contractor’s customers when available.
- x. **Training.** Contractor must provide standard training using Contractor’s upgrade tools and provide ongoing knowledge transfer to the City.

2. Reserved (Third-Party Software Revisions)

C. Response to SaaS Issues. Contractor shall provide verbal or written responses to SaaS Issues identified by City in an expeditious manner. Such responses shall be provided in accordance with the Target Response Times defined under Section V (Technical Support).

D. SaaS Software Maintenance Acceptance Period. Unless otherwise agreed to by City on a case-by-case basis, for non-emergency maintenance, City shall have a twenty (20) business day period to test any maintenance changes prior to Contractor introducing such maintenance changes into production. If the City rejects, for good cause, any maintenance changes during the SaaS Software Maintenance Acceptance Period, Contractor shall not introduce such rejected maintenance changes into production. At the end of the Maintenance Acceptance Period, if City has not rejected the maintenance changes, the maintenance changes shall be deemed to be accepted by City and Contractor shall be entitled to introduce the maintenance changes into production.

E. SaaS Hardware: Contractor shall use commercially reasonable efforts to ensure that all hardware (including servers, routers, and other related equipment) on which the SaaS Application is deployed are attached to back-up power systems sufficient to maintain the site’s availability for so long as any power outage could reasonably be expected to occur, based on the

experience of Contractor at its deployment location and consistent with the Tier rating of the Data Center required under Section (I)(E) of this Appendix.

F. Preventative Maintenance: Contractor shall perform preventative maintenance of the SaaS Application, its servers, and other facilities in accordance with its normal maintenance schedules and procedures. Contractor shall follow the maintenance notifications detailed in Appendix A.

IV. City Responsibilities

A. City shall provide Contractor with timely notification of any SaaS Issues or SaaS Software Errors by either of these methods:

1. **Contacting Contractor’s Customer Support at 1-800-359-3456 x237.**
2. **By entering the problem on Contractor’s Service Portal.** Notifications can be submitted through the City Portal, which is available via the Support link on the system login page. This is the preferred method by which to contact Contractor.
3. If City cannot readily access Contractor’s portal, City may contact Contractor at the “800” number listed above.

B. Support for Problem Investigation. City shall support all reasonable requests by Contractor as may be required in problem investigation and resolution.

C. SaaS Incident Manager: Designation of Point of Contact. City shall assign an individual or individuals to serve as the designated contact(s) for all communication with Contractor during SaaS Issue investigation and resolution.

D. Discovery of SaaS Software Errors. Upon discovery of a SaaS Software Error, City agrees, if requested by Contractor, to submit to Contractor a listing of output and any other data that Contractor may require in order to reproduce the SaaS Software Error and the operating conditions under which the SaaS Software Error occurred or was discovered.

V. 24X7 Technical Support:

A. 24x7 Technical Support: Authorized City Admins will make Technical Support requests 24/7 by submitting a request via Contractor’s service desk web portal. The Technical Support staff shall assign to the request the Incident Severity Level indicated by the City. All Security Level Incidents will be addressed and responded to starting and ending during the standard business hours of 6:00 a.m. - 6:00 p.m. US Pacific Time.

Incident Severity Level	<i>Target Response Time</i>
Severity Level 1: Requires immediate attention– Critical production functionality is not available or a large number of users cannot access the SaaS Application. Causes a major	Request Response Time: 15 minutes.

Incident Severity Level	<i>Target Response Time</i>
business impact where service is lost or degraded and no workaround is available, preventing operation of the business.	Request Resolution Time Target: < 2 hours. Maximum Permitted Request Resolution Time: < 12 hours <i>City shall be entitled to a Service Credit of 15% of the Monthly Hosting Fee paid for each failure timely to achieve resolution. If Fees are paid annually, the 15% shall apply to 1/12 of that annual fee.</i>
Severity Level 2: Requires priority attention - Some important production functionality is not available, or a small number of users cannot access the system. Causes significant business impact where service is lost or degraded and no workaround is available; however, the business can continue to operate in a limited fashion.	Request Response Time: 30 minutes Request Resolution Time Target: < 4 hours Maximum Permitted Request Resolution Time: < 48 hours <i>City shall be entitled to a Service Credit of 10% of the Monthly Hosting Fee paid for each failure timely to achieve resolution. If Fees are paid annually, the 10% shall apply to 1/12 of that annual fee.</i>
Severity Level 3: Requires attention –There is a problem or inconvenience. Causes a business impact where there is minimal loss of service and a workaround is available such that the system can continue to operate fully and users are able to continue business operations.	Request Response Time: 1 hr. Request Resolution Time Target: < 8 hours Maximum Permitted Request Resolution Time: < 96 hours <i>City shall be entitled to a Service Credit of 5% of the Monthly Hosting Fee paid for each failure timely to achieve resolution. If Fees are paid annually, the 15% shall apply to 1/12 of that annual fee.</i>
Severity Level 4: There is a problem or issue with no loss of service and no business impact.	Request Response Time: 4 hr. Request Resolution Time Target: < 96 hours Maximum Permitted Request Resolution Time: < 7 days

1. SERVICE CREDIT ESCALATION.

In the event of a Severity Level 1 issue that is not resolved sufficiently quickly as determined in the City's sole discretion, City may escalate the problem to Contractor's Chief Technology Officer.

2. ROOT CAUSE ANALYSIS

Following the resolution of a Severity Level 1 OR Level 2 incident, Contractor will discuss with City the cause of the failure, the actions Contractor took to resolve the failure, a timeline of the event and the actions Contractor plans to take to prevent such failure from recurring, and, if requested, Contractor will provide City a written summary of such discussion. Contractor will, on request, provide detailed documentation of the root cause analysis and preventative actions taken or planned with clear dates for completion of the action(s).

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: GENERAL SERVICES AGENCY - CITY ADMIN -- ADM

Dept. Code: ADM

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

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

Type of Service: As-Needed Set-Up/Installation & Break-Down of Barricades, Fences, & Traffic Safety Equipment

Funding Source: General Fund

PSC Duration: 5 years

PSC Amount: \$750,000

1. Description of Work

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

Contractors shall provide set-up/installation and break-down services of barricades, fencing, and other crowd and traffic safety equipment that are rented, and at times, may be purchased by City departments, to ensure public safety during various special events (e.g., Pride Parade, Warriors championship parade, Fleet Week) and for other circumstances, including street/sewer paving and repair, vehicular accidents, etc. that require temporary crowd and/or traffic safety control measures.

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

The City requires timely set-up and removal of temporary barricades, fencing, and other crowd and traffic safety control equipment to ensure public safety during special events (e.g., parades, Fleet Week) and other circumstances (e.g., street/sewer paving and repair) that take place in public spaces and the public right-of-way. Because these services are primarily temporary crowd and traffic safety needs, the City typically requires a short-term rental of equipment. Contractors own and bear responsibility for a safe and proper setup and removal of the rental equipment. Should such services be denied, contractors will not agree to rent their barricades, fences, and other crowd and traffic safety equipment to the City as contractors will not be able to ensure the proper setup, functioning, and removal of their property. This, in turn, would put public safety at risk during the events, such as the Pride Parade, Fleet Week, and in the vicinity of critical street/sewer/right-of-way repairs. Further, if these services are denied, the City would need to purchase, store, and maintain all such equipment, which is operationally infeasible due to no storage and needs are intermittent and on a temporary basis.

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

These services were previously provided using other City procurement methods.

D. Will the contract(s) be renewed?

No.

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

not applicable

2. Reason(s) for the Request

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

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

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

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

B. Explain the qualifying circumstances:

The set-up/installation and break-down of barricades, fencing, and other crowd and traffic safety equipment services are required on a temporary and immediate basis during special events (e.g., Pride Parade, Fleet Week), vehicular accidents, temporary street/sewer paving and repair work, or other unanticipated circumstances in the public right-of-way that poses a risk to public safety. The City also lacks the resources and storage facilities to own, maintain, and store all such equipment when needs are intermittent and on a temporary basis.

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise: Contractors must have knowledge and experience with handling hand tools and power tools for properly setting up various barricades, fences, and other equipment used in crowd and traffic control. The ability to read and understand instructions, plans, and maps of events and work zone locations is also required.

B. Which, if any, civil service class(es) normally perform(s) this work? 7220, Asphalt Finisher Supervisor 1; 7311, Cement Mason; 7344, Carpenter; 7404, Asphalt Finisher; 7421, Sewer Maintenance Worker; 7449, Sewer Service Worker; 7501, Environmental Service Worker; 7502, Asphalt Worker; 7514, General Laborer; 8208, Park Patrol Officer; 9212, Airport Safety Officer; Q050, Sergeant, (Police Department);

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Contractors will provide rental barricades, fencing, and other crowd and traffic safety equipment, and store them in their facilities.

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

No resources are available within the City as these services are primarily performed on non-City-owned equipment. Services are typically needed intermittently and under temporary circumstances.

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

A. Explain why civil service classes are not applicable.

The set-up/installation and break-down services of rented barricades, fencing, and other crowd and traffic safety equipment for events (e.g., parades, Fleet Week) and other short-term circumstances (e.g., street/sewer paving and repair) that take place in public spaces and the public right-of-way must be performed by the contractors because the equipment is the property of the contractors. Contractors ensure safe and proper use of their equipment in performing these services.

B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. No. Services are needed only on a temporary and intermittent basis, such as for special events (e.g., Pride Parade, Fleet Week) or during temporary repair work in the public right-of-way. Once such crowd and traffic safety equipment are set up, further services are typically not required until equipment is to be removed at the end of a parade or repair work. Further, when the City rents such equipment, services must be performed by the contractors to ensure safe and proper setup and removal.

6. Additional Information

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

7. Union Notification: On 07/22/2022, the Department notified the following employee organizations of this PSC/RFP request:
Carpenters, Local 22; Cement Masons, Local 580; Laborers, Local 261; Plumbers, Local 38; SEIU 1021 Miscellaneous; SFPOA - Q2-Q50

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

Name: Lynn Khaw Phone: 4155546296 Email: lynn.khaw@sfgov.org

Address: City Hall, Room 430, 1 Dr. Carlton B. Goodlett Pl. San Francisco, CA 94102

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 46672 - 22/23

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 11/21/2022

Receipt of Union Notification(s)

From: dhr-psccordinator@sfgov.org on behalf of lynn.khaw@sfgov.org
To: [RECEIPT for Union Notification for PSC 46672 - 22/23 more than \\$100k](mailto:Khaw, Lynn (ADM); mlobre@sfpoa.org; @sfpoa.org; tracym@sfpoa.org; Jason Klumb; Frigault, Noah (HRC); Meyers, Julie (HSA); Thomas Vitale; Ricardo.lopez@sfgov.org; Basconcillo, Katherine (PUC); pcamarillo_seiu@sbcglobal.net; wendy.frigillana@seiu1021.org; pscreview@seiu1021.org; ted.zarzecki@seiu1021.net; davidmkersten@gmail.com; xiumin.li@seiu1021.org; Poon, Sin Yee (HSA); david.canham@seiu1021.org; jtanner940@aol.com; laborers261@gmail.com; djohnson@opcmialocal300.org; smcgarry@nccrc.org; Khaw, Lynn (ADM); DHR-PSCCoordinator, DHR (HRD)
Subject: Receipt of Notice for new PCS over $100K PSC # 46672 - 22/23
Date: Friday, July 22, 2022 4:23:30 PM</p><hr/></div><div data-bbox=)

The GENERAL SERVICES AGENCY - CITY ADMIN -- ADM has submitted a request for a Personal Services Contract (PSC) 46672 - 22/23 for \$750,000 for Initial Request services for the period 10/18/2022 – 10/17/2027. Notification of 30 days (60 days for SEIU) is required.

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

<http://apps.sfgov.org/dhrdrupal/node/18951> 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

From: [Khaw, Lynn \(ADM\)](#)
To: larryjr@ualocal38.org; ichiarenza@ualocal38.org
Subject: FW: Receipt of Notice for new PCS over \$100K PSC # 46672 - 22/23
Date: Monday, September 26, 2022 9:26:00 AM

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

From: dhr-psccordinator@sfgov.org <dhr-psccordinator@sfgov.org> On Behalf Of lynn.khaw@sfgov.org
Sent: Friday, July 22, 2022 4:00 PM
To: Khaw, Lynn (ADM) <lynn.khaw@sfgov.org>; mlobre@sfpoa.org; @sfpoa.org; tracym@sfpoa.org; Jason Klumb <Jason.Klumb@seiu1021.org>; Frigault, Noah (HRC) <noah.frigault@sfgov.org>; Meyers, Julie (HSA) <Julie.Meyers@sfgov.org>; Thomas Vitale <thomas.vitale@seiu1021.org>; Ricardo.lopez@sfgov.org; Basconcillo, Katherine (PUC) <kbasconcillo@sfwater.org>; pcamarillo_seiu@sbcglobal.net; wendy.frigillana@seiu1021.org; pscreview@seiu1021.org; ted.zarzecki@seiu1021.net; davidmkersten@gmail.com; xiumin.li@seiu1021.org; Poon, Sin Yee (HSA) <sin.yee.poon@sfgov.org>; david.canham@seiu1021.org; jtanner940@aol.com; laborers261@gmail.com; djohnson@opcmialocal300.org; smcgarry@nccrc.org; Khaw, Lynn (ADM) <lynn.khaw@sfgov.org>; DHR-PSCCoordinator, DHR (HRD) <dhr-psccordinator@sfgov.org>
Subject: Receipt of Notice for new PCS over \$100K PSC # 46672 - 22/23

RECEIPT for Union Notification for PSC 46672 - 22/23 more than \$100k

The GENERAL SERVICES AGENCY - CITY ADMIN -- ADM has submitted a request for a Personal Services Contract (PSC) 46672 - 22/23 for \$750,000 for Initial Request services for the period 10/18/2022 – 10/17/2027. Notification of 30 days (60 days for SEIU) is required.

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

<http://apps.sfgov.org/dhrdrupal/node/18951> 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

Khaw, Lynn (ADM)

From: Khaw, Lynn (ADM)
Sent: Wednesday, September 21, 2022 12:32 PM
To: Theresa Foglio
Cc: Cheng, Paul (ADM); Choi, Suzanne (HRD); dhr-psccoordinator@sfgov.org
Subject: RE: Receipt of Notice for new PCS over \$100K PSC # 46672 - 22/23
Attachments: PSC for Set-up/Break-down of Barricades/Fencing/Traffic Safety Equipt

Hello Theresa,

Thank you for getting back to me. Attached, please see the email from San Francisco Public Works (SFPW) certifying our discussion below.

I will attach this email with SFPW's attachment to our submission to Civil Service Commission.

Regards,

Lynn

--

From: Theresa Foglio <laborers261@gmail.com>
Sent: Tuesday, September 13, 2022 4:30 PM
To: Khaw, Lynn (ADM) <lynn.khaw@sfgov.org>
Cc: Cheng, Paul (ADM) <paul.cheng@sfgov.org>
Subject: Re: Receipt of Notice for new PCS over \$100K PSC # 46672 - 22/23

Hello Lynn,

Thank you so much for the clarification! "a letter to the Civil Service Commission informing them that we are not replacing the employees that are currently doing the services as a part of their daily operations." would be great!

On Wed, Sep 7, 2022 at 3:19 PM Khaw, Lynn (ADM) <lynn.khaw@sfgov.org> wrote:

Hello Theresa,

Sorry for my delayed response as we are in the middle of office renovation, and it was a very hectic time for the past few weeks.

These are our responses to your questions.

City employees perform street repairs and deploy their own A-frame barricades and safety signage for daily operations. The City contracts for large special events services such as Pride and parades for the Warriors.

San Francisco Public Works has only placed a request for contracted safety control measures when working on special projects in heavily traffic areas or MUNI right of way along Market St. These projects are few and far between and often require detouring traffic and monitoring sign installations. To give you an idea, in the past five years, this request was made once for a project at the intersection of Gough and Market.

In response to your question about a threshold for contracting out services, there is no threshold.

We will continue to utilize City Employees for providing street/sewer paving and repair work.

To clarify this, we can submit a letter to the Civil Service Commission informing them that we are not replacing the employees that are currently doing the services as a part of their daily operations.

Thank you,
Lynn

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

From: Khaw, Lynn (ADM)
Sent: Thursday, August 18, 2022 5:29 PM
To: 'Theresa Foglio' <laborers261@gmail.com>
Cc: Cheng, Paul (ADM) <paul.Cheng@sfgov.org>
Subject: RE: Receipt of Notice for new PCS over \$100K PSC # 46672 - 22/23

Hello Theresa,

Thank you for getting back to me. I will respond to your questions after checking in with our buyer and the department.

Thank you,
Lynn

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

From: Theresa Foglio <laborers261@gmail.com>
Sent: Wednesday, August 17, 2022 9:49 PM
To: Khaw, Lynn (ADM) <lynn.khaw@sfgov.org>
Cc: Cheng, Paul (ADM) <paul.cheng@sfgov.org>
Subject: Re: Receipt of Notice for new PCS over \$100K PSC # 46672 - 22/23

Hello,

Sorry for the delay. It would probably be best if we ask the following questions instead of trying to schedule a time to meet:

We have historically set up barricades, k-rails, traffic indicators, highrises, etc for special events on a smaller to mid-scale and for all to most street/sewer paving and repair. We noticed in the contract that it is also to cover "and other circumstances (e.g., street/sewer paving and repair) that take place in public spaces and the public right-of-way." What is the threshold for street/sewer paving and repair? Will this be for minor repairs? What will determine the use of this contract vs. city employees continuing to provide this service? What is the purpose of contracting out for street/sewer paving and repair that is currently being performed by our bargaining unit?

On Wed, Jul 27, 2022 at 4:56 PM Khaw, Lynn (ADM) <lynn.khaw@sfgov.org> wrote:

>
> Hello Theresa,
>
>
>
> Please let me know your availability to go over PSC #46672 – 22/23, for As-Needed Set-Up/Installation & Break-Down of Barricades, Fences, & Traffic Safety Equipment. We will try to accommodate your schedule.
>
>
>
> Thank you,
>

> Lynn
>
> _____
>
> Lynn Khaw, CPPO, CPPB, C.P.M.
>
> Department's Personal Services Contract Coordinator
>
> Office of Contract Administration/Purchasing
>
> City and County of San Francisco
>
> (415) 554-6296 – Calls will be forwarded to mobile phone
>
> Email: lynn.khaw@sfgov.org
>
>
> From: Theresa Foglio <laborers261@gmail.com>
> Sent: Wednesday, July 27, 2022 4:19 PM
> To: Khaw, Lynn (ADM) <lynn.khaw@sfgov.org>
> Subject: Re: Receipt of Notice for new PCS over \$100K PSC # 46672 -
> 22/23
>
>
>
>
>
> This message is from outside the City email system. Do not open links or attachments from untrusted sources.
>
>
>
>
> Greetings,
>
> The Union requests to meet and confer over PSC 46672-22/23.
>
> Please advise,
>
>
>
> On Fri, Jul 22, 2022 at 4:23 PM <lynn.khaw@sfgov.org> wrote:
>
> RECEIPT for Union Notification for PSC 46672 - 22/23 more than \$100k
>
> The GENERAL SERVICES AGENCY - CITY ADMIN -- ADM has submitted a
> request for a Personal Services Contract (PSC) 46672 - 22/23 for
> \$750,000 for Initial Request services for the period 10/18/2022 –
> 10/17/2027. Notification of 30 days
> (60
> days for SEIU) is required.
>
> After logging into the system please select link below, view the
> information and verify receipt:

>
> <https://url.avanan.click/v2/ http://apps.sfgov.org/dhrdrupal/node/18>
> 951___.YXAzOnNmZHqYOmE6bzo0MGZhMGMxMWU3MzY1NGViM2I4ZTA5ZTYyMjcyYmNhZDo
> 2OjE4ZTY6ZTBiNzRiMGY3ZDcyOTEwMTIjMmJkZDA2OTEwMzZLOGE3OGewYTUzYzKxYWMzY
> WQyNmU5MDQxM2NIZmQxMjliZjpwOIQ 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
>
>
>
>
> --
>
> Be Well and Stay Safe!
>
>
>
> Theresa Foglio-Ramirez
> Public Sector Business Agent
> LiUNA!, Local 261
> 3271 18th Street
> San Francisco, CA 94110
>
> (415) 823-7566 cell
> (415) 826-4550 office
> (415) 826-1948 fax
> <https://url.avanan.click/v2/ http://twitter.com/theresafoglio .YXA>
> zOnNmZHqYOmE6bzo0MGZhMGMxMWU3MzY1NGViM2I4ZTA5ZTYyMjcyYmNhZDo2OmIxnJQ6Y
> TAxOWlwMWUxNTdjYTYyNDJkMjgxNTg3OWUwNmYzMjlkYzhOTM1MmM3NTc0NWMwY2JmNjA
> zODQ2NzRiNzcyZTpwOIQ

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Be Well and Stay Safe!

Theresa Foglio-Ramirez
Public Sector Business Agent
LiUNA!, Local 261
3271 18th Street
San Francisco, CA 94110
(415) 823-7566 cell
(415) 826-4550 office
(415) 826-1948 fax

<https://url.avanan.click/v2/ http://twitter.com/theresafoglio .YXAzOnNmZHqYOmE6bzo0MGZhMGMxMWU3MzY1NGViM2I4ZTA5ZTYyMjcyYmNhZDo2OmRhNzI6OTRiNDg3NGEyNmU5MmNkNTMwYjI4OTYyBkYwQ3YWl4YjhjNjNjMWVhNjNmOWUwMDIjMDJjOWQ1ZTIjYzQxYzpwOIQ>

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Be Well and Stay Safe!

Theresa Foglio-Ramirez

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From: [Wayne, Maura \(DPW\)](#)
To: [Cheng, Paul \(ADM\)](#)
Cc: [Khaw, Lynn \(ADM\)](#)
Subject: PSC for Set-up/Break-down of Barricades/Fencing/Traffic Safety Equip
Date: Wednesday, September 21, 2022 11:38:20 AM

Hello Paul,

Per your request, we certify that we will not use contracting services on the Local 261 laborers' work of setting up barricades and safety signage for daily operations for small to mid-scale street/sewer paving and repairs. We will only contract out for safety control measures when working on large, special projects in heavily traffic areas or Muni right of way, special events that require fence installations and large amounts of barricades, and temporary shelter installations.

Thanks,
Maura

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: CITY PLANNING -- CPC

Dept. Code: CPC

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

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

Type of Service: As-Needed Pool of Environmental, Transportation review, Historical Resources, and Archaeology

Funding Source: Various grants and general funds

PSC Amount: \$9,500,000

PSC Est. Start Date: 06/27/2022

PSC Est. End Date
06/28/2028

1. Description of Work

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

The San Francisco Planning Department seeks to develop a list of qualified contractors to provide a variety of as-needed consulting services, with a focus on advancing equity and shared prosperity for all residents.

The Planning Department is seeking to create four pools of qualified contractors ("Pool[s]"). Each Pool will have expertise in one (1) or more of the following areas:

- 1) Environmental (CEQA Services)
- 2) Transportation Review
- 3) Historical Resources
- 4) Archeology

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

The services are required to allow the City to access specialized skills to support existing Planning staff on specific, one-time projects. These projects may include environmental impact analyses (CEQA services), transportation analyses, historic resource analysis and mitigation (such as Historical Resource Evaluations (HRE) and preservation alternative memos, and archeological documents for environmental evaluation and mitigation phases, collectively referred to as "environmental analyses" in the RFQ for Planning Department. Denial would result in limiting the opportunities for growth and inefficient environmental planning.

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

Services have been provided in the past through sub-components of earlier PSC requests.

D. Will the contract(s) be renewed?

A firm may be awarded more than one contract and/or renewal within the RFQ term.

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

2. Reason(s) for the Request

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

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

- B. Explain the qualifying circumstances:

Short term or one time projects requiring specialized skills and expertise not currently maintained by Planning staff.

3. Description of Required Skills/Expertise

- A. Specify required skills and/or expertise: 1. Environmental (CEQA) services, preparation of EIRs and many complex Mitigated Negative Declarations in San Francisco, assemble and manage expertise for range of environmental topics, application of recent CEQA guidelines. 2. Transportation Review, including performing transportation impact analyses in support of the overall environmental and development review process. Transportation review consultant services include conducting technical assistance regarding integration of land use modelling and multimodal transportation planning and policy; emerging transportation technologies and methodologies to analyze effect on transportation conditions in an urban environment and/or impacts to various modes of transportation. 3. Historical Resource services, including assessment of potential impacts to historic resources, assist in the development of preservation alternatives, provide mitigation measures to reduce impacts where identified and applicable. Historical Resources consultants are required to apply the Secretary of the Interior’s Standards for the Treatment of Historic Properties as well as the ability to evaluate eligibility for the California Register of Historical Resources. 4. Archeology, including preparation of complex archeological documents in support of environmental project analyses, complex archeological field investigations and documentation in compliance with environmental mitigation programs. Archeological consultants must satisfy the Secretary of the Interior (“SOI”) Professional Qualification Standards for Archaeology and the SOI Professional Qualification Standards for prehistoric archeology and historical archeology. Archeological consultants must also be RPA-certified (Register of Professional Archaeologist-certified).
- B. Which, if any, civil service class(es) normally perform(s) this work? 1052, IS Business Analyst; 1053, IS Business Analyst-Senior; 1823, Senior Administrative Analyst; 1824, Pr Administrative Analyst; 5275, Planner Technician; 5277, Planner 1; 5278, Planner 2; 5283, Planner 5; 5291, Planner 3; 5293, Planner 4; 5502, Project Manager 1;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Contractor's staff would perform the requested services at their company offices, with the possibility of some on-sie review of the development or plan area.

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

The SF Admin Code Chapter 31 designates Planning Department as lead agency under jurisdiction of SF departments for purposes of CEQA. Due to the essential purposes of CEQA, numerous projects have come to light which requires diverse, short term consulting on an as-needed periodic basis. Current staff capacity does not provide for full time staff with these specialized skills.

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

- A. Explain why civil service classes are not applicable.
Civil Services classes are not applicable for one-time projects.

- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. Due to various combinations of impact knowledge and expertise required for each project or plan, it would not be practical to create various classifications, that may be called on to provide services for only a fraction of any project for a limited duration.

6. Additional Information

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

- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contact? If so, please explain what that will entail; if not, explain why not.
No. No, other than the traditional training and education, various combinations of knowledge and expertise is required for each project or plan. Subject matter expertise vary greatly, depending on project scopes.

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

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

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

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

7. Union Notification: On 09/20/2022, the Department notified the following employee organizations of this PSC/RFP request:
Architect & Engineers, Local 21; Management & Superv Local 21; Prof & Tech Eng, Local 21; Professional & Tech Engrs, Local 21; Professional & Tech Engrs, SFAPP

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

Name: Shirley Hao Phone: 628-652-7517 Email: shirley.hao@sfgov.org

Address: 49 South Van Ness Avenue San Francisco, CA, 94103

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 43920 - 22/23

DHR Analysis/Recommendation:
Commission Approval Required
DHR Approved for 11/21/2022

Civil Service Commission Action:

Receipt of Union Notification(s)

From: dhrrpscordinator@sfgov.org on behalf of shirley.hao@sfgov.org
To: [Hao, Shirley \(CPC\); Laxamana, Junko \(DBI\); amakayan@ifpte21.org; ecassidy@ifpte21.com; WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; kschumacher@ifpte21.org; kpage@ifpte21.org; eerbach@ifpte21.org; pkim@ifpte21.org; l21pscreview@ifpte21.org; Hao, Shirley \(CPC\); DHR-PSCCoordinator, DHR \(HRD\)](mailto:Hao, Shirley (CPC); Laxamana, Junko (DBI); amakayan@ifpte21.org; ecassidy@ifpte21.com; WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; kschumacher@ifpte21.org; kpage@ifpte21.org; eerbach@ifpte21.org; pkim@ifpte21.org; l21pscreview@ifpte21.org; Hao, Shirley (CPC); DHR-PSCCoordinator, DHR (HRD)@ifpte21.org)
Subject: Receipt of Notice for new PCS over \$100K PSC # 43920 - 22/23
Date: Tuesday, September 20, 2022 10:38:52 AM

RECEIPT for Union Notification for PSC 43920 - 22/23 more than \$100k

The CITY PLANNING -- CPC has submitted a request for a Personal Services Contract (PSC) 43920 - 22/23 for \$9,500,000 for Initial Request services for the period 06/27/2022 – 06/28/2028. Notification of 30 days (60 days for SEIU) is required.

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

<http://apps.sfgov.org/dhrdrupal/node/19131> 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