



**CIVIL SERVICE COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

**LONDON N. BREED
MAYOR**

Sent via Electronic Mail

January 18, 2024

NOTICE OF CIVIL SERVICE COMMISSION MEETING

SUBJECT: REVIEW OF PROGRESS REPORT FOR PERSONAL SERVICES CONTRACT NUMBER 45971-19/20 FROM THE MUNICIPAL TRANSPORTATION AGENCY.

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 **January 30, 2024, at 1:00 p.m.**

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

Attendance by you or an authorized representative is recommended. 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: Amy Nuque, Municipal Transportation 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, available for public inspection and copying at the Civil Service Commission office. Reports from City and County personnel supporting agenda items are submitted in accordance with the procedures established by the Executive Officer. Reports not submitted according to procedures, in the format and quantity required, and by the deadline, will not be calendared.

C. Policy on Written Submissions by Appellants

All written material submitted by appellants to be considered by the Commission in support of an agenda item shall be submitted to the Commission office, no later than 5:00 p.m. on the fourth (4th) business day preceding the Commission meeting for which the item is calendared (ordinarily, on Tuesday). An original 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 available for public view 72 hours prior to the Civil Service Commission meeting on the Civil Service Commission's website at <https://sf.gov/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 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 in-person 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. People who have received an accommodation due to a disability (as described below) may provide their public comments remotely. The Commission will also allow public comment from members of the public who choose to participate remotely. It is possible that the Commission may experience technical challenges that interfere with the ability of members of the public to participate in the meeting remotely. If that happens, the Commission will attempt to correct the problem, but may continue the hearing so long as people attending in-person are able to observe and offer public comment.

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: soft@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 <https://sfethics.org/>.



CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

CIVIL SERVICE COMMISSION REPORT TRANSMITTAL (FORM 22)

Refer to Civil Service Commission Procedure for Staff - Submission of Written Reports for Instructions on Completing and Processing this Form

1. Civil Service Commission Register Number: _____ - _____
2. For Civil Service Commission Meeting of: January 30, 2024
3. Check One: Ratification Agenda
 Consent Agenda
 Regular Agenda
 Human Resources Director=s Report
4. Subject: Notice of Civil Service Commission Action – PCS 45971 19/20 Progress Report
5. Recommendation: Accept Progress Report
6. Report prepared by: Amy Nuque, SFMTA Telephone number: 415-646-2802
7. Notifications: **(Attach a list of the person(s) to be notified in the format described in IV. Commission Report Format -A).**
8. Reviewed and approved for Civil Service Commission Agenda:

Human Resources Director: Kimberly W. Ackerman

Ackerman, Kimberly January 10, 2024

Date: January 13, 2024

9. Submit the original time-stamped copy of this form and person(s) to be notified (see Item 7 above) along with the required copies of the report to:

**Executive Officer
Civil Service Commission
25 Van Ness Avenue, Suite 720
San Francisco, CA 94102**

10. Receipt-stamp this form in the ACSC RECEIPT STAMP box to the right using the time-stamp in the CSC Office.

CSC RECEIPT STAMP

Attachment:

Exhibit A: PCS 45971 19/20 Progress Report – December 13, 2023

Exhibit B: CSC Notice of Action – October 28, 2019

Exhibit C: PCS 45971 19/20 Approval – October 21, 2019

Exhibit D: List of Person to be Notified

Exhibit A



London Breed, Mayor

Amanda Eaken, Chair
Stephanie Cajina, Vice Chair
Steve Heminger, Director

Dominica Henderson, Director
Fiona Hinze, Director
Lydia So, Director

Jeffrey Tumlin, Director of Transportation

December 13, 2023

Commissioners
Civil Service Commission
25 Van Ness Avenue, Suite 270
San Francisco, CA 94102-6033

RE: PSC #45971-19/20 Progress Report

Dear Commissioners,

On October 21, 2019, the CSC approved SFMTA's PSC #45971-19/20 whereby the contract, SFMTA-2020-20-FTA, provides a framework Master Agreement under which the SFMTA can issue purchase orders to Thales Transport & Security, Inc. for specific proprietary goods and services. SFMTA issued the Notice-to-Proceed (NTP) authorization to Thales on January 11, 2021.

The CSC approved PSC #45971-19/20 with the provision that any of the approved scope of work must relate to the work to be contracted to the provider of the application, and that SFMTA would report back in four (4) years.

Summary of approved task orders under SFMTA-2020-20-FTA Thales Task Order Agreement can be found on the following page.

SFMTA is continuing to issue task orders under this contract. Please let us know if you have any further questions.

Sincerely,

A handwritten signature in black ink that reads "David Rojas".

David Rojas
SIITS Technical Program Manager
SFMTA



London Breed, Mayor

Amanda Eaken, Chair
Stephanie Cajina, Vice Chair
Steve Heminger, Director

Dominica Henderson, Director
Fiona Hinze, Director
Lydia So, Director

Jeffrey Tumlin, Director of Transportation

Task Order Name	Scope of Work	Status	Amount
Eureka Curve Testing	SFMTA replaced the track ballast in the Eureka Curve portion of the Twin Peaks tunnel. Replacing the ballast required temporary removal of Advanced Train Control System (ATCS) equipment installed on the track, including the inductive loop communications cabling. Thales provided testing and commissioning services to ensure the functionality of the inductive loop cabling once the track was restored and the ballast replaced.	Completed	\$295,098.10
Emergency Rail Operations Control Center - Phase II	There is a backup central control facility at 1 South Van Ness Avenue. The backup central control room is intended to allow bus and rail operations to continue if the Transportation Management Center (TMC) at 1455 Market is required to evacuate. For the continuity of rail operations, this space will require the installation of Advanced Train Control System (ATCS) equipment to allow for the management of subway traffic. The required ATCS equipment is emergency stop buttons, train management workstations, and supporting communications infrastructure. The task order was for the design effort.	Closeout	\$649,370.72
Thumbwheel and Temporary Dwell	Thales updated the train management sub-system (SMC) of the ATCS subway train control system to provide an enhanced platform dwell feature at Chinatown Station in Central Subway and to increase the flexibility of the thumbwheel-based train routing and passenger information mechanism. Thales will be designing, coding, testing, and commissioning software updates to the ATCS system and providing training and documentation.	Completed	\$986,504.26
Eureka Curve Switch Integration	Thales is testing and commissioning the activation of switches at the Eureka Shoofly Curve that are currently not integrated with the ATCS.	Completed	\$316,566.20
Total Approved Amount to Date			\$2,247,539.28

Exhibit B



CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

LONDON N. BREED
MAYOR

Sent Via Electronic Mail

ELIZABETH SALVESON
PRESIDENT

KATE FAVETTI
VICE PRESIDENT

DOUGLAS S. CHAN
COMMISSIONER

F. X. CROWLEY
COMMISSIONER

JACQUELINE P. MINOR
COMMISSIONER

October 28, 2019

NOTICE OF CIVIL SERVICE COMMISSION ACTION

SUBJECT: REVIEW OF REQUEST FOR APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACTS 44295-19/20; 41914-19/20; 40520-18/19; 41089-19/20; 41355-19/20; 43064-19/20; 45971-19/20; 42147-19/20; 49277-19/20; 41614-19/20; 48929-19/20; 44755-18/19; 49557-15/16; AND 40166-17/18.

At its meeting on **October 21, 2019** the Civil Service Commission had for its consideration the above matter.

The Commission took the following actions:

1. The Commission granted Commissioner Chan's request to recuse himself from PSC #45971-19/20 due to possible conflict of interest.
2. Approved PSC #45917-19/20 with the proviso that any of the scope of work that was approved, must be work that relates to work to be contracted to the provider of the application and that the Municipal Transportation Agency report back in four (4) years in October 2023.
3. Approved PSC #41614-19/20 with the condition that the Department of Public Health report back in four (4) years in October 2023.
4. Adopted the report and approved the remaining request for proposed Personal Services Contracts. This shall serve to notify the Office of the Controller and the Office of Contract Administration.

If this matter is subject to Code of Civil Procedure (CCP) Section 1094.5, the time within which judicial review must be sought is set forth in CCP Section 1094.

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

MICHAEL L. BROWN
EXECUTIVE OFFICER

CIVIL SERVICE COMMISSION



MICHAEL L. BROWN
Executive Officer

Attachments

Cc: Alexander Burns, Public Works
Jacquie Hale, Department of Public Health
Ian Hart, Department of Human Resources
Michael Hirai, Environment
Bill Irwin, Public Utilities Commission
Daniel Kwon, Public Utilities Commission
William Lee, Emergency Management
Daniella Mattias, Office of the Mayor
Amy Nuque, Municipal Transportation Agency
Commission File
Chron

Exhibit C

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: MUNICIPAL TRANSPORTATION AGENCY -- MTA Dept. Code: MTA

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

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

Type of Service: Professional Services and Equipment Purchases

Funding Source: Local and Federal Funds PSC Duration: 9 years
PSC Amount: \$30,000,000 PSC Est. Start Date: 06/01/2020 PSC Est. End Date: 05/30/2029

1. Description of Work

A. Scope of Work:

The SFMTA's Advanced Train Control System ("ATCS") is a proprietary system that was supplied to the San Francisco Municipal Transportation Agency (SFMTA) by Thales Transport & Security, Inc. ("Contractor" or "Thales") on August 10, 1992. This contract provides a framework Master Agreement under which the SFMTA can issue purchase orders to the supplier for specific proprietary goods and services. Each purchase order has its own scope, schedule, funding source, and approval cycle. Staff anticipates that equipment, software, and associated services to be procured under this contract may include but are unlimited to: Upgrade ATCS software, including upgrades to diagnostic devices, Upgrade ATCS system simulator hardware and software; Equip new rail vehicles with ATCS equipment; Add digital signal processors to Axle Counters; overhaul and upgrade Vehicle Control Center computers; overhaul and upgrade Station Controller computers; Upgrade I/O & Data Transmission Racks; Upgrade the data transmission medium from inductive loop to wayside radio; Refurbish shop special test equipment.

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

The ATCS is a specialized train-control system critical to the functioning of the City's public transit system. It requires periodic upgrades and improvements to perform at an optimum level throughout its life cycle. The ATCS has been in full revenue service since 1998. Most ATCS hardware and all ATCS software are proprietary technology of Thales Transport & Security, Inc. Most ATCS replacement parts and all software upgrades can be purchased only from Thales, as there is no other supplier. It is necessary periodically to purchase additional hardware and software from Thales to keep the ATCS working, to keep the ATCS out of obsolescence and in a configuration supported by the supplier, and to adapt to changes in the SFMTA's rail operating environment. The ATCS has 30-year design life, and will be in service through at least 2028, and potentially longer. This life-cycle is

C. Has this service been provided in the past. If so, how? If the service was provided via a PSC, provide the most

recently approved PSC # and upload a copy of the PSC. This service has been provided in the past by Thales Transport & Security, Inc. and approved by the CSC on May 7, 2009, under PSC # 4135 08/09.

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

2. Union Notification: On 08/26/2019, the Department notified the following employee organizations of this PSC/RFP request: Architect & Engineers, Local 21; Electrical Workers, Local 6; Management & Superv Local 21; Prof & Tech Eng, Local 2'

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 45971 - 19/20

DHR Analysis/Recommendation: 10/21/2019

Commission Approval Required

DHR Approved for 10/21/2019

Approved by Civil Service Commission with conditions

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise:

Knowledge of specific proprietary technology, software code, and hardware circuits, which are exclusive to the supplier. General expertise of supplier's technical specialists includes electrical engineering, systems engineering, computer programming, safety validation and verification in a rail environment, relevant regulatory requirements, complex performance simulation, test and commissioning experience.

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

1043,1053,1044,7318,7329,7287,

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

Yes. The ATCS is a combination of hardware and software. Some of the hardware provided by the supplier consists of proprietary components, installed directly in the rail operating environment, which are not available from any other supplier.

4. Why Classified Civil Service Cannot Perform

A. Explain why civil service classes are not applicable:

Due to the proprietary nature of the ATCS system, City personnel does not have access to the trade-secret software source code or design of specialized electronic circuits. Replacement software and hardware, as well as specialized technical assistance on testing and commissioning upgrades to the system, must be contracted through the provider of the application and there are no applicable civil service classes who can perform this work.

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

No, adopting new civil service classes to perform this work would not be practical because of the proprietary nature of the ATCS system.

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?
Training is typically provided to operations and/or maintenance personnel, ; | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| C. Are there legal mandates requiring the use of contractual services? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| D. Are there federal or state grant requirements regarding the use of contractual services? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| E. Has a board or commission determined that contracting is the most effective way to provide this service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? Thales Transport & Security, Inc. is the sole | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE AND ACCURATE ON BEHALF OF THE DEPARTMENT HEAD ON 09/26/2019 BY:

Name: Amy NUQUE Phone: 415-646-2802 Email: amy.nuque@sfmta.com

Address: 1 South Van Ness Avenue San Francisco, CA 94103

Exhibit D

Notifications: **(Attach a list of the person(s) to be notified in the format described in IV. Commission Report Format -A).**

David Rojas
Technology & Performance
415 646 2595
david.rojas@sfmta.com

Kelly Zhou
Technology & Performance
415-646-2390
jiayi.zhou@sfmta.com

Jonathan Wong
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Amy Nuque
HR-ELR – PSC Coordinator
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amy.nuque@sfmta.com