



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: November 18th, 2024
3. Check One: ☒ Ratification Agenda
 Consent Agenda
 Regular Agenda
 Human Resources Directors Report
4. Subject: Review of Request of Approval of Proposed Personal Services Contracts
5. Recommendation: Review & Approve
6. Report prepared by: DHR on Behalf of CSC Telephone number:
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:

Date:

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.

Attachment

CSC RECEIPT STAMP

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PSC Submissions

New

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Hearing Date 11/18/2024

PSC	Department	Type of Approval	New Amount	Cumulative Amount	Description	New Duration	Cumulative Duration
DHRPSC0004669 v 0.01	AIR	New	\$6,000,000	\$6,000,000	Common Use Self Service Passenger Processing and Information Display Systems.	45	45
DHRPSC0004785 v 0.01	ADM	New	\$300,000	\$300,000	Contractor will provide clearinghouse services (a central organization for the collection, classification, and distribution of newspaper ads) by placing Official advertising, Community Outreach and Neighborhood Outreach advertising, each defined by San Francisco Administrative Code Section 2.80, on behalf of the Board of Supervisors and City departments.	84	84
DHRPSC0004383 v 0.01	DPH	New	\$4,250,000	\$4,250,000	Cancer Navigation and Survivorship Services	60	60
DHRPSC0004792 v 0.01	DPH	New	\$2,240,000	\$2,240,000	Infection Prevention and Control Laundry Services	24	24
DHRPSC0004147 v 0.01	DPW	New	\$7,500,000	\$7,500,000	As Needed Environmental Planning Services 2024 (49528 - 23/24)	80	80
DHRPSC0004764 v 0.01	MTA	New	\$250,000	\$250,000	To provide federally mandated urine analysis for safety-sensitive employees with the San Francisco Municipal Transportation Agency (SFMTA).	60	60
DHRPSC0004436 v 0.01	PRT	New	\$660,000	\$660,000	The Port seeks the assistance of experiences biologists with specialties in oysters, California marshes, and marsh-dwelling local birds for biological and physical monitoring of the Heron's Head marsh restoration project. Work will include project management, monitoring of the physical conditions, biological assessments, and annual reports.	99	99
DHRPSC0002262 v 1.01	ADM	Amendment	\$24,200,000	\$120,000,000	Refuse Collection and Disposal Services	36	120
DHRPSC0004801 v 1.01	FIR	Amendment	\$501,000	\$600,000	A web-based service used by the Fire Marshal's Office to track and maintain code compliance, reduce false alarm activity, and provide safer communities through third-party system certification reporting and compliance. This type of notification service has proven to increase fire protection system compliance, testing & repair activity by 60% in jurisdictions that utilize these technology and services.	0	36
		Total	\$45,901,000	\$141,800,000			

Personal Service Contract Summary (PSC Form 1)

PSC Basic Information

Submitting Department: AIR

Submitted By: Cynthia Avakian

Department Coordinator: Cynthia Avakian,
cynthia.avakian@flysfo.com

Project Manager: Enrique Guadamos

ServiceNow Number: DHRPSC0004669

Version: 0.01

Version Type: New

Brief description of proposed work: Common Use Self Service Passenger Processing and Information Display Systems.

Review Type and Reason

CSC Review Required: Yes

CSC Review Reason(s):

- Requires CSC Approval by Amount

Amount

PSC Amount: \$6,000,000

Does contract include items other than services?: No

Duration

Is PSC by Duration or Continuing: Duration

PSC Duration (Months): 45

Funding

Funding Source: City Funds

Special circumstances related to funding: No

Scope of Work

Clearly describe scope and detail the services to be performed: The San Francisco International Airport ("Airport") is seeking support and maintenance for the existing Common Use Passenger Processing system that was originally installed in 2000 and later upgraded in 2007 and 2015. The Passenger Processing systems are specialized systems used solely by airports to allow airlines to share common airport resources used for passenger processing, such as passenger check-in, baggage processing, passenger boarding. The system consists of four tightly integrated core vendor-developed components: 1) virtualized Common Use application, 2) Self Service Kiosk application, 3) Resource Management application, and 4) Airport Operational Data Base. The services will also include supporting the Information Display Systems (IDS), which are used to display flight and baggage information.

Why are these services required and what are the consequences of denial?: The current systems provides the capabilities for agents and airline mobility, application flexibility and airport resource management required by the Airport and many airlines. The software application virtualization allows airlines to access their proprietary applications at workstations. If this system is not maintained, the Airport will be constrained in its ability to efficiently share limited Airport resources such as ticket counters and gates.

Has your department contracted out these services in the last three years?: Yes. See attached list of contracts entered into for these or similar services in the last 3 years.

How many contracts?: 4

Why have you not hired City employees to perform the services?: The Common Use Passenger Processing and Information Display Systems are proprietary software systems that only the supplier can maintain.

Board and Commission Approvals

Will any contracts under this PSC require department Commission approval: Yes

Provide details related to contracts for which dept comm approval required: All professional services contracts in excess of \$200,000 are approved by the Airport Commission

Will any contracts under this PSC require Board of Supervisors approval: No

Justification

Q1 - Are there any regulatory or legal requirements supporting outsourcing of this work?:
No

Q2 - Does performing these services cause a conflict of interest?: No

Q3 - Are these proprietary services City is not authorized to do?: Yes. See attached letter from the manufacturer confirming these services must be performed by the manufacturer or an authorized reseller/distributor.

Additional information to support your request (Optional):

Union Notifications

Job Class(es): 1052 - IS Business Analyst, 1042 - IS Engineer-Journey, 1070 - IS Project Director, 1044 - IS Engineer-Principal, 0941 - Manager VI, 1054 - IS Business Analyst-Principal, 1053 - IS Business Analyst-Senior, 1043 - IS Engineer-Senior

Labor Unions: 021 - Prof & Tech Eng, Local 21, 351 - Municipal Exec Assoc-Misc

Labor Union Email Addresses: L21pscreview@ifpte21.org, staff@sfmea.com, Christina@sfmea.com, Criss@SFMEA.com, Amit@sfmea.com

Union Review Sent On: 9/27/2024
Union Review End Date: 10/27/2024
Union Review Duration Met On: 10/27/2024

Instructions:

Step 2: Complete the fields below.

Step 3: Upload a copy of the completed file to your PSC record under the "Required Documentation" tab.

Do not use this document to list contracts let under this PSC record; those will be tracked separately in the PSC record itself at the end of each fiscal year. Rather, use this template to identify other contracts executed by your department for the services now being requested with this PSC submission. The list of contracts should be limited to those executed within the last three years, measured from the date of the PSC submission. The Commission will use this information to determine if there is a pattern of contracting this or similar work out, regardless of which PSC record is associated with those other contracts.

Other than completing the blank fields below, do not change or alter this template.

[illegible]



September 27, 2024

VIA ELECTRONIC MAIL ONLY – Original will not follow

Enrique.Guadamos@flysfo.com

Enrique Guadamos
Director - Terminal Systems & Wayfinding | Operations and Security
San Francisco International Airport

Re: SITA Passenger Processing Systems

Dear Mr. Guadamos:

With this letter, SITA Information Networking Computing USA Inc. ("SITA") confirms its Passenger Processing Systems are proprietary systems to SITA. As such, these systems can solely be maintained by SITA for Level 2 and Level 3 maintenance and support.

SITA provides the licensing, replacement parts, specialized technical support, remote monitoring, diagnostics and support directly to our customers such as SFO. SITA does not sell this system through other companies and our Level 2 and Level 3 maintenance and support services are provided in alignment to our product team to provide an efficient, seamless, and cost-effective service.

Should you have any questions or require additional information, please let us know.

Sincerely,

Signed by:



9821AE7A7D35427...

Harihar Subramanian
Regional Chief Financial Officer
SITA Information Networking Computing USA Inc.
Harihar.Subramanian@sitaaero

CC: Bigue Lo, SITA, Account Director, Bigue.Lo@sitaaero
Oleksandr Poljanycka, SITA, Account Director, Oleksandr.Poljanycka@sitaaero
Audrey Majors, SITA, Director of Bid Management, Americas,
Audrey.Majors@sitaaero

Personal Service Contract Summary (PSC Form 1)

PSC Basic Information

Submitting Department: ADM

Submitted By: Wilton Alderman

Department Coordinator: Lynn Khaw,
lynn.khaw@sfgov.org

Project Manager: Wilton Alderman

ServiceNow Number: DHRPSC0004785

Version: 0.01

Version Type: New

Brief description of proposed work: Contractor will provide clearinghouse services (a central organization for the collection, classification, and distribution of newspaper ads) by placing Official advertising, Community Outreach and Neighborhood Outreach advertising, each defined by San Francisco Administrative Code Section 2.80, on behalf of the Board of Supervisors and City departments.

Review Type and Reason

CSC Review Required: Yes

CSC Review Reason(s):

- Requires CSC Approval by Amount

Amount

PSC Amount: \$300,000

Does contract include items other than services?: Yes

- Advertising: \$1,700,000

Duration

Is PSC by Duration or Continuing: Duration

PSC Duration (Months): 84

Funding

Funding Source: City Funds

Special circumstances related to funding: Yes

Explain the special circumstances: San Francisco Administrative Code Section 2.80 sets forth City requirements pertaining to certain advertisements placed by City departments and the Board of Supervisors. Those categories, each of which is defined by the San Francisco Administrative Code Section 2.80, are:

A. Official Advertisements: Official Advertisement are defined by the San Francisco Administrative Code Sec. 2.81(a) as: (a) Advertisements required by law to be published on two or more consecutive days; (b) Advertisements required to be published for special meetings of the Board

of Supervisors and its standing or special committees; (c) Advertisements required by law to be published one time (except those for special meetings of the Board of Supervisors and its standing or special committees under subsection (b) above); and (d) Advertisements required by law to be published more than one time, but not more than three times a week for a specified number of weeks.

B. Community Outreach Advertisements: Community Outreach Advertisements are those to be placed with newspapers that are published at least once per week and target the LGBTQ, African American, Hispanic and Chinese communities, as well as other communities as determined by the Board of Supervisors.

C. Neighborhood Outreach Advertisements: If City departments determine that certain neighborhoods are not being adequately served by the Official Newspaper and the Community Outreach Newspapers, they may use the Neighborhood Outreach Newspapers. Neighborhood Outreach Advertisements are those to be placed with newspapers that are published at least once per month and target specific San Francisco neighborhoods.

Official Advertisements are funded by the City departments who place them. However, as per San Francisco Administrative Code Section 2.80, 10% of all payments made by City departments for Official Advertisements are redirected to an outreach fund that is then used to pay for Community and Neighborhood Outreach Advertisements placed by the Board of Supervisors.

Scope of Work

Clearly describe scope and detail the services to be performed: Contractor will act as the central point of contact between the City and the various newspapers through which City advertisements are placed. In this role, Contractor will receive and coordinate the placement of Official Advertisements, Community Outreach Advertisements and Neighborhood Outreach Advertisements with various local newspapers selected by the Board of Supervisors annually through a competitive solicitation issued by the Office of Contract Administration. Duties include:

- 1) Ad Placement and Distribution: Contractor will coordinate the placement of advertisements, ensuring that ads reach the desired audience in the appropriate formats and locations.
- 2) Billing and Payment Processing: Contractor will facilitate payment transactions between City and the newspapers.
- 3) Compliance and Ad Quality Control: Contractor will ensure that ads comply with City regulations and platform-specific guidelines, preventing issues like fraudulent ads or inappropriate content from being displayed.

Why are these services required and what are the consequences of denial?: The City is required by law to post public announcements, notices, advertisements, etc. to make meetings and legislation legally binding. There are numerous publications, specifically used by the Clerk of the Board of Supervisors and other City Departments, and it is imperative that the City goes

through a Clearinghouse to ensure that publications are posted correctly and by legally mandated deadlines. If publications are not posted, per required law, legislation, meetings, and decisions made by the City will not be legally binding. The City depends on clearinghouse services for all commission, committee, Board of Supervisor, etc. meetings. Denial of these services may cause the City to not be in accordance with City public notification laws.

Has your department contracted out these services in the last three years?: Yes. See attached list of contracts entered into for these or similar services in the last 3 years.

How many contracts?: 1

Why have you not hired City employees to perform the services?: There are no classifications that would meet the need for these types of services as the skills required for this work are too specialized and specific in regard to publication requirements that may change. The services are intermittent, and that when it is needed, the contractor must be available immediately to respond. It would therefore not be practical to have the work performed by an employee.

Board and Commission Approvals

Will any contracts under this PSC require department Commission approval: Department does not have a Commission

Will any contracts under this PSC require Board of Supervisors approval: No

Justification

Q1 - Are there any regulatory or legal requirements supporting outsourcing of this work?:
No

Q2 - Does performing these services cause a conflict of interest?: No

Q3 - Are these proprietary services City is not authorized to do?: No

Q4 - Does City lacks necessary facilities/equipment?: Yes

Q4a) What facilities or equipment does the City lack that contractor possesses?: Contractors use software that is regularly updated to meet requirements for each of the numerous publications utilized to ensure that publications are formatted appropriately so they can be posted correctly and by legally mandated deadlines.

Does the dept plan to acquire the facilities/equipment to perform the services?: No

Explain why: This is specialized and intermittent work with custom software that requires regular updates.

Additional information to support your request (Optional):

Union Notifications

Job Class(es): -None- - None Selected

Labor Unions: No Union Selected -

Post Union Notification

Labor Union Email Addresses: pmendeziamaw@comcast.net, dvickers@iam1414.org, mfinnegan@ibt856.org, administration@sffdlocal798.org, larryjr@ualocal38.org, president@twusf.org, pwilson@twusf.org, mdennis@twusf.org, WOrellana@opcmialocal300.org, djohnson@opcmialocal300.org, L21pscreview@ifpte21.org, PSCreview@seiu1021.org, President@sanfranciscodsa.com, ibew6@ibew6.org, oashworth@ibew6.org, staff@sfmea.com, Christina@sfmea.com, Criss@SFMEA.com, Amit@sfmea.com, local22publicsector@nccrc.org, mleach@ibt856.org, laborers261@gmail.com, president@twusf.org, pwilson@twusf.org, mdennis@twusf.org, jb@local16.org, sal@local16.org, local22publicsector@nccrc.org, john.lenny@sfgov.org, sfcwupresidentjmleonard@yahoo.com, local200twu@sbcglobal.net, nichelle.flentroy@sfcityatty.org, local200twu@sbcglobal.net, rmarenco@twusf.org, staff@sfmea.com, Christina@sfmea.com, Criss@SFMEA.com, Amit@sfmea.com, tracym@sfpoa.org, cyndee@sfpoa.org, leah@sfpoa.org, info@sfpoa.org, joshv@smw104.org, DannyC@smw104.org, administration@sffdlocal798.org, PSCreview@seiu1021.org, anthony@dc16.us, charlie@local377.com, ccarr@oe3.org, tneep@oe3.org, mbeauchamp@oe3.org, ccarr@oe3.org, mbeauchamp@oe3.org, tneep@oe3.org, pking@uapd.com, pfinn@ibt856.org, mleach@ibt856.org, plangrooferslocal40@gmail.com, rooferslocal40@gmail.com, salvlocal40@gmail.com, laborers261@gmail.com, nick@dc16.us, PSCreview@seiu1021.org, epeterson@cirseiu.org, abush@cirseiu.org, snaranjo@cirseiu.org, emathurin@cirseiu.org, lvega@nccrc.org, mespinoza2@nccrc.org, cmoyer@nccrc.org, president@twusf.org, pwilson@twusf.org, mdennis@twusf.org, PSCreview@seiu1021.org, PSCreview@seiu1021.org, pking@uapd.com, mleach@ibt856.org, cpark@local39.org, sfdpoa@icloud.com, b.rod07@yahoo.com, PSCreview@seiu1021.org, L21pscreview@ifpte21.org, president@twusf.org, pwilson@twusf.org, mdennis@twusf.org, president@sfsheriffmsa.org, cjohnson@bac3-ca.org, stevek@bac3-ca.org, mhenneberry@teamsters853.org, staff@sfmea.com, Christina@sfmea.com, Criss@SFMEA.com, Amit@sfmea.com, local22publicsector@nccrc.org

Union Review Sent On: 10/18/2024

Union Review End Date: 10/25/2024

Union Review Duration Met On: 10/25/2024

List of Previously Approved Contracts for Similar Services (Measured 3 years from the PSC Submission Date)

Instructions:

Step 1: Download and save this template to your desktop.

Step 2: Complete the fields below.

Step 3: Upload a copy of the completed file to your PSC record under the "Required Documentation" tab.

Document Content:

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Other than completing the blank fields below, do not change or alter this template.

Dept Acronym:	OCA
Dept Name:	ADM - Office of Contract Administration
PSC Coordinator Name:	Lynn Khaw
PSC Coordinator Email:	lynn.khaw@sfgov.org
PSC ServiceNow Record Number:	DHRPSC0004785

[illegible]

Personal Service Contract Summary (PSC Form 1)

PSC Basic Information

Submitting Department: DPH

Submitted By: Reanna Albert

Department Coordinator: Reanna Albert,
reanna.albert@sfdph.org

Project Manager: Barbara Cicerelli

ServiceNow Number: DHRPSC0004383

Version: 0.01

Version Type: New

Brief description of proposed work: Cancer Navigation and Survivorship Services

Review Type and Reason

CSC Review Required: Yes

CSC Review Reason(s):

- Requires CSC Approval by Amount

Amount

PSC Amount: \$4,250,000

Does contract include items other than services?: No

Duration

Is PSC by Duration or Continuing: Duration

PSC Duration (Months): 60

Funding

Funding Source: City Funds

Special circumstances related to funding: No

Scope of Work

Clearly describe scope and detail the services to be performed: The Department of Public Health's (DPH) Cancer Navigation Program provides patient navigation/case management services and facilitates ongoing survivor support groups. Patient Navigation/Case Management will involve multilingual Navigator staff who will work onsite to support patients newly diagnosed with cancer. Survivor Support Groups will involve organizing, publicizing and facilitating support groups, and offering education and support to patients in a group setting.

Why are these services required and what are the consequences of denial?: These services are necessary to improve the quality of life and access to healthcare for San Franciscans newly diagnosed with cancer. The Cancer Navigation Program serves all and is dedicated to the support

and care of disenfranchised populations which includes low-income, underinsured, and underserved. If the request is denied, disenfranchised residents of San Francisco will be without cancer support, which will cause overall degradation of physical and mental health that could eventually result in increased risk of death or suicide.

Has your department contracted out these services in the last three years?: Yes. See attached list of contracts entered into for these or similar services in the last 3 years.

How many contracts?: 1

Why have you not hired City employees to perform the services?: Community based organizations (CBOs), deeply imbedded in their communities, have built established relationships and gained the trust of clients. CBOs provide cultural expertise and linkages otherwise unavailable through civil service classifications, and through these collaborations the City is able to offer more quality, accessible, and culturally competent cancer navigation support to disenfranchised populations than it would be able to do alone.

Board and Commission Approvals

Will any contracts under this PSC require department Commission approval: No

Will any contracts under this PSC require Board of Supervisors approval: No

Justification

Q1 - Are there any regulatory or legal requirements supporting outsourcing of this work?:

No

Q2 - Does performing these services cause a conflict of interest?: No

Q3 - Are these proprietary services City is not authorized to do?: No

Q4 - Does City lack necessary facilities/equipment?: Yes

Q4a) What facilities or equipment does the City lack that contractor possesses?: The City lacks a facility that will support the Cancer Navigation Program. The facility for this program will comply with the Americans with Disabilities Act (ADA) and be accessible to public transit.

Does the dept plan to acquire the facilities/equipment to perform the services?: No

Explain why: The community based organization has the facility location necessary to provide for more accessible, culturally competent, and flexible services to be available for disenfranchised population care.

Additional information to support your request (Optional): The community based organization also has specific skill sets to deliver culturally congruent and relevant services. Use of these skills will aid in the goal of providing more cancer support services to the people that need them.

Union Notifications

Post Union Notification

Job Class(es): 2587 - Health Worker 3, 2586 - Health Worker 2, 2585 - Health Worker 1, 2588 - Health Worker 4

Labor Unions: 790 - SEIU, Local 1021, Misc

Labor Union Email Addresses: PSCreview@seiu1021.org

Union Review Sent On: 8/19/2024

Union Review End Date: 10/18/2024

Union Review Duration Met On: 10/18/2024

List of Previously Approved Contracts for Similar Services (Measured 3 years from the PSC Submission Date)

Instructions:
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Other than completing the blank fields below, do not change or alter this template.

Dept Acronym:	DPH
Dept Name:	Department of Public Health
PSC Coordinator Name:	Reanna Albert
PSC Coordinator Email:	reanna.albert@sfdph.org
PSC ServiceNow Record Number:	DHRPSC0004383

PS Contract ID	Contract Start Date	Contract End Date	Contract Not to Exceed Amount	PSC ServiceNow Record Number (If PSC approval was obtained)	Brief Description of Services Rendered
100024270	1/1/2022	6/30/2024	\$ 842,072	DHRPSC0004386	DPH Breast Cancer Program

Personal Service Contract Summary (PSC Form 1)

PSC Basic Information

Submitting Department: DPH

Submitted By: Reanna Albert

Department Coordinator: Reanna Albert,
reanna.albert@sfdph.org

Project Manager: Diltar Sidhu

ServiceNow Number: DHRPSC0004792

Version: 0.01

Version Type: New

Brief description of proposed work: Infection Prevention and Control Laundry Services

Review Type and Reason

CSC Review Required: Yes

CSC Review Reason(s):

- Requires CSC Approval by Amount

Amount

PSC Amount: \$2,240,000

Does contract include items other than services?: No

Duration

Is PSC by Duration or Continuing: Duration

PSC Duration (Months): 24

Funding

Funding Source: City Funds

Special circumstances related to funding: No

Scope of Work

Clearly describe scope and detail the services to be performed: The selected contractor shall pick up Laguna Honda Hospital (LHH) resident's personal laundry and apply regulatory compliant Infection Prevention and Control practices to wash, dry, fold, seal, and return all laundry back to the residents. The contractor shall do so daily, while maintaining a 48-hour turn around time. The work must adhere to Title 22 regulatory and Infection Prevention and Control requirements and compliance standards as outlined in the contract.

Why are these services required and what are the consequences of denial?: The services are necessary to continue to provide high quality and Infection Prevention and Control regulatory compliant care for the residents of Laguna Honda Hospital. Since Laguna Honda Hospital is a

long-term care facility, there is a regulatory requirement to provide laundry services to residents for their personal laundry. Residents of Laguna Honda hospital do not have the ability, nor the means, to do their own laundry. In addition, LHH does not have the physical laundry facilities infrastructure to process personal laundry on a large scale and in a manner compliant with regulatory requirements outlined in Title 22 § 72623, Infection Prevention and Control regulatory temperature standards required of hospital based personal laundry services as outlined in Title 42 CFR § 483.80(e). If this service is denied, the residents of LHH will not have access to personal laundry services that meet Infection Prevention and Control requirements, thereby failing to adhere to regulatory requirements regarding resident rights and, thus, jeopardize the ongoing LHH Centers for Medicare and Medicaid Services (CMS) Recertification process.

Has your department contracted out these services in the last three years?: No

Board and Commission Approvals

Will any contracts under this PSC require department Commission approval: No

Will any contracts under this PSC require Board of Supervisors approval: No

Justification

Q1 - Are there any regulatory or legal requirements supporting outsourcing of this work?:

No

Q2 - Does performing these services cause a conflict of interest?: No

Q3 - Are these proprietary services City is not authorized to do?: No

Q4 - Does City lack necessary facilities/equipment?: Yes

Q4a) What facilities or equipment does the City lack that contractor possesses?: The selected contractor must provide pick up and processing of a high volume of soiled resident's personal laundry daily, including holidays, to ensure LHH can come into compliance with Title 22 of the State of California Department of Health Code of Regulations ("Title 22"), CMS Federal Regulations, Title 42 and DPH Infection Prevention and Control Policies, which establishes personal laundry regulations that LHH physical infrastructure cannot meet.

Does the dept plan to acquire the facilities/equipment to perform the services?: No

Explain why: The awarded contractor will have commercial laundry facility infrastructure that can process the personal laundry for LHH residents, complying with the regulations of Title 22 of the State of California Department of Health Code of Regulations ("Title 22"), CMS Federal Regulations and DPH Infection Control Policies.

Additional information to support your request (Optional): Previously these services were not provided under a PSC. Rather, resident personal laundry requiring cleaning were, and are, currently being processed at LHH on each unit, utilizing consumer grade washing and drying machines. Unfortunately, during the CMS Recertification Process, the consumer grade washing and drying machines were deemed to be regulatory non-compliant by CMS surveyors because healthcare infection prevention control temperature standards and physical spacing

requirements were not in alignment with current regulatory standards as outlined in Title 22 § 72623.

Due to the current physical layout of Laguna Honda Hospital, the current regulatory requirements for physical spacing of machines, the water temperature requirements for laundering resident's personal clothing in the hospital environment, and Infection Prevention and Control requirements for performing personal laundry services in a long-term care facility, it is not feasible at the present time to continue this current regulatory non-compliant practice. LHH is currently working under an approved temporary-mitigation plan to process personal laundry on site, with the requirement that LHH will roll out a long-term solution, in a timely manner, that meets regulatory requirements. A large scale Capital Improvement Project, equivalent to a voter approved bond measure, would be the only method to update the LHH physical infrastructure to allow for regulatory compliant personal laundry to occur on site in a timely manner, which is currently not feasible. The Department has also looked at the possibility of identifying other locations within LHH and at the present time there is no suitable alternative location that exists that can meet all the specific regulatory requirements for resident's personal laundry. If LHH fails to roll out a regulatory approved long-term solution for resident personal laundry, this will formally bring LHH into non-compliance with regulatory standards and prevent LHH from achieving and maintaining Medicaid and Medicare Recertification.

Civil services classes are not applicable because the City does not have healthcare compliant laundry facility physical infrastructure that meets regulatory infection prevention and control temperature standards and physical spacing requirements. Civil service workers will still continue to play a major role in the personal laundry process, including but not limited to: being part of the process to gather all resident clothing, sorting, labeling, and preparing it for the outside vendor to pick up the Resident's personal laundry for laundering. Once the clothes are returned from the vendor, civil service workers will collect and distribute the laundry back to the residents.

The City does not have healthcare compliant laundry facility physical infrastructure that meets regulatory infection control temperature standards and physical spacing requirements. With an outside service provider in place, the current LHH staff will continue to focus on the essential critical duties of resident care as described above. Their role will continue to play an important part in the process.

Union Notifications

Job Class(es): 7355 - Truck Driver, 2583 - Home Health Aide, 2770 - Senior Laundry Worker

Labor Unions: 250 - SEIU 1021, 216 - Teamsters, Local 853

Labor Union Email Addresses: PSCreview@seiu1021.org, mhenneberry@teamsters853.org

Union Review Sent On: 10/21/2024

Union Review End Date: 12/20/2024

Union Review Duration Met On:



City and County of San Francisco
London N. Breed, Mayor

San Francisco Department of Public Health

Grant Colfax, MD
Director of Health

DATE: October 23, 2024

TO: Suzanne Choi, Citywide PSC Coordinator, DHR

FROM: Reanna Albert, PSC Coordinator, Department of Public Health

RE: Request for Calendaring for November 18, 2024 Civil Service Commission Meeting:
DHRPSC0004792 Infection Prevention and Control Laundry Services

This is to respectfully request that the above PSC be included in the agenda for the Civil Service Commission meeting on November 18, 2024. The PSC was initially submitted on March 22, 2024, and the 60-day union notification period ended May 22, 2024. Below is a summary of the Department's ongoing communications with the union regarding this PSC.

<u>PSC</u>	<u>Union Notification End Date</u>	<u>Summary</u>
DHRPSC0004792 Infection Prevention and Control Laundry Services	May 22, 2024	• March 22, 2024: PSC was submitted, and unions were notified. • April 26, 2024: DPH Labor Relations scheduled a meeting with SEIU, however no union representatives attended, and DPH received no communication from the union. • July 8, 2024: A second meeting was held, and SEIU Representative Jessica Inouye attended on behalf of the union. The union requested additional documentation before agreeing to a waiver. • September 25, 2024: A third meeting was scheduled and DPH was prepared to present requested documentation. No union representatives attended, and DPH did not receive communication regarding their absence. • October 22, 2024: SEIU contacted DPH requesting the documentation and a follow-up meeting. DPH is currently in process of providing documentation and scheduling the meeting.

We appreciate your time and consideration. Please let us know if you need further information.
I can be reached at reanna.albert@sfdph.org.

cc: Kelly Hiramoto, Interim Director of Contracts, SFDPH



Fw: DPH [DHRPSC0004792] submitted for Union Review

From Albert, Reanna (DPH) <reanna.albert@sfdph.org>

Date Mon 10/21/2024 5:18 PM

To pscreview@seiu1021.org <PSCreview@seiu1021.org>

Dear SEIU,

This is to notify you that PSC 00004782 had to be resubmitted into ServiceNow because of a technology issue due to the city's transition between two database systems.

Please note that you were originally notified of this PSC on March 22, 2024, prior to the city's transition to a new system. A meeting to discuss the PSC was scheduled for April 26, 2024, but no union representatives attended, and no one contacted DPH. A second meeting took place on July 8, 2024, with Jessica Inouye from SEIU in attendance. During this meeting, the union requested additional documentation before agreeing to a waiver. A third meeting was scheduled for September 25, 2024, but no union representatives attended, and there was no communication from the union regarding their absence.

Since the union was previously notified in March and this is a resubmission, DPH considers the 60-day union notice period fulfilled and will waive the notice period.

Thanks,
Reanna

From: CCSF IT Service Desk <ccsfdt@service-now.com>

Sent: Monday, October 21, 2024 5:13 PM

To: mhenneberry@teamsters853.org <mhenneberry@teamsters853.org>; Sidhu, Diltar (DPH) <diltar.sidhu@sfdph.org>; PSCreview@seiu1021.org <PSCreview@seiu1021.org>; Albert, Reanna (DPH) <reanna.albert@sfdph.org>

Subject: DPH [DHRPSC0004792] submitted for Union Review

Hello **250 - SEIU 1021, 216 - Teamsters, Local 853** union representatives,
DPH is requesting your review of PSC [DHRPSC0004792]. Please see relevant details of this request below and in the attached document(s). **Should you have any questions or objections, please state them by replying all to this email by 2024-12-20.**

PSC Summary

=====

Record Number: DHRPSC0004792 v 0.01

Description of Proposed Work: Infection Prevention and Control Laundry Services

Request Type: New

Approval Type: CSC Approval

CSC Review Reason(s):

✓ CSC Approval by Amount



Re: DPH [DHRPSC0004792] submitted for Union Review

From Albert, Reanna (DPH) <reanna.albert@sfdph.org>

Date Mon 10/21/2024 5:32 PM

To mhenneberry@teamsters853.org <mhenneberry@teamsters853.org>

Dear Teamsters Local 853,

This is to notify you that PSC 00004792 had to be resubmitted into ServiceNow because of a technology issue due to the city's transition between two database systems. You were previously notified of this PSC on March 22, 2024. Since this is a resubmission, DPH considers the union notice period fulfilled and will waive the notice period.

Thanks,
Reanna

From: CCSF IT Service Desk <ccsfidt@service-now.com>

Sent: Monday, October 21, 2024 5:13 PM

To: mhenneberry@teamsters853.org <mhenneberry@teamsters853.org>; Sidhu, Diltar (DPH) <diltar.sidhu@sfdph.org>; PSCreview@seiu1021.org <PSCreview@seiu1021.org>; Albert, Reanna (DPH) <reanna.albert@sfdph.org>

Subject: DPH [DHRPSC0004792] submitted for Union Review

Hello **250 - SEIU 1021, 216 - Teamsters, Local 853** union representatives,
DPH is requesting your review of PSC [DHRPSC0004792]. Please see relevant details of this request below and in the attached document(s). **Should you have any questions or objections, please state them by replying all to this email by 2024-12-20.**

PSC Summary

=====

Record Number: DHRPSC0004792 v 0.01

Description of Proposed Work: Infection Prevention and Control Laundry Services

Request Type: New

Approval Type: CSC Approval

CSC Review Reason(s):

✔ CSC Approval by Amount

Submitting Department: DPH

Dept PSC Coordinator: Reanna Albert

Dept PSC Coordinator Email: reanna.albert@sfdph.org

Dept PSC Coordinator Phone: +1 (415) 557-6693

PSC Amount: \$2,240,000.00

PSC Duration (months): 24

Funding Source(s): City Funds

Scope of Work: The selected contractor shall pick up Laguna Honda Hospital (LHH) resident's personal laundry and apply regulatory compliant Infection Prevention and Control practices to wash, dry, fold, seal, and return all laundry back to the residents. The contractor shall do so daily, while maintaining a 48-hour turn around time. The work must adhere to Title 22 regulatory and Infection Prevention and Control requirements and compliance standards as outlined in the contract.

PSC Justification(s)

=====

✓ Service for which City lacks the necessary facilities/equipment

Ref:TIS5397144_NPbPmq0CfZkhrD9AgiJQ

Submitting Department: DPH

Dept PSC Coordinator: Reanna Albert

Dept PSC Coordinator Email: reanna.albert@sfdph.org

Dept PSC Coordinator Phone: +1 (415) 557-6693

PSC Amount: \$2,240,000.00

PSC Duration (months): 24

Funding Source(s): City Funds

Scope of Work: The selected contractor shall pick up Laguna Honda Hospital (LHH) resident's personal laundry and apply regulatory compliant Infection Prevention and Control practices to wash, dry, fold, seal, and return all laundry back to the residents. The contractor shall do so daily, while maintaining a 48-hour turn around time. The work must adhere to Title 22 regulatory and Infection Prevention and Control requirements and compliance standards as outlined in the contract.

PSC Justification(s)

=====

✔ Service for which City lacks the necessary facilities/equipment

Ref:TIS5397144_NPbPmq0CfZkhrD9AgiJQ

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC HEALTH -- DPHDept. Code: DPHType of Request: ☒ Initial ☐ Modification of an existing PSC (PSC # _____)Type of Approval: ☐ Expedited ☒ Regular ☐ Annual ☐ Continuing ☐ (Omit Posting)Type of Service: Infection Prevention and Control Laundry ServicesFunding Source: LHH Operating BudgetPSC Duration: 1 year 52 weeksPSC Amount: \$2,240,000**1. Description of Work****A. Scope of Work/Services to be Contracted Out:**

The selected contractor shall pick up Laguna Honda Hospital (LHH) resident's personal laundry and apply regulatory compliant Infection Prevention and Control practices to wash, dry, fold, seal, and return all laundry back to the residents. The contractor shall do so daily, while maintaining a 48-hour turnaround time. The work must adhere to Title 22 regulatory and Infection Prevention and Control requirements and compliance standards as outlined in the contract.

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

The services are necessary to continue to provide high quality and Infection Prevention and Control regulatory compliant care for the residents of Laguna Honda Hospital. Since Laguna Honda Hospital is a long-term care facility, there is a regulatory requirement to provide laundry services to residents for their personal laundry. Residents of Laguna Honda hospital do not have the ability, nor the means, to do their own laundry. In addition, LHH does not have the physical laundry facilities infrastructure to process personal laundry on a large scale and in a manner compliant with regulatory requirements outlined in Title 22 § 72623, Infection Prevention and Control regulatory temperature standards required of hospital based personal laundry services as outlined in Title 42 CFR § 483.80(e). If this service is denied, the residents of LHH will not have access to personal laundry services that meet Infection Prevention and Control requirements, thereby failing to adhere to regulatory requirements regarding resident rights and, thus, jeopardize the ongoing LHH Centers for Medicare and Medicaid Services (CMS) Recertification process.

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.

Previously these services were not provided under a PSC. Rather, resident personal laundry requiring cleaning were, and are, currently being processed at LHH on each unit, utilizing consumer grade washing and drying machines. Unfortunately, during the CMS Recertification Process, the consumer grade washing and drying machines were deemed to be regulatory non-compliant by CMS surveyors because healthcare infection prevention control temperature standards and physical spacing requirements were not in alignment with current regulatory standards as outlined in Title 22 § 72623.

D. Will the contract(s) be renewed?

Yes.

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

B. Explain the qualifying circumstances:

The selected contractor must provide pick up and processing of a high volume of soiled resident's personal laundry daily, including holidays, to ensure LHH can come into compliance with Title 22 of the State of California Department of Health Code of Regulations ("Title 22"), CMS Federal Regulations, Title 42 and DPH Infection Prevention and Control Policies, which establishes personal laundry regulations that LHH physical infrastructure cannot meet.

3. Description of Required Skills/Expertise

- A. Specify required skills and/or expertise: Skills required for these services include experience in high volume personal laundry processing services for health care facilities. All services must comply with Title 22, CMS Federal Regulations, and DPH infection and prevention control policies. Contractor must meet and maintain all established turnaround time for personal laundry services; Contractor must pick up, launder, sort, and provide return delivery of all laundry provided to them; Contractor also must meet normal requirements for Suppliers doing business with the City.
- B. Which, if any, civil service class(es) normally perform(s) this work? 2583, Home Health Aide; 2770, Senior Laundry Worker; 7355, Truck Driver;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes, the awarded contractor will have commercial laundry facility infrastructure that can process the personal laundry for LHH residents, complying with the regulations of Title 22 of the State of California Department of Health Code of Regulations ("Title 22"), CMS Federal Regulations and DPH Infection Control Policies.

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

Due to the current physical layout of Laguna Honda Hospital, the current regulatory requirements for physical spacing of machines, the water temperature requirements for laundering resident's personal clothing in the hospital environment, and Infection Prevention and Control requirements for performing personal laundry services in a long-term care facility, it is not feasible at the present time to continue this current regulatory non-compliant practice. LHH is currently working under an approved temporary-mitigation plan to process personal laundry on site, with the requirement that LHH will roll out a long-term solution, in a timely manner, that meets regulatory requirements. A large scale Capital Improvement Project, equivalent to a voter approved bond measure, would be the only method to update the LHH physical infrastructure to allow for regulatory compliant personal laundry to occur on site in a timely manner, which is currently not feasible. The Department has also looked at the possibility of identifying other locations within LHH and at the present time there is no suitable alternative location that exists that can meet all the specific regulatory requirements for resident's personal laundry. If LHH fails to roll out a regulatory approved long-term solution for resident personal laundry, this will formally bring LHH into non-compliance with regulatory standards and prevent LHH from achieving and maintaining Medicaid and Medicare Recertification.

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 because the City does not have healthcare compliant laundry facility physical infrastructure that meets regulatory infection prevention and control temperature standards and physical spacing requirements. Civil services workers will still continue to play a major role in the personal laundry process, including but not limited to: being part of the process to gather all resident clothing, sorting, labeling, and preparing it for the outside vendor to pick up the Resident's personal laundry for laundering. Once the clothes are returned from the vendor, civil service workers will collect and distribute the laundry back to the residents.

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 City does not have healthcare compliant laundry facility physical infrastructure that meets regulatory infection control temperature standards and physical spacing requirements. With an outside service provider in place, the current LHH staff will continue to focus on the essential critical duties of resident care as described above. Their role will continue to play an important part in the process.

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

No.

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

No. There is no formal training for civil service employees required. LHH staff will continue to be part of the process to gather all resident clothing, sorting, labeling, and preparing it for the outside vendor to pick up the resident's personal laundry for laundering. Once the clothes are returned from the vendor, civil service workers will collect and distribute the laundry back to the residents. As part of this process, contractor will not train City and County employees and there is no transfer of knowledge component that will be included in the contract.

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 03/22/2024, the Department notified the following employee organizations of this PSC/RFP request:

Bldg Mtl & Constr Teamsters, L 853; SEIU 1021 Miscellaneous; SEIU Local 1021

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

Name: Reanna Albert Phone: 628-271-6178 Email: reanna.albert@sfdph.org

Address: 1380 Howard St. San Francisco, CA 94103

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 45109 - 23/24

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 03/18/2024

Receipt of Notice for new PCS over \$100K PSC # 45109 - 23/24

dhr-psccordinator@sfgov.org <dhr-psccordinator@sfgov.org>

on behalf of

reanna.albert@sfdph.org <reanna.albert@sfdph.org>

Fri 3/22/2024 3:19 PM

To: Albert, Reanna (DPH) <reanna.albert@sfdph.org>; kristin.hardy@seiu1021.org <kristin.hardy@seiu1021.org>; oumar.fall@seiu1021.org <oumar.fall@seiu1021.org>; cade.crowell@seiu1021.org <cade.crowell@seiu1021.org>; max.porter@seiu1021.org <max.porter@seiu1021.org>; Laxamana, Junko (DBI) <Junko.Laxamana@sfgov.org>; sarah.wilson@seiu1021.org <sarah.wilson@seiu1021.org>; Sandeep.lal@seiu1021.me <Sandeep.lal@seiu1021.me>; leah.berlanga@seiu1021.org <leah.berlanga@seiu1021.org>; Chanel.Brown@seiu1021.org <Chanel.Brown@seiu1021.org>; jegy.sering@seiu1021.org <jegy.sering@seiu1021.org>; matthew.torres@seiu1021.org <matthew.torres@seiu1021.org>; SF-DHR-Info@seiu1021.org <SF-DHR-Info@seiu1021.org>; Najuawanda Daniels <najuawanda.daniels@seiu1021.org>; Jason Klumb <Jason.Klumb@seiu1021.org>; Frigault, Noah (HRC) <noah.frigault@sfgov.org>; Julie.Meyers@sfgov.org <Julie.Meyers@sfgov.org>; Thomas Vitale <thomas.vitale@seiu1021.org>; Ricardo.lopez@sfgov.org <Ricardo.lopez@sfgov.org>; Kbasconcillo@sfgwater.org <Kbasconcillo@sfgwater.org>; pcamarillo_seiu@sbcglobal.net <pcamarillo_seiu@sbcglobal.net>; Wendy Frigillana <wendy.frigillana@seiu1021.org>; pscreview@seiu1021.org <pscreview@seiu1021.org>; ted.zarzecki@seiu1021.net <ted.zarzecki@seiu1021.net>; davidmkersten@gmail.com <davidmkersten@gmail.com>; XiuMin Li <xiumin.li@seiu1021.org>; Sin.Yee.Poon@sfgov.org <Sin.Yee.Poon@sfgov.org>; David Canham <david.canham@seiu1021.org>; jtanner940@aol.com <jtanner940@aol.com>; Longhitano, Robert (DPH) <robert.longhitano@sfdph.org>; DHR-PSCCoordinator, DHR (HRD) <dhr-psccordinator@sfgov.org>

RECEIPT for Union Notification for PSC 45109 - 23/24 more than \$100k

The PUBLIC HEALTH -- DPH has submitted a request for a Personal Services Contract (PSC) 45109 - 23/24 for \$2,240,000 for Initial Request services for the period 07/01/2024 – 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/21833> 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

Fw: Receipt of Notice for new PCS over \$100K PSC # 45109 - 23/24

Albert, Reanna (DPH) <reanna.albert@sfdph.org>

Fri 3/22/2024 3:27 PM

To:connections@teamsters853.org <connections@teamsters853.org>

 1 attachments (145 KB)

45109-2324 Submitted 3.22.24.pdf;

Dear Mr. Beck,

Please see Union Notification below that was sent to impacted Unions.

Attached please find a copy of the PSC in case you do not have access to the database.

Thank you,
Reanna

From: dhr-psccordinator@sfgov.org <dhr-psccordinator@sfgov.org> on behalf of reanna.albert@sfdph.org <reanna.albert@sfdph.org>**Sent:** Friday, March 22, 2024 3:15 PM**To:** Albert, Reanna (DPH) <reanna.albert@sfdph.org>; kristin.hardy@seiu1021.org <kristin.hardy@seiu1021.org>; oumar.fall@seiu1021.org <oumar.fall@seiu1021.org>; cade.crowell@seiu1021.org <cade.crowell@seiu1021.org>; max.porter@seiu1021.org <max.porter@seiu1021.org>; Laxamana, Junko (DBI) <Junko.Laxamana@sfgov.org>; sarah.wilson@seiu1021.org <sarah.wilson@seiu1021.org>; Sandeep.lal@seiu1021.me <Sandeep.lal@seiu1021.me>; leah.berlanga@seiu1021.org <leah.berlanga@seiu1021.org>; Chanel.Brown@seiu1021.org <Chanel.Brown@seiu1021.org>; jegy.sering@seiu1021.org <jegy.sering@seiu1021.org>; matthew.torres@seiu1021.org <matthew.torres@seiu1021.org>; SF-DHR-Info@seiu1021.org <SF-DHR-Info@seiu1021.org>; Najuawanda Daniels <najuawanda.daniels@seiu1021.org>; Jason Klumb <Jason.Klumb@seiu1021.org>; Frigault, Noah (HRC) <noah.frigault@sfgov.org>; Julie.Meyers@sfgov.org <Julie.Meyers@sfgov.org>; Thomas Vitale <thomas.vitale@seiu1021.org>; Ricardo.lopez@sfgov.org <Ricardo.lopez@sfgov.org>; Kbasconcillo@sfgwater.org <Kbasconcillo@sfgwater.org>; pcamarillo_seiu@sbcglobal.net <pcamarillo_seiu@sbcglobal.net>; Wendy Frigillana <wendy.frigillana@seiu1021.org>; pscreview@seiu1021.org <pscreview@seiu1021.org>; ted.zarzecki@seiu1021.net <ted.zarzecki@seiu1021.net>; davidmkersten@gmail.com <davidmkersten@gmail.com>; XiuMin Li <xiumin.li@seiu1021.org>; Sin.Yee.Poon@sfgov.org <Sin.Yee.Poon@sfgov.org>; David Canham <david.canham@seiu1021.org>; jtanner940@aol.com <jtanner940@aol.com>; Longhitano, Robert (DPH) <robert.longhitano@sfdph.org>; DHR-PSCCoordinator, DHR (HRD) <dhr-psccordinator@sfgov.org>**Subject:** Receipt of Notice for new PCS over \$100K PSC # 45109 - 23/24

RECEIPT for Union Notification for PSC 45109 - 23/24 more than \$100k

The PUBLIC HEALTH -- DPH has submitted a request for a Personal Services Contract (PSC) 45109 - 23/24 for \$2,240,000 for Initial Request services for the period 07/01/2024 – 06/30/2026. Notification of 30 days (60 days for SEIU) is required.

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<http://apps.sfgov.org/dhrdrupal/node/21833> 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

Timeline of Communications with SEIU Local 1021

March 22, 2024: The union was notified about the PSC.

April 26, 2024: DPH Labor Relations scheduled a meeting with SEIU, but no union representatives attended, and no one contacted DPH.

July 8, 2024: A second meeting was scheduled, and Jessica Inouye (SEIU) attended on behalf of the union. The union requested additional documentation before agreeing to a waiver.

September 25, 2024: A third meeting was scheduled, but again no union representatives attended, and there was no communication from the union regarding their absence.

DPH Labor Relations has spoken to the union directly a couple of times and scheduled three meetings in attempts to provide information and obtain waiver for the PSC.



Re: PSC# 45109-23/24 Residential Laundry at LHH

From Corvinelli, Camaguey (DPH) <camaguey.corvinelli@sfdph.org>

Date Thu 7/18/2024 12:51 PM

To Hiramoto, Kelly (DPH) <kelly.hiramoto@sfdph.org>; Williams, Ramon (DPH) <ramon.williams@sfdph.org>

Cc Sidhu, Diltar (DPH) <diltar.sidhu@sfdph.org>; Lazarich, Angela (DPH) <angela.lazarich@sfdph.org>; Sangha, Baljeet (DPH) <baljeet.sangha@sfdph.org>; Williams, Troy (DPH) <troy.williams@sfdph.org>; Albert, Reanna (DPH) <reanna.albert@sfdph.org>; Fisher, Denise (DPH) <denise.fisher@sfdph.org>; Hoffer, Daniel (DPH) <daniel.hoffer@sfdph.org>

Good afternoon,

We had the LHH Laundry Services PSC meeting with the union on July 8.

SEIU rep-Jessica Innouye
SME for Dept. -Shuyan
Labor - Cam and Denise
PSC Unit- Reanna

Unfortunately, we were unable to secure the waiver during the meeting. The union requested to review the 'rollout and implementation plan with their members and indicated this would include the following items in writing- the standard work for the new process, any related policies, an outline of the required staff training, and the implementation timeline.

Union Questions

- What were the results from the Laundry Service pilot last year?
 - There were two (2) laundry service pilots in 2023, however they were limited in their duration (1 week) and only 2 of the units participated out of 30). Consequently, not enough data was generated for substantive analysis.
- Timeline? How long is the approval process once the PSC is submitted to the CSC?
 - Approximately 2 weeks.
- After CSC approval, how long before the service begins?
 - We planned on it taking approximately 2 months from approval.
- What will happen to the laundry room? Will the room still be used by staff?
 - TBD
- Please provide information regarding the training for staff.
- Have the residents been notified yet?
 - We will F/U and let you know.

Shu and I will be working on drafting an initial rollout and implementation plan for review by the end of next week. Jessica is planning on meeting with her members in 2 weeks to review the information.

Please let me know if you have any questions.

From: Fisher, Denise (DPH) <denise.fisher@sfdph.org>

Sent: Tuesday, July 16, 2024 10:21:56 AM

To: Hiramoto, Kelly (DPH) <kelly.hiramoto@sfdph.org>; Williams, Ramon (DPH) <ramon.williams@sfdph.org>; Corvinelli, Camaguey (DPH) <camaguey.corvinelli@sfdph.org>

Cc: Sidhu, Diltar (DPH) <diltar.sidhu@sfdph.org>; Lazarich, Angela (DPH) <angela.lazarich@sfdph.org>; Sangha, Baljeet (DPH) <baljeet.sangha@sfdph.org>; Williams, Troy (DPH) <troy.williams@sfdph.org>; Albert, Reanna (DPH) <reanna.albert@sfdph.org>; Lyens, Jonathan (DPH) <jonathan.lyens@sfdph.org>

Subject: RE: PSC# 45109-23/24 Residential Laundry at LHH

Hi Kelly,

Thank you for this information. Please include [@Corvinelli, Camaguey \(DPH\)](#), who is leading the discussion and process of the PSC for Residential Laundry. Thanks!

Y. Denise Fisher | Principal Human Resources Analyst

(415) 554-2571 | Office

(415) 420-7308 | Cell

Denise.Fisher@sfdph.org



This email may contain information which is sensitive or confidential. If you believe you were incorrectly sent this email, please contact the sender at (415) 554-2571 and delete the message without forwarding, printing, or distributing. Your cooperation is appreciated.

Personal Service Contract Summary (PSC Form 1)

PSC Basic Information

Submitting Department: DPW

Submitted By: Belle Macaranas

Department Coordinator: Alexander Burns,
Alexander.Burns@sfdpw.org

Project Manager: Robert Begley

ServiceNow Number: DHRPSC0004147

Version: 0.01

Version Type: New

Brief description of proposed work: As Needed Environmental Planning Services 2024 (49528 - 23/24)

Review Type and Reason

CSC Review Required: Yes

CSC Review Reason(s):

- Requires CSC Approval by Amount

Amount

PSC Amount: \$7,500,000

Does contract include items other than services?: No

Duration

Is PSC by Duration or Continuing: Duration

PSC Duration (Months): 80

Funding

Funding Source: City Funds

Special circumstances related to funding: No

Scope of Work

Clearly describe scope and detail the services to be performed: Perform as-needed environmental planning assessments and studies to support capital improvement projects. This includes negotiating with regulatory agencies, preparing comprehensive environmental impact reports, risk assessments, and planning documents. Services also encompass field surveys, utility location and specification gathering, and coordination with multiple regulatory bodies to ensure compliance with environmental regulations. The consultant must be capable of addressing various planning-related issues such as land use, zoning, biology, air quality, water quality, noise, historic resources, urban design, transportation, and environmental compliance monitoring. Additionally, the consultant will provide public outreach, professional consultations, and compliance monitoring to ensure adherence to mitigation measures and regulatory

requirements.

Why are these services required and what are the consequences of denial?: These specialized environmental planning services and expertise are essential due to the complexity of tasks involved, which are beyond the current expertise and capacity of Public Works staff. Public Works encounters projects with intricate environmental considerations that demand immediate attention, comprehensive assessment, and preparation of specialized reports that assess human health risk, ecological risk, and environmental planning posed by contaminants in soils, groundwater, air and hazardous building materials. These specialized services help the City mitigate environmental risks and liabilities. Denial of these services may result in Public Works' inability to comply with mandatory regulations; leading to delays in completion of public work projects, and may compromise the health and safety of City employees and residents by failing to address potential environmental hazards and risks associated with project development and implementation.

Has your department contracted out these services in the last three years?: No

Board and Commission Approvals

Will any contracts under this PSC require department Commission approval: Yes

Provide details related to contracts for which dept comm approval required: Commission approval required for contracts equal to or exceeds \$200,000 (Minimum competitive amount).

Will any contracts under this PSC require Board of Supervisors approval: No

Justification

Q1 - Are there any regulatory or legal requirements supporting outsourcing of this work?:
No

Q2 - Does performing these services cause a conflict of interest?: No

Q3 - Are these proprietary services City is not authorized to do?: No

Q4 - Does City lacks necessary facilities/equipment?: Yes

Q4a) What facilities or equipment does the City lack that contractor possesses?: Consultants will be required to provide their own specialized staff to address environmental and toxicological human health risk assessment capabilities to properly characterize and evaluate contaminated or hazardous waste, environmental testing laboratories, driller, drill rigs, archeologist, architectural historians.

Does the dept plan to acquire the facilities/equipment to perform the services?: No

Explain why: The environmental planning services required are highly specialized and provided on as-needed basis, which means the demand for these services can vary significantly over time. It would not be cost effective to maintain environmental testing laboratories, driller, drill rigs, etc. for this as needed work. The work is project funded.

Additional information to support your request (Optional): City Ordinance No. 253-86, "Maher Ordinance", "Contracting for Hazardous Materials Abatement" were passed by the Board of Supervisors to comply with these situations. Please refer to attached Section 22A.1 Findings on pages 4-6 of the SF Maher Ordinance (File No. 130369) and Chapter 6.63 of the Administrative Code for Haz Mat Abatement contracting.

Union Notifications

Job Class(es): 5620 - Regulatory Specialist

Labor Unions: 021 - Prof & Tech Eng, Local 21

Labor Union Email Addresses: L21pscreview@ifpte21.org

Union Review Sent On: 8/26/2024

Union Review End Date: 9/25/2024

Union Review Duration Met On: 9/25/2024

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: GENERAL SERVICES AGENCY - PUBLIC WORKS -- DPWDept. Code: DPWType of Request: ☒ Initial ☐ Modification of an existing PSC (PSC # _____)Type of Approval: ☐ Expedited ☒ Regular ☐ Annual ☐ Continuing ☐ (Omit Posting)Type of Service: As-Needed Environmental Consulting & Planning ServicesFunding Source: Interdepartmental Work OrdersPSC Amount: \$10,000,000PSC Est. Start Date: 01/06/2020PSC Est. End Date 06/30/2026**1. Description of Work****A. Scope of Work/Services to be Contracted Out:**

Perform as-needed environmental assessments and planning studies to assist in the completion of capital improvement projects, to negotiate with regulatory agencies, and prepare environmental, risk assessments and planning reports.

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

These specialized services and expertise are necessary because Public Works does not currently possess it. Public Works must respond to immediate situations to rapidly review and prepare specialized reports that assess human health risk, ecological risk, and environmental planning posed by contaminants in soils, groundwater, air and hazardous building materials. Denial of these services may result in Public Works' inability to comply with mandatory regulations; completion of public work projects, and the delays in responding may compromise the health and safety of City employees and residents.

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

In the past, these services were provided by as-needed consultant firms through PSC# 4016-06/07 dated August 7, 2006, and PSC#4075-09/10 dated January 4, 2010.

D. Will the contract(s) be renewed?

No. New RFQ's will be advertised.

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

The PSC duration exceeds 5 years to account for the extra time needed to advertise and award contracts. However, all contract terms will not exceed 5 years.

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).

☒ Cases where future funding is so uncertain that the establishment of new civil service positions, classes or programs is not feasible (including situations where there is grant funding).

B. Explain the qualifying circumstances:

This service will only be required on an as-needed basis when either City staff don't have the capacity to fulfill all project requests, causing delays, or if specialized services are required. This service will only be utilized on an as-needed basis.

3. Description of Required Skills/Expertise

- A. Specify required skills and/or expertise: Consultants must have a multi-disciplined staff of professionals that have specialized expertise in environmental planning, environmental site characterization and compliance issues; air and water quality issues; hazardous materials and hazardous waste sampling, treatment and disposal; archaeological, biological, habitat studies, morphology studies, and toxicology capabilities. Also required are the ability to perform human and eco-risk data assessments; environmental site assessments; familiarity with regulatory agencies and its laws, the ability to negotiate with these agencies.
- B. Which, if any, civil service class(es) normally perform(s) this work? 5620, Regulatory Specialist;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes. Consultants will be required to provide their own specialized staff to address environmental and toxicological human health risk assessment capabilities to properly characterize and evaluate contaminated or hazardous waste, environmental testing laboratories, driller, drill rigs, archaeologist, architectural historians.

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

The City does not have resources available to perform all required work. The Department has recruited and hired more people for above civil service classes. As-needed contract services will only be utilized when and if the work cannot be prudently performed by internal staff.

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 applicable and where possible, they will be utilized to perform some aspects of the work. The services of these contracts will be performed on an as-needed basis and will be utilized when Civil Service employees cannot perform the work because of their inability to respond, or lack of expertise to perform the work. The broad scope of environmental services also tends to exceed City's current capabilities of staff and equipment.
- 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. Civil Service classifications already exist to perform some aspects of the work. However it is not cost effective to maintain environmental testing laboratories, driller, drill rigs, etc. for this as needed work. The work is project funded.

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. Training will not be provided as most of this work is related to testing, inspections, drilling, etc. and is very specialized.
- 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.
Yes. City Ordinance No.253-86, Maher Ordinance

- 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 11/06/2019, the Department notified the following employee organizations of this PSC/RFP request:
Architect & Engineers, Local 21

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

Name: Alexander Burns Phone: 415-554-6411 Email: alexander.burns@sfdpw.org

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

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 43602 - 19/20

DHR Analysis/Recommendation:

action date: 01/06/2020

Commission Approval Required

Approved by Civil Service Commission

01/06/2020 DHR Approved for 01/06/2020

Hazardous Waste

Analyzing Soil for Hazardous Waste

Analyzing soil for hazardous waste by Department of Public Works regulations: The Hazardous Waste Program staff continue to review and process the reports required in the Analyzing the Soil for Hazardous Waste Ordinance (Maher) and oversee activities in the City.

These regulations are established pursuant to ordinance no.258-86 adopted by the Board of Supervisors of the City and County of San Francisco to serve as general guidelines for preparing site history and soil analysis reports and for building permit applicants affected by the **San Francisco Public Works Municipal Code, article 20**.

Procedure For Soil Analysis Report:

The applicant shall submit a soil sampling and analysis report to the Director of Public Works and the Director of Public Health. Pursuant to **Public Works Municipal Code, article 22A** soil sampling shall be under the direction of a professional. Geologist, Civil Engineer, or Engineering Geologist, who is experienced in the field of, soils engineering. Soil sample analyses shall be conducted by a certified laboratory in accordance with methods for analyzing samples for the California Department of Health Services or the State water resources control Board and the San Francisco Bay Regional Water Quality Control Board.

The person directing the soil sampling and analyses shall prepare the soil analysis report which must include

- the information specified in **Department of Public Works Article 20 and Public Works Municipal Code, article 22A**, and
- a statement that the result of the sampling program is in his judgment representative of the proposed excavation site conditions.

If the Director of Public Health determines that the soil analysis report does not meet the requirements of Public Works Municipal Code, article 20, the Director shall notify the applicant in writing within 30 days of receipt of the report and indicate the reasons the report is unacceptable. The Director will also send a copy of the notification to the Director of Public Works.

Procedure For Building Permit Applicants:

Applicants for building permits for sites located within the area described in **San Francisco Planning Code, article 10, sec 1001 (a)** - preservation of historical architectural and aesthetic landmarks shall be required to sign a:

1. receipt form that the applicant has received the informational notice provided by the Department of Public Works (DPW) and
2. that the application, being incomplete, has been rejected pending receipt of written notification from the Director of Public Health that the applicant has complied with the requirements of **Public Works Municipal Code, article 20**.

Permit applications for sites located within the above specified areas will not be rejected provided:

1. The permit application states that less than 50 cubic yards of soil will be disturbed, or
2. The applicant establishes that the applicant's property has been continuously zoned Residential Zoned Residential under the City Planning Code Since 1921 and has been in residential use since 1921.
3. A letter from the Department of City Planning will satisfy this requirement.

For all other sites, a site history and soil analysis report is required to be sent to Department of Public Works (DPW) and Department of Public Health (DPH).

If hazardous wastes are not present on the site per the soil analysis report, DPH will so notify DPW and the applicant in writing. DPH will accept the permit application after receipt of such notice from the applicant.

If the soil analysis report indicates that hazardous wastes are present for which there are no quantitative federal or state standards:

1. The applicant shall make a written request to the applicable federal or state agency (ies) for a written determination as to whether a site mitigation plan is required.
2. The applicant shall submit a copy of this request to the Director of Public Works and the Director of Public Health, indicating the date the request was made.

DPW will accept the building permit application as complete for purpose of meeting the requirements of *Public Works Municipal Code, article 20*. Upon the receipt of the following:

1. Written notification from the Director of Public Health that the applicant has complied with the site history and soil analysis reporting requirements, and
2. Written notification from the Director of Public Health that the applicable state or federal agency(ies) has determined that no site mitigation plan (SMP) is required, or
3. Written notification from the Director of Public Health that the applicant submitted a SMP to the appropriate state or federal agency (ies), completed the SMP and certified in accord with Public Works Municipal Code, section 1005 that mitigation measures have been completed in compliance with the SMP.

Upon approval of the SMP by the applicable state or federal agency (ies), DPW may issue any permits necessary for the applicant to carry out the SMP.

If the state or federal agency (ies) does not make a determination as to whether a SMP is necessary within 6 months from the date the applicant seeks a determination from the applicable agency, or has not approved or disapproved the SMP within 12 months from the date the applicant submitted the plan, DPW shall notify the City Attorney.

If the soil analysis report indicates that hazardous wastes are present in the soil at levels exceeding quantitative federal or state minimum standards, DPW will accept the building permit application as complete for purpose of meeting the requirements of **Public Works Municipal Code, article 20** upon receipt of the following:

1. Written notification from the Director of Public Health that the applicant has complied with the site history and soil analysis reporting requirements, and
2. Written notification from the Department of Public Health that the applicant submitted an SMP to the appropriate state or federal agency (ies), completed the SMP and certified in accord with **San Francisco Planning Code, article 10, Sec.1005** that mitigation measures have been completed in compliance with the SMP.

Upon approval of the SMP by the applicant state or federal agency (ies), DPW may issue any permits necessary for the applicant to carry out the SMP.

If the state or federal agency (ies) has not approved or disapproved the SMP within months from the date the applicant submitted the plan, DPW shall notify the city Attorney as specified in Public Works Municipal Code section 1004(d).

The seller or the seller's agent involved in the sale or exchange of any real property within the City and County of San Francisco shall provide a copy of ordinance 253-86 to the buyer or buyers and shall obtain a written receipt from the buyer or buyers acknowledging receipt of a copy of the ordinance. Copies of the ordinance are available from Bureau Building Inspection, Room 104, 450 McAllister Street, San Francisco, Ca 94102 or calling (415) 558-3301.

Permit warning stamp **San Francisco Public Works Municipal Code, article 20(sec.1012)** will be affixed to the reverse side of the permit at the time of issuance.

All building permits issued by the Central Permit Bureau shall bear the following printed warning:

Pursuant to Article 20 of Chapter 10, Part II of the San Francisco Municipal Code (Public Works Code), certain building permits may be issued only after the permittee analyzes the soil for the presence of hazardous wastes and, where applicable, certifies that it has completed site mitigation. No officer, employee, or agency of the City conducted the soil sampling and analyses, recommended site mitigation measures, conducted the site mitigation or checked or verified the reports submitted or work performed for accuracy, reliability or adherence to protocols. In issuing this permit, neither the City nor any of its officers or employees make any representation that the soil on or about the site is free from the presence of hazardous wastes. Nor does the City's implementation of this process relieve any person from their duties and responsibilities relating to hazardous waste contamination under state and federal law. Neither soil analysis pursuant to Article 20 of the Public Works Code nor the issuance of this permit is intended to alter, extinguish, or transfer these responsibilities.

SF Maher Ordinance:

1. Health Code [Article 22A](#) and [Building Code](#) Section 106A.3.2.4 work in concert to provide an important City process for identifying, investigating, analyzing and, when deemed necessary, remediating or mitigating hazardous substances in soils within specified areas of the City and County of San Francisco ("City").
2. These codes provide a specific, well-explained and equitable City process for investigating, analyzing and, when deemed necessary, remediating or mitigating hazardous substances in soils, under the oversight and supervision of the Department of Public Health ("Department"), the City agency with expertise in these matters.
3. The Department has overseen the [Article 22A](#) process for many years and it is the experience of the Department, given the nature of contamination that has been found on City sites, that these sites can be remediated or mitigated through methods such as removal, treatment, installation of vapor barriers, or covers, or by placing restrictions on uses or activities on the site to protect the environment or public health.
4. Health Code [Article 22A](#), Public Works Code [Article 20](#), and [Building Code](#) Section 106A.3.2.4 were previously limited in terms of their geographic coverage throughout the City, applying exclusively on the Eastern side of City, more specifically in areas near the Bay shoreline, and areas of known bay fill.
5. These Articles were also presently limited in terms of types of potential public health and safety hazards that they address.
6. There may be hazardous substances and conditions (e.g., groundwater contamination) that pose a potential threat to the public health and safety but were not previously within the scope of [Article 22A](#).
7. Areas outside of the boundaries previously set in Health Code [Article 22A](#), Public Works Code [Article 20](#), and [Building Code](#) Section 106A.3.2.4 exist where, based upon historic zoning designation, land use, or site activity, there is a reasonable expectation of the potential for the soil and/or groundwater to contain hazardous substances that may pose public health or safety hazards during construction and with new uses authorized on the site.
8. In urban areas, emissions from paved roadways are a major source of atmospheric particulate matter. Paved road dust originates from pavement wear and decomposition, dustfall, litter, mud and dirt carryout, spills, biological debris, and erosion from adjacent areas. In an urban setting, vehicle exhaust and vehicle brake and tire wear are a source of zinc and copper in paved road dust. The authors of a 2006 study found that metal deposits increased in the immediate vicinity of a large freeway, and quickly reduced to urban background deposition rates between 10 meters (30 feet) and 150 meters (450 feet) downwind of the freeway, especially for copper, lead and zinc. Their results suggest: 1) the freeway is a significant source of copper, lead and zinc; and 2) these metals have substantial concentrations of larger particles emitted from the freeway due to the dispersion of road dust by vehicles traveling at high speeds. Lisa D. Sabin, *et al.*, *Dry Deposition and Resuspension of Particle-Associated Metals Near a Freeway in Los Angeles*, *Atmospheric Environment* 40 (2006) 7528-7538.

(h) The contracting terms and working conditions of Section 6.22 shall apply to JOC Contracts, except that the Department Head may authorize the Contractor to file the bonds required by Section 6.22(a) after Contract execution but prior to the execution of any task order. The Department Head shall require the Contractor to issue bonds for a sum of not less than 100% of the task orders issued under the JOC Contract or 25% of the Contract amount, whichever is greater.

(i) Projects will be assigned under the JOC Contract on a task order basis at the sole discretion of the Department Head concerned. Each task order shall include a time certain for completion of the work and an appropriate sum for liquidated damages for delay. Each task order shall also include a list of the subcontractors performing work under such order, with each subcontractor's name, business address, San Francisco business tax registration number, Contractor license number, scope of work, and data as may be required by CMD. The task order price shall be no more than the calculated unit prices and the Bid adjustment factor. No task order shall exceed the Threshold Amount, including all modifications. A department may issue or modify any task order(s) to exceed the Threshold Amount only upon the Department Head's written determination establishing the critical nature or significant need for the work and the justification for proceeding under this Section 6.62 rather than by formal competitive process.

(j) A Contractor who enters into a JOC Contract with a particular City department is not eligible during the term of such JOC Contract to submit a Bid on a subsequent JOC Contract advertised by the same contracting department, except in the following circumstances: (1) the Contractor's existing JOC Contract will expire in 120 days or fewer; (2) the contracting department has issued task orders valued by the City in an amount equal to or exceeding 90% of the maximum dollar amount of the existing JOC Contract; or (3) the subsequent JOC Contract is funded by a different source of government funds (e.g., Federal, State, Local) than the funding source used for the existing JOC Contract. Nothing in this section shall preclude a Contractor from simultaneously bidding on multiple JOC Contracts advertised by one City department prior to Award of a JOC Contract by that department.

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(Added by Ord. 286-99, File No. 991645, App. 11/5/99; amended by Ord. 324-00, File No. 001919, App. 12/28/2000; Ord. 58-05, File No. 041571, App. 4/1/2005; Ord. 19-10, File No. 091163, App. 2/10/2010; Ord. [108-15](#), File No. 150175, App. 7/2/2015, Eff. 8/1/2015)

SEC. 6.63. HAZARDOUS MATERIALS ABATEMENT WORK.

Department Heads are authorized to execute Contracts for hazardous materials abatement work ("Abatement Work") in accordance with the following procedures:

- (a) The department shall advertise for and receive proposals from hazardous materials abatement Contractors, which proposals shall address the qualifications of the Contractors to perform the testing, design, and advice portions of Abatement Work and Responsibility to perform construction-related Abatement Work. The proposals shall be evaluated according to the requirements of Administrative Code Chapters 6 and 14B and Labor and Employment Code Articles 131 and 132, relevant to professional services and Public Work or Improvement Contracts.
- (b) The department shall select a sufficient number of qualified Contractors to perform the amount of Abatement Work anticipated to be required in the upcoming one or more years and enter into master agreements for Abatement Work on an "if- and as-needed" basis with those Contractors. Each master agreement for Abatement Work shall state the maximum total dollar value of work each Contractor is authorized to perform during the Contract period.
- (c) When the Department Head determines that: (1) hazardous materials on public property must be expeditiously abated; (2) there is inadequate time to issue an Advertisement for Bids in accordance with this Chapter 6; and (3) the department personnel who will manage the work have the appropriate training, then task orders for Abatement Work may be issued as follows: The department shall seek price Quotations for performance of

the Abatement Work from at least three of the Contractors with master agreements. The task order for the Abatement Work will be issued to the Contractor submitting the lowest Quotation, except as otherwise provided herein. The department shall keep a record of such Quotations and a register of all task orders issued under master agreements for Abatement Work. In the event that the department is unable to obtain three Quotations, the Department Head shall base the issuance of a task order on the Quotation or Quotations received. If the Department Head believes that the public interest would best be served by accepting other than the lowest Quotation, he or she is hereby authorized to accept the Quotation that in his or her discretion will best serve the public interest. The Department Head may reject any and all Quotations and request new Quotations.

(d) The department may authorize the Contractor to file corporate surety bonds as required in subsection 6.22(a), or after Contract execution but prior to the issuance of any work. The bonds shall be for a sum of not less than 100% of the cumulative value of all work issued under the master agreement.

■ (Added by Ord. 286-99, File No. 991645, App. 11/5/99; amended by Ord. [108-15](#), File No. 150175, App. 7/2/2015, Eff. 8/1/2015; Ord. [113-20](#), File No. 200443, App. 7/17/2020, Eff. 8/17/2020)

SEC. 6.64. AS-NEEDED CONSTRUCTION CONTRACTS.

A Department Head is authorized to execute Contracts for construction services on an as-needed basis, with definite or indefinite quantities of work, in accordance with the following procedures:

(a) **General As-Needed Contracts.** A Department Head may issue an Advertisement For Bids for construction services on an as-needed basis, with work to be assigned by contract service orders based on costs contained in the Bid. The as-needed Contract shall provide for a not-to-exceed amount and an expiration term of not more than five years, including all modifications. The Department Head shall not issue any new contract service order after four years from the date the Contract is certified by the Controller. Additionally, the cumulative modifications to the as-needed Contract shall result in a contract sum not to exceed 150% of the original Contract amount. No contract service order or multiple contract service orders for any single Public Work, whether in one phase or multiple phases, shall cumulatively exceed the Threshold Amount. A department may issue or modify any contract service order(s) to exceed the Threshold Amount only upon the Department Head's written determination establishing the need for the work and the justification for proceeding under this Section 6.64 rather than by formal competitive process.

(b) **Master As-Needed Agreements.** The Department Head may execute master as-needed agreements, on an "if-and-as-needed" basis with Contractors who can establish experience, expertise, and quality of work. Master as-needed agreements shall provide for an expiration term of not more than five years from the date of certification by the Controller, including all modifications. A Contractor may apply for a master as-needed agreement under this subsection 6.64(b) by providing the department with a statement of its experience and qualifications and other information as requested by the department. Within 60 days of receiving such information, the department shall advise the applicant of its eligibility for an award of a master as-needed agreement.

For performance of specific tasks, the department shall seek Quotations from at least three of the Contractors with master as-needed agreements. The department shall issue a contract service order for the work to the Contractor submitting the lowest Quotation, except as provided below. In the event that the department is unable to obtain three Quotations, the Department Head shall base the issuance of the contract service order on the Quote or Quotes received. The Department Head may reject any and all Quotations and request new Quotations. No contract service order or multiple contract service orders for any single Public Work, whether in one phase or multiple phases, shall cumulatively exceed the Threshold Amount, including all modifications. Additionally, the cumulative modifications to an as-needed agreement shall not exceed 150% of the original Contract amount.

(c) Except as provided below, all of the requirements of this Chapter 6 and Administrative Code Chapter 14B and Labor and Employment Code Articles 131 and 132 apply to as-needed Contracts. Departments may designate specific as-needed contracts as limited set asides for Micro-LBEs as provided under Chapter 14B of the Administrative Code.

- (1) The Department Head may authorize the Contractor to file corporate surety bonds as required in subsection 6.22(a) after execution of the as-needed Contract, but prior to the execution of any contract service order. The bonds shall be for a sum of not less than 100% of the cumulative value of all issued contract service orders under the as-needed Contract or at least 25% of the Contract amount, whichever is greater.
- (2) The Department Head may require the Contractor to include a subcontractor list in conformance with subsection 6.21(a) and Chapter 14B of the Administrative Code at time of Bid or at the time of contract service order, as appropriate to the Contract.
- (d) Department Heads shall report quarterly to the Board of Supervisors regarding the department's use of as-needed Contracts and the actual amount of participation of LBE subcontractors or subconsultants to determine whether LBE Subcontractor Participation Requirements are being met on as-needed Contracts. Such reports shall be referred to a Board committee for public hearing.

■ (Added by Ord. 286-99, File No. 991645, App. 11/5/99; amended by Ord. 58-05, File No. 041571, App. 4/1/2005; Ord. [108-15](#), File No. 150175, App. 7/2/2015, Eff. 8/1/2015)

SEC. 6.65. CONTRACTING FOR ELEVATOR, ESCALATOR, SECURITY, FIRE PROTECTION OR FIRE ALARM SYSTEMS, INSPECTION, MAINTENANCE, AND REPAIR WORK.

Department Heads are authorized to award Contracts for the inspection, maintenance and repair services of existing elevator, escalator, security, fire protection, or fire alarm systems ("special services") in accordance with the following procedures:

- (a) The department may award master agreement Contracts, on an "if-and-as-needed" basis to Responsible special service providers. A potential special service provider may apply for a master agreement under this Section 6.65 by providing the department with a statement of its experience and qualifications and other information as requested by the department. Within 60 days of receiving such information, the department shall advise the applicant of its eligibility for an award of a master agreement. Master agreements for special services under this Section 6.65 shall conform to the insurance, indemnification, and Prevailing Wage requirements of Section 6.22. Master agreements shall provide for an expiration term of not more than five years from the date the Contract is certified by the Controller, including all modifications.
- (b) For performance of specific tasks, the department shall seek price Quotations from at least three of the special service providers with master agreements. The department shall issue a contract service order for the work to the provider submitting the lowest Quotation, except as provided below. In the event that the department is unable to obtain three Quotations, the Department Head shall base the issuance of the contract service order on the Quote or Quotes received. If the Department Head believes that the public interest would best be served by accepting other than the lowest Quotation, he or she is hereby authorized to accept the Quotation that in his or her discretion will best serve the public interest. The Department Head may reject any and all Quotations and request new Quotations.

■ (Added by Ord. 286-99, File No. 991645, App. 11/5/99; amended by Ord. 58-05, File No. 041571, App. 4/1/2005; Ord. [108-15](#), File No. 150175, App. 7/2/2015, Eff. 8/1/2015; Ord. [113-20](#), File No. 200443, App. 7/17/2020, Eff. 8/17/2020)

Personal Service Contract Summary (PSC Form 1)

PSC Basic Information

Submitting Department: MTA

Submitted By: Connie Yan

Department Coordinator: Maggie Chan,
Maggie.Chan@sfmta.com

Project Manager: Beverly Tilson

ServiceNow Number: DHRPSC0004764

Version: 0.01

Version Type: New

Brief description of proposed work: To provide federally mandated urine analysis for safety-sensitive employees with the San Francisco Municipal Transportation Agency (SFMTA).

Review Type and Reason

CSC Review Required: Yes

CSC Review Reason(s):

- Requires CSC Approval by Amount

Amount

PSC Amount: \$250,000

Does contract include items other than services?: No

Duration

Is PSC by Duration or Continuing: Duration

PSC Duration (Months): 60

Funding

Funding Source: City Funds

Special circumstances related to funding: No

Scope of Work

Clearly describe scope and detail the services to be performed: To provide federally mandated urine analysis for safety-sensitive employees with the San Francisco Municipal Transportation Agency (SFMTA).

Why are these services required and what are the consequences of denial?: This is a required service under the Department of Transportation (DOT)/Federal Transit administration (FTA) Rules. Denial will jeopardize continued transit agency federal assistance.

Has your department contracted out these services in the last three years?: Yes. See attached list of contracts entered into for these or similar services in the last 3 years.

Post Union Notification

How many contracts?: 1

Why have you not hired City employees to perform the services?: A contractor must be a U.S. Department of Health and Human Services (DHHS) certified lab. The City does not have DHHS certified labs.

Board and Commission Approvals

Will any contracts under this PSC require department Commission approval: Yes

Provide details related to contracts for which dept comm approval required: The latest/current contract for Laboratory Testing Services is under SFMTA-2019-04, Approved PSC Number is PSC #46107 - 17/18.

Will any contracts under this PSC require Board of Supervisors approval: No

Justification

Q1 - Are there any regulatory or legal requirements supporting outsourcing of this work?:

No

Q2 - Does performing these services cause a conflict of interest?: No

Q3 - Are these proprietary services City is not authorized to do?: No

Q4 - Does City lacks necessary facilities/equipment?: No

Q5 - Are the services required on a temporary basis or on a long-term basis?: Long-term Basis

Q5a) Are the services required on an as-needed, intermittent, or periodic basis?: Yes

Q5a1) Why are the services required on an as-needed, intermittent and periodic basis?:

Federal Code 49 CFR Part 40 requires the use of a U.S. Department of Health and Human Services (DHHS) certified lab for all Department of Transportation mandated drug testing. This is required service under the Department of Transportation (DOT)/Federal Transit Administration (FTA) Rules.

Q5b) Do the services require specialized expertise, knowledge experience?: Yes

Q5b1) Describe the specialized skills and expertise required to perform the services: A

Contractor must be a U.S. Department of Health and Human Services (DHHS) certified lab.

Q5c) Does City have classifications with the required specialized skills or expertise?: No

Q5c1) Should City develop a classification to perform these services?: No

Q5c2) Explain why new a job classification is not feasible: Federal Code 49 CFR Part 40 requires the Use of a U.S. Department of Health and Human Services (DHHS) certified lab for all Department of Transportation mandated drug testing.

Q5d) Will contractor directly supervise City employees?: No

Q5e) Will contractor train City employees?: No

Q5e1) Explain why training of City employees is not required: The City does not have a U.S. Department of Health and Human (DHHS) certified lab.

Q5f) Is there a plan to transition this work back to the City?: No

Q5f1) Explain why the work will not be transitioned back to the City: The City does not have a U.S. Department of Health and Human (DHHS) certified lab.

Additional information to support your request (Optional):

Union Notifications

Job Class(es): -None- - None Selected

Labor Unions: No Union Selected -

Labor Union Email Addresses: pmendeziamaw@comcast.net, dvickers@iam1414.org, mfinnegan@ibt856.org, administration@sffdlocal798.org, larryjr@ualocal38.org, president@twusf.org, pwilson@twusf.org, mdennis@twusf.org, WOrellana@opcmialocal300.org, djohnson@opcmialocal300.org, L21pscreview@ifpte21.org, PSCreview@seiu1021.org, President@sanfranciscodsa.com, ibew6@ibew6.org, oashworth@ibew6.org, staff@sfmea.com, Christina@sfmea.com, Criss@SFMEA.com, Amit@sfmea.com, local22publicsector@nccrc.org, mleach@ibt856.org, laborers261@gmail.com, president@twusf.org, pwilson@twusf.org, mdennis@twusf.org, jb@local16.org, sal@local16.org, local22publicsector@nccrc.org, john.lenny@sfgov.org, sfcwupresidentjmleonard@yahoo.com, local200twu@sbcglobal.net, nichelle.flentroy@sfcityatty.org, local200twu@sbcglobal.net, rmarenco@twusf.org, staff@sfmea.com, Christina@sfmea.com, Criss@SFMEA.com, Amit@sfmea.com, tracym@sfpoa.org, cyndee@sfpoa.org, leah@sfpoa.org, info@sfpoa.org, joshv@smw104.org, DannyC@smw104.org, administration@sffdlocal798.org, PSCreview@seiu1021.org, anthony@dc16.us, charlie@local377.com, ccarr@oe3.org, tneep@oe3.org, mbeauchamp@oe3.org, ccarr@oe3.org, mbeauchamp@oe3.org, tneep@oe3.org, pking@uapd.com, pfinn@ibt856.org, mleach@ibt856.org, plangrooferslocal40@gmail.com, rooferslocal40@gmail.com, salvlocal40@gmail.com, laborers261@gmail.com, nick@dc16.us, PSCreview@seiu1021.org, epeterson@cirseiu.org, abush@cirseiu.org, snaranjo@cirseiu.org, emathurin@cirseiu.org, lvega@nccrc.org, mespinoza2@nccrc.org, cmoyer@nccrc.org, president@twusf.org, pwilson@twusf.org, mdennis@twusf.org, PSCreview@seiu1021.org, PSCreview@seiu1021.org, pking@uapd.com, mleach@ibt856.org, cpark@local39.org, sfdpoa@icloud.com, b.rod07@yahoo.com, PSCreview@seiu1021.org, L21pscreview@ifpte21.org, president@twusf.org, pwilson@twusf.org, mdennis@twusf.org, president@sfsheriffmsa.org, cjohnson@bac3-ca.org, stevek@bac3-ca.org, mhenneberry@teamsters853.org, staff@sfmea.com, Christina@sfmea.com, Criss@SFMEA.com, Amit@sfmea.com, local22publicsector@nccrc.org

Union Review Sent On: 10/11/2024

Union Review End Date: 10/18/2024

Union Review Duration Met On: 10/18/2024

- (1) Direct the employee to read and sign the certification statement on Copy 2 of the CCF and provide all information required in Step 5. If the employee declines to sign the CCF or to provide any of the required information, you must note this in the "Remarks" line (Step 2) of the CCF and complete the collection. If the employee declines to fill out any information, you must, as a minimum, print the employee's name in the appropriate place.
- (2) Complete the chain of custody on the CCF (Step 4) by printing your name (note: you may pre-print your name), recording the time and date of the collection, signing the statement, and entering the name of the delivery service transferring the specimen to the laboratory,
- (3) Ensure that all copies of the CCF are legible and complete.
- (4) Remove Copy 5 of the CCF and give it to the employee.
- (5) Place the specimen bottles and Copy 1 of the CCF in the appropriate pouches of the plastic bag.
- (6) Secure both pouches of the plastic bag.
- (7) Advise the employee that he or she may leave the collection site.
- (8) To prepare the sealed plastic bag containing the specimens and CCF for shipment you must:
 - (i) Place the sealed plastic bag in a shipping container (e.g., standard courier box) designed to minimize the possibility of damage during shipment. (More than one sealed plastic bag can be placed into a single shipping container if you are doing multiple collections.)
 - (ii) Seal the container as appropriate.
 - (iii) If a laboratory courier hand-delivers the specimens from the collection site to the laboratory, prepare the sealed plastic bag for shipment as directed by the courier service.
- (9) Send Copy 2 of the CCF to the MRO and Copy 4 to the DER. You must fax or otherwise transmit these copies to the MRO and DER within 24 hours or during the next business day. Keep Copy 3 for at least 30 days, unless otherwise specified by applicable DOT agency regulations.
- (b) As a collector, when using other forms of the CCF as approved by the Office of Management and Budget, you must follow the procedures approved for that form.
- (c) As a collector or collection site, you must ensure that each specimen you collect is shipped to a laboratory as quickly as possible, but in any case, within 24 hours or during the next business day.

[65 FR 79526, Dec. 19, 2000, as amended at 71 FR 49384, Aug. 23, 2006; 80 FR 19553, Apr. 13, 2015. Redesignated and amended at 88 FR 27641, 27643, May 2, 2023]

Subpart F—Drug Testing Laboratories

§ 40.81 What laboratories may be used for DOT drug testing?

- (a) As a drug testing laboratory located in the U.S., you are permitted to participate in DOT drug testing only if you are certified by HHS under the National Laboratory Certification Program (NLCP) for each specimen testing methodology performed under this part.
- (b) As a drug testing laboratory located in Canada or Mexico which is not certified by HHS under the NLCP, you are permitted to participate in DOT drug testing only if:

- (1) The DOT, based on a written recommendation from HHS, has approved your laboratory as meeting HHS laboratory certification standards or deemed your laboratory fully equivalent to a laboratory meeting HHS laboratory certification standards for all testing required under this part; or
- (2) The DOT, based on a written recommendation from HHS, has recognized a Canadian or Mexican certifying organization as having equivalent laboratory certification standards and procedures to those of HHS, and the Canadian or Mexican certifying organization has certified your laboratory under those equivalent standards and procedures.
- (c) As a laboratory participating in the DOT drug testing program, you must comply with the requirements of this part. You must also comply with all applicable requirements of HHS in testing DOT specimens, whether or not the HHS requirements are explicitly stated in this part.
- (d) If DOT determines that you are in noncompliance with this part, you could be subject to PIE proceedings under Subpart R of this part. If the Department issues a PIE with respect to you, you are ineligible to participate in the DOT drug testing program even if you continue to meet the requirements of paragraph (a) or (b) of this section.

[65 FR 79526, Dec. 19, 2000, as amended at 88 FR 27643, May 2, 2023; 89 FR 51983, June 21, 2024]

§ 40.82 What drugs do laboratories test for?

As a laboratory, you must test for the following five drugs or classes of drugs in a DOT drug test. You must not test "DOT specimens" for any other drugs.

- (a) Marijuana metabolites.
- (b) Cocaine metabolites.
- (c) Amphetamines.
- (d) Opioids.
- (e) Phencyclidine (PCP).

[82 FR 52244, Nov. 13, 2017. Redesignated at 88 FR 27643, May 2, 2023]

§ 40.83 How do laboratories process incoming specimens?

As the laboratory, you must do the following when you receive a DOT specimen:

- (a) You are authorized to receive only Copy 1 of the CCF. You are not authorized to receive other copies of the CCF or any copies of the alcohol testing form.
- (b) You must comply with applicable provisions of the HHS Guidelines concerning accessioning and processing drug specimens.
- (c) You must inspect each specimen and CCF for the following "fatal flaws":
 - (1) There is no CCF;
 - (2) In cases where a specimen has been collected, there is no specimen submitted with the CCF;
 - (3) There is no printed collector's name and no collector's signature;

- (4) Two separate collections are performed using one CCF;
- (5) The specimen ID numbers on the specimen bottle and the CCF do not match;
- (6) The specimen bottle seal is broken or shows evidence of tampering, unless a split specimen can be redesignated (see paragraph (h) of this section);
- (7) There is an insufficient amount of specimen in the primary bottle for analysis, unless the specimens can be redesignated (see paragraph (h) of this section).
- (8) For an oral fluid collection, the collector used an expired device at the time of collection.
- (9) For an oral fluid collection, if the collector failed to enter the expiration date in Step 4 of the CCF and the laboratory is unable to determine the expiration date by inspecting Bottles A and B.
- (d) When you find a specimen meeting the criteria of paragraph (c) of this section, you must document your findings and stop the testing process. Report the result in accordance with § 40.97(b)(3) .
- (e) You must inspect each CCF for the presence of the collector's signature on the certification statement in Step 4 of the CCF. Upon finding that the signature is omitted, document the flaw and continue the testing process.
 - (1) In such a case, you must retain the specimen for a minimum of 5 business days from the date on which you initiated action to correct the flaw.
 - (2) You must then attempt to correct the flaw by following the procedures of § 40.205(b)(1).
 - (3) If the flaw is not corrected, report the result as rejected for testing in accordance with § 40.97(b)(3).
- (f) If you determine that the urine specimen temperature was not checked and the "Remarks" line did not contain an entry regarding the temperature being outside of range, you must then attempt to correct the problem by following the procedures of § 40.208.
 - (1) In such a case, you must continue your efforts to correct the problem for five business days, before you report the result.
 - (2) When you have obtained the correction, or five business days have elapsed, report the result in accordance with § 40.97(b).
- (g) If you determine that a CCF that fails to meet the requirements of § 40.40(a) (e.g., a non-Federal form or an expired Federal form was used for the collection), you must attempt to correct the use of the improper form by following the procedures of § 40.205(b)(2).
 - (1) In such a case, you must retain the specimen for a minimum of 5 business days from the date on which you initiated action to correct the problem.
 - (2) If the problem(s) is not corrected, you must reject the test and report the result in accordance with § 40.97(b)(3).
- (h) If the CCF is marked indicating that a split specimen collection was collected and if the split specimen does not accompany the primary, has leaked, or is otherwise unavailable for testing, you must still test the primary specimen and follow appropriate procedures outlined in § 40.175(b) regarding the unavailability of the split specimen for testing.
 - (1) The primary specimen and the split specimen can be redesignated (i.e., Bottle B is redesignated as Bottle A, and vice-versa) if:

- (i) The primary specimen appears to have leaked out of its sealed bottle and the laboratory believes a sufficient amount of specimen exists in the split specimen to conduct all appropriate primary laboratory testing; or
 - (ii) The primary specimen is labeled as Bottle B, and the split specimen as Bottle A; or
 - (iii) The laboratory opens the split specimen instead of the primary specimen, the primary specimen remains sealed, and the laboratory believes a sufficient amount of specimen exists in the split specimen to conduct all appropriate primary laboratory testing; or
 - (iv) The primary specimen seal is broken but the split specimen remains sealed and the laboratory believes a sufficient amount of specimen exists in the split specimen to conduct all appropriate primary laboratory testing.
- (2) In situations outlined in paragraph (h)(1) of this section, the laboratory shall mark through the "A" and write "B," then initial and date the change. A corresponding change shall be made to the other bottle by marking through the "B" and writing "A," and initialing and dating the change.
- (i) A notation shall be made on Copy 1 of the CCF (Step 5a) and on any laboratory internal chain of custody documents, as appropriate, for any fatal or correctable flaw.

[65 FR 79526, Dec. 19, 2000, as amended at 66 FR 41951, Aug. 9, 2001; 71 FR 49384, Aug. 23, 2006; 73 FR 35970, June 25, 2008; 75 FR 59107, Sept. 27, 2010; 82 FR 52244, Nov 13, 2017; 88 FR 27643, May 2, 2023; 89 FR 51983, June 21, 2024]

§ 40.84 How long does the laboratory retain specimens after testing?

- (a) As a laboratory testing the primary specimen, you must retain a specimen that was reported with positive, adulterated, substituted, or invalid results for a minimum of one year.
- (b) You must keep such a specimen in secure, long-term, frozen storage in accordance with HHS requirements.
- (c) Within the one-year period, the MRO, the employee, the employer, or a DOT agency may request in writing that you retain a specimen for an additional period of time (e.g., for the purpose of preserving evidence for litigation or a safety investigation). If you receive such a request, you must comply with it. If you do not receive such a request, you may discard the specimen at the end of the year.
- (d) If you have not sent the split specimen to another laboratory for testing, you must retain the split specimen for an employee's test for the same period of time that you retain the primary specimen and under the same storage conditions.
- (e) As the laboratory testing the split specimen, you must meet the requirements of paragraphs (a) through (d) of this section with respect to the split specimen.

[65 FR 79526, Dec. 19, 2000. Redesignated at 88 FR 27643, May 2, 2023]

§ 40.85 What are the cutoff concentrations for urine drug tests?

- (a) As a laboratory, you must use the cutoff concentrations displayed in the following table for initial and confirmatory drug tests. All cutoff concentrations are expressed in nanograms per milliliter (ng/mL). The table follows:

Initial test analyte	Initial test cutoff ¹	Confirmatory test analyte	Confirmatory test cutoff concentration
Marijuana metabolites (THCA) ²	50 ng/mL ³	THCA	15 ng/mL.
Cocaine metabolite (Benzoyllecgonine)	150 ng/mL ³	Benzoyllecgonine	100 ng/mL.
Codeine/ Morphine	2000 ng/mL	Codeine Morphine	2000 ng/mL. 2000 ng/mL.
Hydrocodone/ Hydromorphone	300 ng/mL	Hydrocodone Hydromorphone	100 ng/mL. 100 ng/mL.
Oxycodone/ Oxymorphone	100 ng/mL	Oxycodone Oxymorphone	100 ng/mL. 100 ng/mL.
6-Acetylmorphine	10 ng/mL	6-Acetylmorphine	10 ng/mL.
Phencyclidine	25 ng/mL	Phencyclidine	25 ng/mL.
Amphetamine/ Methamphetamine	500 ng/mL	Amphetamine Methamphetamine	250 ng/mL. 250 ng/mL.
MDMA ⁴ /MDA ⁵	500 ng/mL	MDMA	250 ng/mL.

¹ For grouped analytes (i.e., two or more analytes that are in the same drug class and have the same initial test cutoff):

Immunoassay: The test must be calibrated with one analyte from the group identified as the target analyte. The cross-reactivity of the immunoassay to the other analyte(s) within the group must be 80 percent or greater; if not, separate immunoassays must be used for the analytes within the group.

Alternate technology: Either one analyte or all analytes from the group must be used for calibration, depending on the technology. At least one analyte within the group must have a concentration equal to or greater than the initial test cutoff or, alternatively, the sum of the analytes present (i.e., equal to or greater than the laboratory's validated limit of quantification) must be equal to or greater than the initial test cutoff.

² An immunoassay must be calibrated with a target analyte.

³ Alternate technology (THCA and Benzoyllecgonine): When using an alternate technology initial test for the specific target analytes of THCA and Benzoyllecgonine, the laboratory must use the same cutoff for the initial and confirmatory tests (i.e., 15 ng/mL for THCA and 100ng/mL for Benzoyllecgonine).

⁴ Methylenedioxymethamphetamine (MDMA).

⁵ Methylenedioxyamphetamine (MDA).

Initial test analyte	Initial test cutoff ¹	Confirmatory test analyte	Confirmatory test cutoff concentration
		MDA	250 ng/mL.

¹ For grouped analytes (i.e., two or more analytes that are in the same drug class and have the same initial test cutoff):

Immunoassay: The test must be calibrated with one analyte from the group identified as the target analyte. The cross-reactivity of the immunoassay to the other analyte(s) within the group must be 80 percent or greater; if not, separate immunoassays must be used for the analytes within the group.

Alternate technology: Either one analyte or all analytes from the group must be used for calibration, depending on the technology. At least one analyte within the group must have a concentration equal to or greater than the initial test cutoff or, alternatively, the sum of the analytes present (i.e., equal to or greater than the laboratory's validated limit of quantification) must be equal to or greater than the initial test cutoff.

² An immunoassay must be calibrated with a target analyte.

³ Alternate technology (THCA and Benzoylcegonine): When using an alternate technology initial test for the specific target analytes of THCA and Benzoylcegonine, the laboratory must use the same cutoff for the initial and confirmatory tests (i.e., 15 ng/mL for THCA and 100ng/mL for Benzoylcegonine).

⁴ Methylenedioxymethamphetamine (MDMA).

⁵ Methylenedioxyamphetamine (MDA).

- (b) On an initial drug test, you must report a result below the cutoff concentration as negative. If the result is at or above the cutoff concentration, you must conduct a confirmation test.
- (c) On a confirmation drug test, you must report a result below the cutoff concentration as negative and a result at or above the cutoff concentration as confirmed positive.
- (d) You must report quantitative values for morphine or codeine at 15,000 ng/mL or above.

[65 FR 79526, Dec. 19, 2000, as amended at 75 FR 49862, Aug. 16, 2010; 77 FR 26473, May 4, 2012; 82 FR 52244, Nov. 13, 2017. Redesignated and amended at 88 FR 27643, May 2, 2023]

§ 40.86 What is urine validity testing, and are laboratories required to conduct it?

- (a) Specimen validity testing is the evaluation of the specimen to determine if it is consistent with normal human urine. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted.
- (b) As a laboratory, you must conduct validity testing.

[65 FR 79526, Dec. 19, 2000, as amended at 66 FR 41951, Aug. 9, 2001; 73 FR 35970, June 25, 2008. Redesignated at 88 FR 27643, May 2, 2023]

§ 40.87 What validity tests must laboratories conduct on primary urine specimens?

As a laboratory, when you conduct validity testing under § 40.86, you must conduct it in accordance with the requirements of this section.

- (a) You must determine the creatinine concentration on each primary specimen. You must also determine its specific gravity if you find the creatinine concentration to be less than 20 mg/dL.
- (b) You must determine the pH of each primary specimen.
- (c) You must perform one or more validity tests for oxidizing adulterants on each primary specimen.
- (d) You must perform additional validity tests on the primary specimen when the following conditions are observed:
 - (1) Abnormal physical characteristics;
 - (2) Reactions or responses characteristic of an adulterant obtained during initial or confirmatory drug tests (e.g., non-recovery of internal standards, unusual response); or
 - (3) Possible unidentified interfering substance or adulterant.
- (e) If you determine that the specimen is invalid and HHS guidelines direct you to contact the MRO, you must contact the MRO and together decide if testing the primary specimen by another HHS certified laboratory would be useful in being able to report a positive or adulterated test result.

[65 FR 79526, Dec. 19, 2000, as amended at 69 FR 64867, Nov. 9, 2004. Redesignated and amended at 88 FR 27643, May 2, 2023]

§ 40.88 What criteria do laboratories use to establish that a urine specimen is dilute or substituted?

- (a) As a laboratory, you must consider the primary specimen to be dilute when:
 - (1) The creatinine concentration is greater than or equal to 2 mg/dL but less than 20 mg/dL, and
 - (2) The specific gravity is greater than 1.0010 but less than 1.0030 on a single aliquot.
- (b) As a laboratory, you must consider the primary specimen to be substituted when the creatinine concentration is less than 2 mg/dL and the specific gravity is less than or equal to 1.0010 or greater than or equal to 1.0200 on both the initial and confirmatory creatinine tests and on both the initial and confirmatory specific gravity tests on two separate aliquots.

[69 FR 64867, Nov. 9, 2004. Redesignated at 88 FR 27643, May 2, 2023]

§ 40.89 What are the adulterant cutoff concentrations for initial and confirmation urine tests?

- (a) As a laboratory, you must use the cutoff concentrations for the initial and confirmation adulterant testing as required by the HHS Mandatory Guidelines and you must use two separate aliquots—one for the initial test and another for the confirmation test.
- (b) As a laboratory, you must report results at or above the cutoffs (or for pH, at or above or below the values, as appropriate) as adulterated and provide the numerical value that supports the adulterated result.

[73 FR 35970, June 25, 2008. Redesignated at 88 FR 27643, May 2, 2023]

§ 40.90 What criteria do laboratories use to establish that a urine specimen is invalid?

- (a) As a laboratory, you must use the invalid test result criteria for the initial and confirmation testing as required by the HHS Mandatory Guidelines, and you must use two separate aliquots—one for the initial test and another for the confirmation test.
- (b) As a laboratory, for a specimen having an invalid result for one of the reasons outlined in the HHS Mandatory Guidelines, you must contact the MRO to discuss whether sending the specimen to another HHS certified laboratory for testing would be useful in being able to report a positive or adulterated result.
- (c) As a laboratory, you must report invalid results in accordance with the invalid test result criteria as required by the HHS Guidelines and provide the numerical value that supports the invalid result, where appropriate, such as pH.
- (d) As a laboratory, you must report the reason a test result is invalid.

[73 FR 35970, June 25, 2008. Redesignated at 88 FR 27643, May 2, 2023]

§ 40.91 What are the cutoff concentrations for oral fluid drug tests?

As a laboratory, you must use the cutoff concentrations displayed in the following table for initial and confirmatory drug tests for oral fluid specimens. All cutoff concentrations are expressed in nanograms per milliliter (ng/mL). The table follows:

TABLE 1 TO § 40.91—ORAL FLUID TESTING CUTOFF CONCENTRATIONS

Initial test analyte	Initial test cutoff ¹	Confirmatory test analyte	Confirmatory test cutoff concentration
Marijuana (THC) ²	4 ng/	THC	2 ng/mL.

¹ For grouped analytes (i.e., two or more analytes that are in the same drug class and have the same initial test cutoff):

Immunoassay: The test must be calibrated with one analyte from the group identified as the target analyte. The cross reactivity of the immunoassay to the other analyte(s) within the group must be 80 percent or greater; if not, separate immunoassays must be used for the analytes within the group.

Alternate technology: Either one analyte or all analytes from the group must be used for calibration, depending on the technology. At least one analyte within the group must have a concentration equal to or greater than the initial test cutoff or, alternatively, the sum of the analytes present (i.e., with concentrations equal to or greater than the laboratory's validated limit of quantification) must be equal to or greater than the initial test cutoff.

² An immunoassay must be calibrated with the target analyte.

³ Alternate technology (THC and 6-AM): The confirmatory test cutoff must be used for an alternate technology initial test that is specific for the target analyte (i.e., 2 ng/mL for THC, 2 ng/mL for 6-AM).

⁴ Methylenedioxymethamphetamine (MDMA).

⁵ Methylenedioxyamphetamine (MDA).

Initial test analyte	Initial test cutoff ¹	Confirmatory test analyte	Confirmatory test cutoff concentration
Cocaine/Benzoyllecgonine	mL ³ 15 ng/mL	Cocaine Benzoyllecgonine	8 ng/mL. 8 ng/mL.
Codeine/Morphine	30 ng/mL	Codeine Morphine	15 ng/mL. 15 ng/mL.
Hydrocodone/ Hydromorphone	30 ng/mL	Hydrocodone Hydromorphone	15 ng/mL. 15 ng/mL.
Oxycodone/Oxymorphone	30 ng/mL	Oxycodone Oxymorphone	15 ng/mL. 15 ng/mL.
6-Acetylmorphine	4 ng/mL ³	6-Acetylmorphine	2 ng/mL.
Phencyclidine	10 ng/mL	Phencyclidine	10 ng/mL.
Amphetamine/ Methamphetamine	50 ng/mL	Amphetamine Methamphetamine	25 ng/mL. 25 ng/mL.
MDMA ⁴ /MDA ⁵	50 ng/mL	MDMA MDA	25 ng/mL. 25 ng/mL.

¹ For grouped analytes (i.e., two or more analytes that are in the same drug class and have the same initial test cutoff):

Immunoassay: The test must be calibrated with one analyte from the group identified as the target analyte. The cross reactivity of the immunoassay to the other analyte(s) within the group must be 80 percent or greater; if not, separate immunoassays must be used for the analytes within the group.

Alternate technology: Either one analyte or all analytes from the group must be used for calibration, depending on the technology. At least one analyte within the group must have a concentration equal to or greater than the initial test cutoff or, alternatively, the sum of the analytes present (i.e., with concentrations equal to or greater than the laboratory's validated limit of quantification) must be equal to or greater than the initial test cutoff.

² An immunoassay must be calibrated with the target analyte.

³ Alternate technology (THC and 6-AM): The confirmatory test cutoff must be used for an alternate technology initial test that is specific for the target analyte (i.e., 2 ng/mL for THC, 2 ng/mL for 6-AM).

⁴ Methylenedioxymethamphetamine (MDMA).

⁵ Methylenedioxyamphetamine (MDA).

[88 FR 27643, May 2, 2023]

§ 40.92 What is oral fluid validity testing, and are laboratories required to conduct it?

- (a) Specimen validity testing is the evaluation of the specimen to determine if it is consistent with normal human oral fluid. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the oral fluid, if the oral fluid was altered.

- (b) If a specimen exhibits abnormal characteristics (e.g., unusual odor or color), causes reactions or responses characteristic of an adulterant during initial or confirmatory drug tests (e.g., non-recovery of internal standard, unusual response), or contains an unidentified substance that interferes with the confirmatory analysis, then you may conduct validity testing.
- (c) If you determine that the specimen is invalid and HHS guidelines direct you to contact the MRO, you must contact the MRO and together decide if testing the primary specimen by another HHS-certified laboratory would be useful in being able to report a positive or adulterated test result.

[88 FR 27643, May 2, 2023]

§ 40.93 What validity tests must laboratories conduct on primary oral fluid specimens?

As a laboratory, if you conduct validity testing under § 40.92, you must conduct it in accordance with the requirements of this section.

- (a) You may test for a biomarker such as albumin or immunoglobulin G (IgG) or a test for a specific adulterant.
- (b) You must follow the applicable HHS requirements for any additional validity testing.

[88 FR 27643, May 2, 2023]

§ 40.97 What do laboratories report and how do they report it?

- (a) As a laboratory, when reporting a result of any kind, you must report the specimen type.
- (b) You must also report the results for each primary specimen, which will fall into one of the following three categories. As a laboratory, you must report the actual results (and not the categories):
 - (1) **Category 1: Negative results.** As a laboratory, when you find a specimen to be negative, you must report the test result as being one of the following, as applicable:
 - (i) Negative, or
 - (ii) For urine only, negative-dilute, with numerical values for creatinine and specific gravity.
 - (2) **Category 2: Non-negative results.** As a laboratory, when you find a specimen to be non-negative, you must report the test result as being one or more of the following, as applicable:
 - (i) Positive, with drug(s)/metabolite(s) noted, with numerical values for the drug(s) or drug metabolite(s).
 - (ii) Adulterated, with adulterant(s) noted, with confirmatory test values (when applicable), and with remarks(s);
 - (iii) For urine only, positive-dilute, with drug(s)/metabolite(s) noted, with numerical values for the drug(s) or drug metabolite(s) and with numerical values for creatinine and specific gravity;
 - (iv) For urine only, substituted, with confirmatory test values for creatinine and specific gravity; or
 - (v) For urine only, invalid result, with remark(s). Laboratories will report actual values for pH results.

(vi) For oral fluid only, invalid result, with remark(s). Laboratories must report numerical values of the specimen validity test results that support a specimen reported as invalid.

(3) **Category 3: Rejected for testing.** As a laboratory, when you reject a specimen for testing, you must report the result as being Rejected for Testing, with remark(s).

(c) As a laboratory, you must report laboratory results directly, and only, to the MRO at his or her place of business. You must not report results to or through the DER or a service agent (e.g., a C/TPA).

(1) Negative results: You must fax, courier, mail, or electronically transmit a legible image or copy of the fully completed Copy 1 of the CCF which has been signed by the certifying scientist, or you may provide the laboratory results report electronically (i.e., computer data file).

(i) If you elect to provide the laboratory results report, you must include the following elements, as a minimum, in the report format:

(A) Laboratory name and address;

(B) Employer's name (you may include I.D. or account number);

(C) Medical review officer's name;

(D) Specimen I.D. number;

(E) SSN or Employee ID from Step 1C of the CCF, if provided;

(F) Reason for test, if provided;

(G) Collector's name and telephone number;

(H) Date of the collection;

(I) For oral fluid only, collection device expiration date;

(J) Date received at the laboratory;

(K) Date certifying scientist released the results;

(L) Certifying scientist's name;

(M) Results (e.g., positive, adulterated) as listed in paragraph (b) of this section; and

(N) Remarks section, with an explanation of any situation in which a correctable flaw has been corrected.

(ii) You may release the laboratory results report only after review and approval by the certifying scientist. It must reflect the same test result information as contained on the CCF signed by the certifying scientist. The information contained in the laboratory results report must not contain information that does not appear on the CCF.

(iii) The results report may be transmitted through any means that ensures accuracy and confidentiality. You, as the laboratory, together with the MRO, must ensure that the information is adequately protected from unauthorized access or release, both during transmission and in storage (e.g., see § 40.351).

- (2) Non-negative and Rejected for Testing results: You must fax, courier, mail, or electronically transmit a legible image or copy of the fully completed Copy 1 of the CCF that has been signed by the certifying scientist. In addition, you may provide the electronic laboratory results report following the format and procedures set forth in paragraphs (c)(1)(i) and (ii) of this section.
- (d) In transmitting laboratory results to the MRO, you, as the laboratory, together with the MRO, must ensure that the information is adequately protected from unauthorized access or release, both during transmission and in storage. If the results are provided by fax or other electronic means, the electronic communication must be accessible only to authorized individuals.
- (e) You must transmit test results to the MRO in a timely manner, preferably the same day that review by the certifying scientist is completed.
- (f)
 - (1) You must provide quantitative values for confirmed positive drug test results to the MRO.
 - (2) You must provide numerical values that support the adulterated (when applicable) or substituted result, without a request from the MRO.
 - (3) You must also provide the MRO numerical values for creatinine and specific gravity for the negative-dilute urine test result, without a request from the MRO.
- (g) You must provide quantitative values for confirmed positive morphine and/or codeine urine results at or below 15,000 ng/mL, and for confirmed positive morphine or codeine oral fluid results at or below 150 ng/mL.

[88 FR 27644, May 2, 2023, as amended at 89 FR 51983, June 21, 2024]

§ 40.101 What relationship may a laboratory have with an MRO?

- (a) As a laboratory, you may not enter into any relationship with an MRO that creates a conflict of interest or the appearance of a conflict of interest with the MRO's responsibilities for the employer. You may not derive any financial benefit by having an employer use a specific MRO.
- (b) The following are examples of relationships between laboratories and MROs that the Department regards as creating conflicts of interest, or the appearance of such conflicts. This following list of examples is not intended to be exclusive or exhaustive:
 - (1) The laboratory employs an MRO who reviews test results produced by the laboratory;
 - (2) The laboratory has a contract or retainer with the MRO for the review of test results produced by the laboratory;
 - (3) The laboratory designates which MRO the employer is to use, gives the employer a slate of MROs from which to choose, or recommends certain MROs;
 - (4) The laboratory gives the employer a discount or other incentive to use a particular MRO;
 - (5) The laboratory has its place of business co-located with that of an MRO or MRO staff who review test results produced by the laboratory; or
 - (6) The laboratory permits an MRO, or an MRO's organization, to have a financial interest in the laboratory.

§ 40.107 Who may inspect laboratories?

As a laboratory, you must permit an inspection, with or without prior notice, by ODAPC, a DOT agency, or a DOT-regulated employer that contracts with the laboratory for drug testing under the DOT drug testing program, or the designee of such an employer.

§ 40.109 What documentation must the laboratory keep, and for how long?

- (a) As a laboratory, you must retain all records pertaining to each employee urine specimen for a minimum of two years.
- (b) As a laboratory, you must also keep for two years employer-specific data required in § 40.111.
- (c) Within the two-year period, the MRO, the employee, the employer, or a DOT agency may request in writing that you retain the records for an additional period of time (e.g., for the purpose of preserving evidence for litigation or a safety investigation). If you receive such a request, you must comply with it. If you do not receive such a request, you may discard the records at the end of the two-year period.

§ 40.111 When and how must a laboratory disclose statistical summaries and other information it maintains?

- (a) As a laboratory, you must transmit an aggregate statistical summary, by employer, of the data listed in appendix D of this part with respect to each specimen type for which you conduct tests to the employer on a semi-annual basis.
 - (1) The summary must not reveal the identity of any employee.
 - (2) In order to avoid sending data from which it is likely that information about an employee's test result can be readily inferred, you must not send a summary if the employer has fewer than five aggregate tests results.
 - (3) The summary must be sent by January 20 of each year for July 1 through December 31 of the prior year.
 - (4) The summary must also be sent by July 20 of each year for January 1 through June 30 of the current year.
- (b) When the employer requests a summary in response to an inspection, audit, or review by a DOT agency, you must provide it unless the employer had fewer than five aggregate test results. In that case, you must send the employer a report indicating that not enough testing was conducted to warrant a summary. You may transmit the summary or report by hard copy, fax, or other electronic means.
- (c) You must also release information to appropriate parties as provided in §§ 40.329 and 40.331.
- (d) As a laboratory, you must transmit an aggregate statistical summary listed in appendix E of this part for each specimen type for which you conduct testing to DOT on a semi-annual basis. The summary must be sent by January 31 of each year for July 1 through December 31 of the prior year. It must be sent by July 31 of each year for January 1 through June 30 of the current year. If you withdraw or are removed from NLCP's laboratory certification during a reporting period, you must provide the aggregate statistical summary to the DOT-regulated employers and to ODAPC for the last reporting period in which you conducted DOT-regulated testing.

[65 FR 79526, Dec. 19, 2000, as amended at 73 FR 35971, June 25, 2008; 88 FR 27645, May 2, 2023]

Personal Service Contract Summary (PSC Form 1)

PSC Basic Information

Submitting Department: PRT

Submitted By: Alysabeth Alexander-Tut

Department Coordinator: Alysabeth Alexander-Tut,

alysabeth.alexander-tut@sfport.com

Project Manager: Nate Cruz

ServiceNow Number: DHRPSC0004436

Version: 0.01

Version Type: New

Brief description of proposed work: The Port seeks the assistance of experienced biologists with specialties in oysters, California marshes, and marsh-dwelling local birds for biological and physical monitoring of the Heron's Head marsh restoration project. Work will include project management, monitoring of the physical conditions, biological assessments, and annual reports.

Review Type and Reason

CSC Review Required: Yes

CSC Review Reason(s):

- Requires CSC Approval by Amount

Amount

PSC Amount: \$660,000

Does contract include items other than services?: No

Duration

Is PSC by Duration or Continuing: Duration

PSC Duration (Months): 99

Funding

Funding Source: State Funds

Special circumstances related to funding: No

Scope of Work

Clearly describe scope and detail the services to be performed: The team that is awarded this contract shall provide the following services and deliverables:

- Project Management – perform regular project management tasks including communications, budget tracking, and invoicing.
- Monitoring of physical conditions of the gravel beach (visual assessments, photos, surveys).

- Biological assessments and documentation of species on site, including but not limited to birds, marsh vegetation (especially the endangered species California Seablite), and oysters.

- Annual Monitoring Reports – compile data for each calendar year into a comprehensive technical report for Port review, to be submitted to the BRITT and other stakeholders.

There is a specific schedule for monitoring and reporting that will be laid out in the solicitation documents and final contract.

Why are these services required and what are the consequences of denial?: The Port will be out of compliance with our funding source and agreement for the marsh restoration project.

Has your department contracted out these services in the last three years?: No

Board and Commission Approvals

Will any contracts under this PSC require department Commission approval: Yes

Provide details related to contracts for which dept comm approval required: Port Commission will grant permission to advertise and award the single contract related to this PSC.

Will any contracts under this PSC require Board of Supervisors approval: No

Justification

Q1 - Are there any regulatory or legal requirements supporting outsourcing of this work?:
No

Q2 - Does performing these services cause a conflict of interest?: No

Q3 - Are these proprietary services City is not authorized to do?: No

Q4 - Does City lacks necessary facilities/equipment?: No

Q5 - Are the services required on a temporary basis or on a long-term basis?: Temporary Basis

Q5a) Explain the Temporary basis of the services: Services needed to address a transitional or short-term situation

Q5b) Why do you believe this to be a transitional or short-term situation?: The funding source and oversight agency requires 10 years of monitoring the marsh restoration project.

Q5c) How will you ensure the services aren't needed once this PSC request has ended?: The agreement the Port has with the funding source is for 10 years of monitoring after the marsh restoration project is complete.

Q5d) Describe the required skills and expertise needed to perform the services: Experience and expertise in biological monitoring of local marsh bird species (including endangered species) and oysters, and physical monitoring of the marsh physical environment.

Q5e) Does the Department have employees with the required skills and expertise?: No

Q5f) not needed

Q5g) Will the services terminate upon resolution of the situation?: Yes

Additional information to support your request (Optional):

Union Notifications

Job Class(es): 2483 - Biologist, 5241 - Engineer, 2485 - Supv Biologist, 2484 - Biologist III

Labor Unions: 021 - Prof & Tech Eng, Local 21

Labor Union Email Addresses: L21pscreview@ifpte21.org

Union Review Sent On: 9/17/2024

Union Review End Date: 10/17/2024

Union Review Duration Met On: 10/17/2024

Personal Service Contract Summary (PSC Form 1)

PSC Basic Information

Submitting Department: ADM

Submitted By: Gloria Yuen

Department Coordinator: Lynn Khaw,
lynn.khaw@sfgov.org

Project Manager: Gloria Yuen

ServiceNow Number: DHRPSC0002262

Version: 1.01

Version Type: Amendment

Legacy PSC #: 43805-23/24

Brief description of proposed work: Refuse Collection and Disposal Services

Reason for the Request for Amendment: The Office of Contract Administration (OCA) seeks to modify the PSC to increase the amount to \$120MM and extend the duration to 10 years.

Amount

Previously Approved Amount: \$95,800,000

Increase Amount: \$24,200,000

Why are you requesting the PSC amount to be increased?: To account for anticipated spending for full PSC duration.

Total Amended Amount: \$120,000,000

Does contract include items other than services?: Yes
- Commodities & Equipment: \$2,000,000

Duration

Is PSC by Duration or Continuing: Duration

Previously Approved Duration (months): 84

Duration Increase (months): 36

Why are you requesting the PSC duration to be increased: To match the contract's maximum term.

Total Amended Duration (months): 120

First Contract Start Date: 1/1/2025

PSC Duration End Date: 1/1/2035

Funding

Funding Source: City Funds

Special circumstances related to funding: No

Scope of Work

Are you making substantive changes to the scope of work last approved?: No

Clearly describe scope and detail the services to be performed: The contractor will provide

refuse collection and disposal services (recyclables, compostables, and trash) for the City and County of San Francisco departments.

Why are these services required and what are the consequences of denial?: These critical services are required by all City departments at over 375 City facilities. Denial of these services would prevent the recovery and disposal of refuse, which would result in significant negative health and environmental impacts on the City, employees, and the public.

Has your department contracted out these services in the last three years?: Yes. See attached list of contracts entered into for these or similar services in the last 3 years.

How many contracts?: 1

Why have you not hired City employees to perform the services?: The performance of this work requires access to specialized heavy equipment, vehicles, and other facilities needed to dispose of source-separated refuse (compost, recycling, and trash) in accordance with State and City laws. It is not feasible for the City to expend the necessary capital to obtain such equipment and facilities.

Board and Commission Approvals

Will any contracts under this PSC require department Commission approval: No

Will any contracts under this PSC require Board of Supervisors approval: Yes

Provide details related to contracts for which BOS approval will be required?: The contract's not-to-exceed amount will be in excess of \$10MM, requiring approval from BOS (Charter Section 9.118.b).

Justification

Has your response to Q1 changed?: No

Q1 - Are there any regulatory or legal requirements supporting outsourcing of this work?:
No

Q2 - Does performing these services cause a conflict of interest?: No

Q3 - Are these proprietary services City is not authorized to do?: No

Q4 - Does City lacks necessary facilities/equipment?: Yes

Q4a) What facilities or equipment does the City lack that contractor possesses?: The contractor will provide infrastructure, vehicles, facilities and equipment to collect and properly process refuse, including source-separated materials (compost, recycling, trash) in accordance with the City's Zero Waste Ordinance. The contractor will also provide all appropriate refuse collection bins to City departments.

Does the dept plan to acquire the facilities/equipment to perform the services?: No

Explain why: It is not feasible for the City to expend the necessary capital to obtain the

equipment and facilities necessary to perform these services, e.g., specialized heavy equipment, vehicles, and other facilities needed to dispose of source-separated refuse (compost, recycling, and trash) in accordance with State and City laws.

Additional information to support your request (Optional):

Union Notifications

Have the Job Classes/Labor Unions changed?:

Job Class(es): 7355 - Truck Driver, 2738 - Porter Assistant Supervisor, 2736 - Porter, 2720 - Janitorial Services Supervisor, 2708 - Custodian, 2740 - Porter Supervisor 1, 2719 - Janitorial Svcs Asst Sprv

Labor Unions: 250 - SEIU 1021, 790 - SEIU, Local 1021, Misc, 216 - Teamsters, Local 853

Labor Union Email Addresses: PSCreview@seiu1021.org, PSCreview@seiu1021.org, mhenneberry@teamsters853.org

Union Review Sent On: 8/22/2024

Union Review End Date: 10/21/2024

Union Review Duration Met On: 10/21/2024

List of Previously Approved Contracts for Similar Services (Measured 3 years from the PSC Submis

Instructions:

- Step 1: Download and save this template to your desktop.
- Step 2: Complete the fields below.
- Step 3: Upload a copy of the completed file to your PSC record under the "Required Documentation" tab.

Document Content:

Do not use this document to list contracts let under this PSC record; those will be tracked separately in the PSC record itself at the end of each fiscal year. Rather, use this template to identify other contracts executed by your department for the services now being requested with this PSC submission. The list of contracts should be limited to those executed within the last three years, measured from the date of the PSC submission. The Commission will use this information to determine if there is a pattern of contracting this or similar work out, regardless of which PSC record is associated with those other contracts.

Dept Acronym:	OCA
Dept Name:	ADM - Office of Contract Administration
PSC Coordinator Name:	Lynn Khaw
PSC Coordinator Email:	Lynn.Khaw@sfgov.org
PSC ServiceNow Record Number:	DHRPSC0002262

PS Contract ID	Contract Start Date	Contract End Date	Contract Not to Exceed Amount	PSC ServiceNow Record Number (if PSC approval was obtained)	Brief Description of Services Rendered
1000020021	12/1/2020	10/31/2024	\$ 43,800,000	DHRPSC0002177	Refuse collection and disposal services

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: Refuse Collection and Disposal Services

Funding Source: General Fund

PSC Duration: 7 years

PSC Amount: \$95,800,000

1. Description of Work

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

The contractor will provide refuse collection and disposal services (recyclables, compostables, and trash) for City and County of San Francisco departments.

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

These are critical services required by all City departments at over 375 City facilities. Denial of these services would prevent the recovery and disposal of refuse, which would result in significant negative health and environmental impacts to the City, employees, and public.

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.

A contractor has been providing these services through the Refuse Collection and Disposal Ordinance and MOU Agreements since 2003. The most recent approved PSC for these services is #41761 – 19/20.

D. Will the contract(s) be renewed?

Yes, the City has a continual need for these critical services. The department intends to re-solicit for these services following the seven-year duration of this PSC.

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.

Due to the administrative complexity of and timeline for implementing the services under a new contract, including potential replacement of disposal receptacles for 375+ locations across the City, required California Environmental Quality Act (CEQA) environmental study, potential vehicle permitting process subsequent to the environmental study, and capital and maintenance costs for the necessary infrastructure, vehicles, facilities, and equipment required to service this PSC, it was determined to solicit these services for more than 5 years. Further, with the longer term, the City can negotiate better rates. A historical PSC #41761 – 19/20 was approved for 8 years duration.

2. Reason(s) for the Request

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

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

B. Explain the qualifying circumstances:

The performance of this work requires access to specialized heavy equipment, vehicles, and other facilities needed to dispose of source-separated refuse (compost, recycling, and trash) in accordance with State and City laws. It is not feasible for the City to expend the necessary capital to obtain such equipment and facilities. The contractor has infrastructure, equipment, vehicles and facilities to perform these duties.

3. Description of Required Skills/Expertise

- A. Specify required skills and/or expertise: Contractor must have significant experience and expertise hauling and managing disposal of refuse, including experience with and the equipment and infrastructure (vehicles, disposal facilities, other equipment, sufficient staffing) required for handling and processing separately the three types of refuse mandated to be processed per the City's Zero Waste Ordinance - compostable materials, recyclable materials, and trash. Also, contractor is required to hold a Refuse Collection Truck Permit for each vehicle operating to service this PSC, which is required by San Francisco Health Code, Article 12, Section 714.
- B. Which, if any, civil service class(es) normally perform(s) this work? 2708, Custodian; 2719, Janitorial Svcs Asst Sprv; 2720, Janitorial Services Supervisor; 2736, Porter; 2738, Porter Assistant Supervisor; 2740, Porter Supervisor 1; 7355, Truck Driver;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes. The contractor will provide infrastructure, vehicles, facilities and equipment to collect and properly process refuse, including source-separated materials (compost, recycling, trash) in accordance with the City's Zero Waste Ordinance. The contractor will also provide all appropriate refuse collection bins to City departments.

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

None. There are no available resources (equipment & vehicles, facilities, staffing) within the City to obtain these services.

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

- A. Explain why civil service classes are not applicable.
Civil service classes do not have access to the equipment, vehicles, facilities, and specialized waste-hauling expertise required to do the work.
- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. No. The performance of this work requires access to specialized heavy equipment, vehicles, and other facilities needed to dispose of source-separated refuse (compost, recycling, and trash) in accordance with State and City laws. It is not feasible for the City to expend the necessary capital to obtain such equipment and facilities.

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 08/11/2023, the Department notified the following employee organizations of this PSC/RFP request:
Bldg Mtl & Constr Teamsters, L 853; SEIU 1021 Miscellaneous; SEIU Local 1021

☐ 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# 43805 - 23/24

DHR Analysis/Recommendation:

action date: 12/04/2023

Commission Approval Required

Approved by Civil Service Commission

12/04/2023 DHR Approved for 12/04/2023

Personal Service Contract Summary (PSC Form 1)

PSC Basic Information

Submitting Department: FIR

Submitted By: Elissa Koestenbaum

Department Coordinator: Elissa Koestenbaum,
elissa.koestenbaum@sfgov.org

Project Manager: Mark Corso

ServiceNow Number: DHRPSC0004801

Version: 1.01

Version Type: Amendment

Legacy PSC #: 32115-23/24

Brief description of proposed work: A web-based service used by the Fire Marshal's Office to track and maintain code compliance, reduce false alarm activity, and provide safer communities through third-party system certification reporting and compliance. This type of notification service has proven to increase fire protection system compliance, testing & repair activity by 60% in jurisdictions that utilize these technology and services.

Reason for the Request for Amendment: This program is the result of new legislation. After further analysis, we are projecting additional inspections/certifications will be required to comply with this legislation, increasing volume but not changing scope.

Review Type and Reason

CSC Review Required: Yes

CSC Review Reason(s):

- Requires CSC Approval by Amount

Amount

Previously Approved Amount: \$99,000

Increase Amount: \$501,000

Why are you requesting the PSC amount to be increased?: This program is the result of new legislation. After further analysis, we are projecting additional inspections/certifications will be required to comply with this legislation, increasing volume but not changing scope.

Total Amended Amount: \$600,000

Does contract include items other than services?: No

Duration

Is PSC by Duration or Continuing: Duration

Previously Approved Duration (months): 36

Duration Increase (months): 0

Total Amended Duration (months): 36

First Contract Start Date:

PSC Duration End Date:

Funding

Post Union Notification

Funding Source: City Funds

Special circumstances related to funding: No

Scope of Work

Are you making substantive changes to the scope of work last approved?: No

Clearly describe scope and detail the services to be performed: Contractor shall provide fire code and administrative services for the Fire Department (FIR). Contractor shall manage the compliance reporting process for adopted fire codes and administration of fire and life safety system inspection reports as outlined in the National Fire Protection Association code for life safety systems on behalf of the FIR. Contractor shall manage the reporting of inspection reports annually. Contractor will be provided with a list of existing licensed ITMC currently used by the FIR and shall use search methods and search criteria utilization to identify new licensed ITMC.

Contractor shall receive Inspection, Testing, and Maintenance reports with adherence to the current official California Code of Regulations, California Fire Codes, City of San Francisco Municipal Codes, and all other adopted local, state, and federal standards as may be applicable.

Contractor shall verify Licensed ITMC contact information and license status. Contractor shall request, receive, process, record, and maintain inspection reports from licensed ITMC for fire and life safety system inspection types that include but are not limited to, the following:

1.4.1 Fire Alarm Systems;

1.4.2 Automatic Sprinkler Systems;

Including but not limited to Dry Chemical Suppression Systems, Dry Pipe Sprinkler Systems, Pre-Action Systems, Deluge Sprinkler Systems, Special Suppression Systems

1.4.3 Commercial Hood/Duct Cleaning;

1.4.4 Commercial Hood Suppression System;

1.4.5 Standpipe System;

1.4.6 Active Smoke Control System

Why are these services required and what are the consequences of denial?: The Department (FIR) will benefit from time saved, improved compliance and analytics that deliver information to accomplish FIR's smart enforcement goals. FIR will benefit from the notifications and call center processes. FIR will also benefit from safer buildings and mitigating the risk of business interruption. The solution will utilize technology to ensure compliance with adopted fire codes and the law. The solution is efficient, flexible and scalable to meet FIR's needs to create a safer environment.

Has your department contracted out these services in the last three years?: No

Board and Commission Approvals

Will any contracts under this PSC require department Commission approval: No

Will any contracts under this PSC require Board of Supervisors approval: No

Justification

Has your response to Q1 changed?: No

Q1 - Are there any regulatory or legal requirements supporting outsourcing of this work?:

No

Q2 - Does performing these services cause a conflict of interest?: No

Q3 - Are these proprietary services City is not authorized to do?: No

Q4 - Does City lacks necessary facilities/equipment?: Yes

Q4a) What facilities or equipment does the City lack that contractor possesses?: We do not have the software capabilities nor the personnel to handle the new requirements of the legislation.

Does the dept plan to acquire the facilities/equipment to perform the services?: No

Explain why: The software includes allowing verified certified fire alarm and sprinkler companies to upload their certifications electronically.

Additional information to support your request (Optional):

Union Notifications

Have the Job Classes/Labor Unions changed?:

Job Class(es): 1095 - IT Operations Support Admin V, 1044 - IS Engineer-Principal, 1091 - IT Operations Support Admin I, 1064 - IS Prg Analyst-Principal

Labor Unions: 021 - Prof & Tech Eng, Local 21

Labor Union Email Addresses: L21pscreview@ifpte21.org

Union Review Sent On: 10/17/2024

Union Review End Date: 10/24/2024

Union Review Duration Met On: 10/24/2024

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: FIRE DEPARTMENT -- FIR

Dept. Code: FIR

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

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

Type of Service: Automated Fire Code Compliance Report System

Funding Source: Operating Funds

PSC Duration: 2 years 52 weeks

PSC Amount: \$99,000

1. Description of Work

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

A web-based service used by the Fire Marshal's Office to track and maintain code compliance, reduce false alarm activity, and provide safer communities through third-party system certification reporting and compliance. This type of notification service has proven to increase fire protection system compliance, testing & repair activity by 60% in jurisdictions that utilize these technology and services.

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

The SF Fire Department (FIR) will benefit from time saved, improved compliance and analytics that deliver information to accomplish FIR's smart enforcement goals. FIR will benefit from the notifications and call center processes. FIR will also benefit from safer buildings and mitigating the risk of business interruption. The solution will utilize technology to ensure compliance with adopted fire codes and the law. The solution is efficient, flexible and scalable to meet FIR's needs to create a safer environment.

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?

This will be a Pilot program. Assuming this is successful, FIR intends to renew contract.

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).

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

B. Explain the qualifying circumstances:

This is a pilot program to measure newly-passed legislation.

3. Description of Required Skills/Expertise

- A. Specify required skills and/or expertise: Due to the proprietary nature of this complex system, only trained and certified engineers of the Compliance software are able to provide maintenance and support services.
- B. Which, if any, civil service class(es) normally perform(s) this work? 1044, IS Engineer-Principal; 1064, IS Prg Analyst-Principal; 1091, IT Operations Support Admin I; 1095, IT Operations Support Admin V; 1091, IT Operations Support Administrator I; 1095, IT Operations Support Administrator V;
- 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, at this time.

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 the services required must include access to the contractor's proprietary software. This is a pilot program for new legislation recently passed.
- 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, at this time, this is a pilot program to measure the impacts from new legislation.

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 of Fire Department personnel will be required. Data interface is required but there is not anticipated to be training at this time.
- 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 06/05/2024, the Department notified the following employee organizations of this PSC/RFP request:
Prof & Tech Eng, Local 21; Professional & Tech Engrs, Local 21

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

Name: Elissa Koestenbaum Phone: 415-734-2124 Email: elissa.koestenbaum@sfgov.org

Address: 698 2nd Street San Francisco, CA 94107

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 32115 - 23/24

DHR Analysis/Recommendation:

Commission Approval Not Required

Approved by DHR on 06/17/2024