



London Breed
Mayor

Carol Isen
Human Resources Director

Date: April 19, 2024

To: The Honorable Civil Service Commission

Through: Carol Isen
Human Resources Director

From: Cynthia Avakian, AIR
Joan Lubamersky / Lynn Khaw, GSA
Thomas Chen, DEM
Mike Cotter, HRD
Tara Alvarez, HSA
Elisa Baeza, JUV
Reanna Albert / Kelly Hiramoto, DPH
Shawndrea Hale / Daniel Kwon, PUC
Alexander Burns, DPW
Edward de Asis, BOS

Subject: **Personal Services Contracts Approval Request**

This report contains twelve (12) personal services contracts (PSCs) in accordance with the revised Civil Service Commission (CSC) procedures for processing PSCs that became effective on November 5, 2014.

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

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

DHR has prepared the following cost summary for personal services contracts that have been processed through the Department of Human Resources Fiscal Year 23/24 to date:

Total of this Report	YTD Expedited Approvals FY2023-2024	Total for FY2023-2024
\$278,641,939	\$401,089,543	\$4,215,301,572

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POSTING FOR

May 06, 2024

PROPOSED PERSONAL SERVICES CONTRACTS – REGULAR

<u>PSC No</u>	<u>Dept Designation</u>	<u>PSC Amount</u>	<u>Description of Work</u>	<u>PSC Estimated Start Date</u>	<u>PSC Estimated End Date</u>	<u>Type of Approval</u>
<u>40995 - 23/24</u>	AIRPORT COMMISSION	\$250,000,000.00	Project Management Support Services (PMSS) and Design-Build services for the Boarding Area G Gate Enhancements Project (Project) at San Francisco International Airport (Airport or SFO). The Project will replace the passenger boarding bridges at each gate in Boarding Area G, replace the preconditioned air system, install automated aircraft guidance systems, upgrade the fire hydrant infrastructure, and repair damaged pavement. Services to be provided include project controls, scheduling, document control, design management, contracts management, architectural, engineering, and environmental services, and construction of the Program. Of the \$250M total Project cost, PMSS portion of the work is estimated to be \$6M, and design portion of work are estimated to be \$8M.	June 1, 2024	May 31, 2029	REGULAR
<u>42122 - 23/24</u>	AIRPORT COMMISSION	\$6,000,000.00	Contractor will be responsible for the ongoing maintenance and software support of the Intergraph Computer Aided Dispatch System (CAD) for public safety dispatching used by multiple divisions at the San Francisco International Airport (Airport). Software support will include upgrades to new software versions of the proprietary CAD system, providing additional licenses, incorporating new interfaces	July 1, 2024	June 30, 2029	REGULAR

<u>PSC No</u>	<u>Dept Designation</u>	<u>PSC Amount</u>	<u>Description of Work</u>	<u>PSC Estimated Start Date</u>	<u>PSC Estimated End Date</u>	<u>Type of Approval</u>
			with other Airport systems, mapping services, and other services necessary to maintain system functionality.			
<u>43039 - 23/24</u>	GENERAL SERVICES AGENCY - CITY ADMIN	\$500,000.00	<p>The City's Contract Monitoring Division (CMD) oversees the 14B Local Business Enterprise (LBE) program, which promotes equity in the City's procurement processes and aims to lower barriers to accessing contracting opportunities for the City's certified local businesses. In order to better serve the LBE community and to increase program effectiveness, CMD will partner with one or more contractors to conduct a utilization study to understand the current state of LBEs' participation on City contracts, an availability study to understand potential LBE participation, and an evaluation of the 14B program to understand how the program can be improved. The selected contractor(s) will provide research, evaluation, and technical assistance to the City, including but not limited to:</p> <ul style="list-style-type: none"> • Designing and implementing study methodologies • Cleaning, aggregating, and analyzing key program data and conducting statistical analysis • Conducting community and stakeholder engagement and user research • Synthesizing study results and providing improvement recommendations to City leaders 	May 13, 2024	December 31, 2027	REGULAR
<u>40897 - 23/24</u>	DEPARTMENT OF EMERGENCY MANAGEMENT	\$1,503,423.00	Provide stakeholder engagement, facilitation and training services for community based	June 5, 2024	June 4, 2027	REGULAR

<u>PSC No</u>	<u>Dept Designation</u>	<u>PSC Amount</u>	<u>Description of Work</u>	<u>PSC Estimated Start Date</u>	<u>PSC Estimated End Date</u>	<u>Type of Approval</u>
			organizations and service providers for crisis response and emergency preparedness programs.			
<u>49801 - 23/24</u>	HUMAN RESOURCES	\$1,200,000.00	Provide expert test development consultation for the Q050 Police Sergeant, Q060 Police Lieutenant, Q080 Police Captain, H020 Fire Lieutenant, H030 Fire Captain, H040 Battalion Chief, and H050 Assistant Chief, selection process and defense of selection process (if necessary), provide testimony, preparation, and consultation against legal challenges.	June 1, 2024	April 30, 2029	REGULAR
<u>47230 - 23/24</u>	HUMAN SERVICES	\$3,178,516.00	Provides comprehensive, high-quality, culturally-responsible State-mandated training to Child Welfare workers, using Federal dollars, to increase Child Welfare workers knowledge and skills in the practice of public child welfare. These trainings increase the knowledge and skills of Child Welfare workers, thereby improving outcomes for children and families. Trainings cover complex case management and have both clinical and legal implications, providing Child Welfare workers updates on State laws, regulations and standards.	July 1, 2024	June 30, 2029	REGULAR
<u>44510 - 23/24</u>	JUVENILE PROBATION	\$300,000.00	The department wishes to contract with organizations that specialize in transitional housing programs and supportive services for young people, ages 18-25, re-entering the community from a secure commitment term in San Francisco's Juvenile Justice Center. Supportive services provided by transitional housing programs shall include: a. Case management,	March 1, 2024	November 30, 2028	REGULAR

<u>PSC No</u>	<u>Dept Designation</u>	<u>PSC Amount</u>	<u>Description of Work</u>	<u>PSC Estimated Start Date</u>	<u>PSC Estimated End Date</u>	<u>Type of Approval</u>
			<ul style="list-style-type: none"> b. Mental Health services or linkage to mental health services, c. Linkage to vocational services such as vocational support, job readiness skills, etc., d. Ability to promote family reunification, e. Independent living skills, f. Financial education, including money management, how to pay bills, etc., g. Basic needs support, h. Regular check-ins and ability to support young person to meet court mandates and orders, --including stay away orders from people and locations, no weapons clauses, no substance use clauses, etc., i. Confidentiality for young person to ensure safety and successful return to community, and j. Ability to support reentry and transition goals. 			
<u>43395 - 23/24</u>	PUBLIC HEALTH	\$4,000,000.00	The selected contractor(s) will provide substance use residential services at American Society of Addiction Medicine (ASAM) Level 3.1, clinically managed low-intensity residential services, for youth up to the age of 18 years old experiencing high level of substance use and meeting the ASAM criteria for residential services.	June 1, 2024	June 30, 2029	REGULAR
<u>41323 - 23/24</u>	PUBLIC UTILITIES COMMISSION	\$4,000,000.00	This PSC is to provide specialized, short-term staff to provide construction management services for an approximately \$20M Power Enterprise construction project to construct underground electrical duct bank and vaults, Emergency Firefighting Water System (EFWS)	June 30, 2024	June 30, 2027	REGULAR

<u>PSC No</u>	<u>Dept Designation</u>	<u>PSC Amount</u>	<u>Description of Work</u>	<u>PSC Estimated Start Date</u>	<u>PSC Estimated End Date</u>	<u>Type of Approval</u>
			<p>pipeline, San Francisco Water Department (SFWD) pipeline, installation of electrical cable and switches, inter-connection to high-voltage switchgear, and roadway and sidewalk work.</p> <p>The construction management services required under this PSC would include, but are not limited to, construction contract administration, construction inspection, construction contracts management, and project controls.</p>			
<u>45763 - 23/24</u>	GENERAL SERVICES AGENCY - PUBLIC WORKS	\$7,000,000.00	<p>The consultant and their joint venture partners will provide the following services: Mechanical design, electrical design, plumbing design, structural design, civil (underground utility), security & technology, sustainability, energy modeling, daylighting, LEED (Leadership in Energy and Environmental Design) coordination and documentation, audio-visual and low-voltage design, fire protection, acoustic design, vertical transportation, building management systems integration, façade maintenance, wind consulting, signage and environmental graphic design, and waterproofing.</p>	July 1, 2024	September 1, 2031	REGULAR
<u>41297 - 23/24</u>	GENERAL SERVICES AGENCY - CITY ADMIN	\$500,000.00	<p>Contractor will sell City-owned surplus assets (with the exception of City-owned fleet vehicles that will be publicly auctioned pursuant to a separate personal services contract), including seized, found, unclaimed, stolen, recovered, and retired property, to the general public. Public auctions will be conducted online through the contractor's online auction application. The auction services will generate revenue for the City. The cost to the City for the services will be paid from the net proceeds of each sale for the services performed by the contractor.</p>	July 1, 2024	July 1, 2026	REGULAR

<u>PSC No</u>	Dept Designation	PSC Amount	Description of Work	PSC Estimated Start Date	PSC Estimated End Date	Type of Approval
			Contractor was selected pursuant to Solicitation Number 012821 conducted by a service cooperative established by Minn. Stat Sec. 123A.21 to provide a Cooperative Purchasing Program to participating entities, of which City is one. Solicitation Number 012821 was publicly posted on December 8, 2020, and the contractor was ranked 1.			
TOTAL AMOUNT \$278,181,939						

Posting For

May 06, 2024

Proposed Modifications to Personal Services Contracts

PSC Number	Department	Additional Amount	Cumulative Total	Description	Start Date	End Date	Approval Type
43590 - 22/23 - MODIFICATIONS	BOARD OF SUPERVISORS - BOS	\$460,000	\$1,000,000	The Office of the Clerk of the Board (COB) seeks a vendor to enhance or replace the current aging and costly LMS with a state-of-the-art solution to effectively address mandated requirements, streamline legislative workflow, and meet stakeholder expectations. The COB will adopt a legislative system that will streamline the process of 1) drafting, submitting, and accessing status of legislation, 2) developing and managing public meeting agendas and minutes, 3) ensuring the integrity and retention of legislative records, 4) providing a legislative drafting tool for city departments, and 5) providing a public portal accessible to the public for tracking legislation. The LMS would not only support the core business of the Board of Supervisors, but all City Departments and agencies that submit and recommend legislation and/or amendments. The technology solution will be developed, implemented, and supported through a software development and support agreement with the Contractor and internal COB IT staff.	09/01/2023	08/31/2028	REGULAR
TOTAL AMOUNT \$460,000							

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

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: AIRPORT COMMISSION -- AIR

Dept. Code: AIR

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

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

Type of Service: Project Management Support and Design Services for Boarding Area G Gate Enhancements Project

Funding Source: Airport Capital and Operating Funds

PSC Amount: \$250,000,000

PSC Est. Start Date: 06/01/2024

PSC Est. End Date 05/31/2029

1. Description of Work

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

Project Management Support Services (PMSS) and Design-Build services for the Boarding Area G Gate Enhancements Project (Project) at San Francisco International Airport (Airport or SFO). The Project will replace the passenger boarding bridges at each gate in Boarding Area G, replace the preconditioned air system, install automated aircraft guidance systems, upgrade the fire hydrant infrastructure, and repair damaged pavement. Services to be provided include project controls, scheduling, document control, design management, contracts management, architectural, engineering, and environmental services, and construction of the Program. Of the \$250M total Project cost, PMSS portion of the work is estimated to be \$6M, and design portion of work are estimated to be \$8M.

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

The electrical, mechanical, gate operations, and guidance systems in Boarding Area G are past the end of their useful life and need to be replaced & upgraded to support future operational needs. If is request is denied, the gates in Boarding Area G may not be able to reliably service the aircraft when parked and on- and off-boarding passengers, nor provide reliable power, heating, and cooling to the aircraft. This would result in delays and passenger comfort issues, which will lead to a potential decrease in non-airline revenue.

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 similar project was performed for SFO Boarding Area A, approved under PSC 44645-16/17.

D. Will the contract(s) be renewed?

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

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

not applicable

2. Reason(s) for the Request

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

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

B. Explain the qualifying circumstances:

The services required are limited term, and will not continue beyond the design and construction of the Project.

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise: Required skills and expertise include design of passenger boarding bridge foundations, passenger boarding bridge point of use pre-conditioned air units, airfield pavement design,

and airfield lighting design. Work also requires project management expertise in scheduling, cost estimating, planning, project controls, and construction management.

- B. Which, if any, civil service class(es) normally perform(s) this work? 5201, Junior Engineer; 5203, Asst Engr; 5207, Assoc Engineer; 5211, Eng/Arch/Landscape Arch Sr; 5218, Structural Engineer; 5219, Senior Structural Engineer; 5241, Engineer; 5504, Project Manager 2; 5508, Project Manager 4; 7213, Plumber Supervisor 1; 7239, Plumber Supervisor 2; 7334, Stationary Engineer; 7335, Senior Stationary Engineer; 7347, Plumber;
- 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?

Notice of Intent was sent on August 14, 2023 to the following City Departments: San Francisco Public Utilities Commission, Department of Public Works, Port of San Francisco, San Francisco Municipal Transportation Agency and San Francisco International Airport. No interested responses were received.

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

- A. Explain why civil service classes are not applicable.
The existing Civil Service classifications do not have the unique and highly specialized expertise in the field of aviation fuel systems, passenger boarding bridge and foundation design.
- 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 services required are limited term, and will not continue beyond the design and construction of the Project.

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. Contractor will provide Airport staff in the 7334 stationary engineer and 7335 senior stationary engineer classifications on the design of on the operation and maintenance of the new preconditioned air system. Approximately 16 hours of training will be provided to each staff.
- 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 03/08/2024, the Department notified the following employee organizations of this PSC/RFP request:

Architect & Engineers, Local 21; Plumbers, Local 38; Prof & Tech Eng, Local 21; Professional & Tech Engrs, Local 21; Stationary Engineers, Local 39

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

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

Address: PO BOX 8097 San Francisco, CA 94128

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 40995 - 23/24

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 05/06/2024

Receipt of Union Notification(s)

From: [Sung Kim \(AIR\)](#)
To: larryjr@ualocal38.org; ichiarenza@ualocal38.org
Cc: [DHR-PSCCoordinator, DHR \(HRD\)](#)
Subject: FW: Receipt of Notice for new PCS over \$100K PSC # 40995 - 23/24
Date: Friday, March 8, 2024 3:55:00 PM
Attachments: [image001.png](#)

Please see Notice for new PSC below. Thank you.



Sung Kim

Manager, Contracts Administration
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Tel 650-821-2026 | Email sung.kim@flysfo.com
(preferred pronouns: he/him/his)
[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#)

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

From: dhr-psccordinator@sfgov.org <dhr-psccordinator@sfgov.org> On Behalf Of cynthia.avakian@flysfo.com
Sent: Friday, March 8, 2024 3:44 PM
To: Cynthia Avakian (AIR) <cynthia.avakian@flysfo.com>; cpark@local39.org; Stan Eichenberger <seichenberger@local39.org>; MRainsford@local39.org; grojo@local39.org; Laxamana, Junko (DBI) <Junko.Laxamana@sfgov.org>; sportillo@ifpte21.org; agarza@ifpte21.org; amakayan@ifpte21.org; jnuti@ifpte21.org; kdavis@ifpte21.org; jharding@ifpte21.org; mweirick@ifpte21.org; dho@ifpte21.org; ewallace@ifpte21.org; ecassidy@ifpte21.com; WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; Kristen Schumacher <kschumacher@ifpte21.org>; kpage@ifpte21.org; eerbach@ifpte21.org; l21pscreview@ifpte21.org; Sung Kim (AIR) <sung.kim@flysfo.com>; DHR-PSCCoordinator, DHR (HRD) <dhr-psccordinator@sfgov.org>
Subject: Receipt of Notice for new PCS over \$100K PSC # 40995 - 23/24

RECEIPT for Union Notification for PSC 40995 - 23/24 more than \$100k

The AIRPORT COMMISSION -- AIR has submitted a request for a Personal Services Contract (PSC) 40995 - 23/24 for \$250,000,000 for Initial Request services for the period 06/01/2024 – 05/31/2029. 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/21966> For union notification, please see the TO: field of the email to verify receipt. If you do not see all the unions you intended to contact, the PSC Coordinator must change the state back to NOT READY, make sure the classes and unions you want to notify are selected and SAVE. Then VIEW the record and verify the list of unions and emails. EDIT the document again , change the state back START UNION NOTIFICATION and SAVE. You should receive

the email with all unions to the TO: field as intended

Additional Attachment(s)

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: AIRPORT COMMISSION

Dept. Code: AIR

Type of Request: Initial Modification of an existing PSC (PSC # 44645 - 16/17)

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

Type of Service: PMSS and DB Services for the Boarding Area A Gate Enhancements Project

Funding Source: Airport Capital Funds

PSC Original Approved Amount: \$120,000,000

PSC Original Approved Duration: 12/01/16 - 06/30/20 (3 years 30 weeks)

PSC Mod#1 Amount: \$10,000,000

PSC Mod#1 Duration: 06/30/20-12/31/21 (1 year 26 weeks)

PSC Cumulative Amount Proposed: \$130,000,000

PSC Cumulative Duration Proposed: 5 years 4 weeks

1. Description of Work

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

Project Management Support Services (PMSS) and Design-Build (DB) Services teams with airport design and management expertise are required to manage the design and construction of the Boarding Area A Gate Enhancements Project (The Project). Services to be provided include project controls, scheduling, document control, design management, contracts management, architectural, engineering, and environmental services, and construction of the program. The scope of work for the Gate Enhancement Project includes, but is not limited to, the following:

- Assessment and replacement of existing passenger boarding bridges.
- Design and construction of: new passenger boarding bridges and associated foundation; aviation fuel systems to accommodate new aircraft parking positions; building modifications including, but not limited to, vertical circulation, building penetrations, and interior spaces; 400-hertz system modifications; and pre-conditioned air system modifications.

PMSS and Design portion are estimated to be <\$10,000,000 each and the Construction portion is estimated to be <\$100,000,000

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

At Boarding Area A, modifications to existing gates will create an additional Airbus A380 position as well as prepare for future aircraft, including the Boeing B777-9X. Such infrastructure enhancements will include electrical and utility upgrades, passenger boarding bridge replacements and/or additions at existing aircraft gates, and fuel pit relocations. Additionally, gate rooms and associated supporting infrastructure, such as installation of escalators, within the footprint of boarding areas will be added to support future operational needs. If the services for this program are denied, the gates in the boarding areas may not be able to serve the needs of new aircraft fleet mixes resulting in delays, which will lead to a potential decrease in non-airline revenue.

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.

PSC 44645-16/17

D. Will the contract(s) be renewed?

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

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

Need to align this approval with the closeout of the associated contracts.

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

A. Display all that apply

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

Explain the qualifying circumstances:

This Gate Enhancement capital project is site specific with a fixed scope of work and a clear completion date.

B. Reason for the request for modification:

Need to extend time and increase the compensation

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

A. Specify required skills and/or expertise: Required skills and expertise include design of aviation fuel systems, passenger boarding bridge foundations, passenger boarding bridge point of use pre-condition air units, airfield pavement design, airfield lighting design.

B. Which, if any, civil service class(es) normally perform(s) this work? 5201, Junior Engineer; 5203, Asst Engr; 5207, Assoc Engineer; 5211, Eng/Arch/Landscape Arch Sr; 5212, Engineer/Architect Principal; 5214, Building Plans Engineer; 5218, Structural Engineer; 5219, Senior Structural Engineer; 5241, Engineer; 5504, Project Manager 2; 5508, Project Manager 4;

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?

Not Applicable

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

A. Explain why civil service classes are not applicable.

The existing Civil Service classifications do not have the unique and highly specialized expertise in the field of aviation fuel systems, passenger boarding bridge and foundation design.

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, because of the specialized nature of the work, we do not believe it is practical to adopt a permanent civil service class.

6. Additional Information

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

No.

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

N/A

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.

Yes, Skanska USA Building, Inc. and IT Enhancement Partners JV

7. Union Notification: On 02/04/20, the Department notified the following employee organizations of this PSC/RFP request:

Prof & Tech Eng, Local 21;

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

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

Address: PO Box 8097, San Francisco, CA 94128

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 44645 - 16/17

DHR Analysis/Recommendation:

Commission Approval Not Required

Approved by DHR on 03/12/2020

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: AIRPORT COMMISSION -- AIR

Dept. Code: AIR

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

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

Type of Service: PMSS and DB Services for the Boarding Area A Gate Enhancements Project

Funding Source: Airport Capital Funds

PSC Amount: \$120,000,000

PSC Est. Start Date: 12/01/2016

PSC Est. End Date 06/30/2020

1. Description of Work

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

Project Management Support Services (PMSS) and Design-Build (DB) Services teams with airport design and management expertise are required to manage the design and construction of the Boarding Area A Gate Enhancements Project (The Project). Services to be provided include project controls, scheduling, document control, design management, contracts management, architectural, engineering, and environmental services, and construction of the program. The scope of work for the Gate Enhancement Project includes, but is not limited to, the following:

- Assessment and replacement of existing passenger boarding bridges.
- Design and construction of: new passenger boarding bridges and associated foundation; aviation fuel systems to accommodate new aircraft parking positions; building modifications including, but not limited to, vertical circulation, building penetrations, and interior spaces; 400-hertz system modifications; and pre-conditioned air system modifications.

PMSS and Design portion are estimated to be <\$10,000,000 each and the Construction portion is estimated to be <\$100,000,000

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

At Boarding Area A, modifications to existing gates will create an additional Airbus A380 position as well as prepare for future aircraft, including the Boeing B777-9X. Such infrastructure enhancements will include electrical and utility upgrades, passenger boarding bridge replacements and/or additions at existing aircraft gates, and fuel pit relocations. Additionally, gate rooms and associated supporting infrastructure, such as installation of escalators, within the footprint of boarding areas will be added to support future operational needs. If the services for this program are denied, the gates in the boarding areas may not be able to serve the needs of new aircraft fleet mixes resulting in delays, which will lead to a potential decrease in non-airline revenue.

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

This is a new service.

D. Will the contract(s) be renewed?

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

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

2. Reason(s) for the Request

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

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

B. Explain the qualifying circumstances:

This Gate Enhancement capital project is site specific with a fixed scope of work and a clear completion date.

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise: Required skills and expertise include design of aviation fuel systems, passenger boarding bridge foundations, passenger boarding bridge point of use pre-condition air units, airfield pavement design, airfield lighting design.

B. Which, if any, civil service class(es) normally perform(s) this work? 5201, Junior Engineer; 5203, Asst Engr; 5207, Assoc Engineer; 5211, Eng/Arch/Landscape Arch Sr; 5212, Engineer/Architect Principal; 5214, Building Plans Engineer; 5218, Structural Engineer; 5219, Senior Structural Engineer; 5241, Engineer; 5504, Project Manager 2; 5508, Project Manager 4;

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. A Notice of Intent for DB services was sent to appropriate City departments on July 25, 2016 and no responses with interest in participating were received by the due date of August 8, 2016.

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

A. Explain why civil service classes are not applicable.

The existing Civil Service classifications do not have the unique and highly specialized expertise in the field of aviation fuel systems, passenger boarding bridge and foundation design.

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, because of the specialized nature of the work, we do not believe it is practical to adopt a permanent civil service class.

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. N/A

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 08/18/2016, the Department notified the following employee organizations of this PSC/RFP request:
Prof & Tech Eng, Local 21

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

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

Address: PO Box 8097 San Francisco, CA 94128

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 44645 - 16/17

DHR Analysis/Recommendation:

action date: 10/17/2016

Commission Approval Required

Approved by Civil Service Commission

10/17/2016 DHR Approved for 10/17/2016

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: AIRPORT COMMISSION -- AIR

Dept. Code: AIR

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

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

Type of Service: Computer Aided Dispatch (CAD) Software Upgrade and Maintenance

Funding Source: Airport Operating Funds

PSC Amount: \$6,000,000

PSC Est. Start Date: 07/01/2024

PSC Est. End Date 06/30/2029

1. Description of Work

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

Contractor will be responsible for the ongoing maintenance and software support of the Intergraph Computer Aided Dispatch System (CAD) for public safety dispatching used by multiple divisions at the San Francisco International Airport (Airport). Software support will include upgrades to new software versions of the proprietary CAD system, providing additional licenses, incorporating new interfaces with other Airport systems, mapping services, and other services necessary to maintain system functionality.

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

The contract is necessary to ensure continued maintenance and support provided by Intergraph for the Airport's CAD system, which is a public safety and lifesaving system. Consequences of denial include the Airport having an outdated CAD system that is not integrated with all required systems, which could compromise the Airport's ability to perform essential emergency response and dispatching services.

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 has been contracted out via PSC 47575-16/17.

D. Will the contract(s) be renewed?

Yes, if this service is still needed at SFO.

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

not applicable

2. Reason(s) for the Request

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

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

B. Explain the qualifying circumstances:

The City doesn't have access to the proprietary system to support or maintain the CAD system.

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 CAD system are able to provide maintenance and support services.

B. Which, if any, civil service class(es) normally perform(s) this work? 1043, IS Engineer-Senior; 1044, IS Engineer-Principal; 9202, Airport Communications Disp; 9203, Sr Airport Communications Disp; 9204, Airports Communications Sprv;

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 since the City doesn't have access to the proprietary system to support and maintain it.

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

A. Explain why civil service classes are not applicable.

No, the supplier does not release system proprietary information or source code, so civil servants cannot perform the maintenance and support.

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, not at this time.

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. Approximately 40 hours of training as well as on any new features for the following staff: 9202 (25 people), 9203 (up to 10 people), and 9204 (up to 10 people).

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 02/06/2024, the Department notified the following employee organizations of this PSC/RFP request:
Prof & Tech Eng, Local 21; SEIU 1021 Miscellaneous

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

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

Address: PO Box 8097 San Francisco, CA 94128

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 42122 - 23/24

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 05/06/2024

Receipt of Union Notification(s)

From: dhr-psccordinator@sfgov.org on behalf of cynthia.avakian@flysfo.com
To: [Cynthia Avakian \(AIR\)](mailto:Cynthia.Avakian@AIR); Chanel.Brown@seiu1021.org; jegy.sering@seiu1021.org; matthew.torres@seiu1021.org; SF-DHR-Info@seiu1021.org; [Najuawanda Daniels](mailto:Najuawanda.Daniels); [Jason Klumb](mailto:Jason.Klumb); [Frigault, Noah \(HRC\)](mailto:Frigault.Noah@HRC); [Meyers, Julie \(HSA\)](mailto:Meyers.Julie@HSA); [Thomas Vitale](mailto:Thomas.Vitale); [Ricardo.lopez@sfgov.org](mailto:Ricardo.Lopez@sfgov.org); Kbasconcillo@sfwater.org; pcamarillo_seiu@sbcglobal.net; [Wendy Frigillana](mailto:Wendy.Frigillana); pscreview@seiu1021.org; ted.zarzecki@seiu1021.net; davidmkersten@gmail.com; [XiuMin Li](mailto:XiuMin.Li); Sin.Yee.Poon@sfgov.org; [David Canham](mailto:David.Canham); jtanner940@aol.com; jnuti@ifpte21.org; sportillo@ifpte21.org; kdavis@ifpte21.org; jharding@ifpte21.org; mweirick@ifpte21.org; agarza@ifpte21.org; ewallace@ifpte21.org; WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; kschumacher@ifpte21.org; amakayan@ifpte21.org; l21pscreview@ifpte21.org; [Cynthia Avakian \(AIR\)](mailto:Cynthia.Avakian@AIR); DHR-PSCCoordinator, [DHR \(HRD\)](mailto:DHR@HRD)
Subject: Receipt of Notice for new PCS over \$100K PSC # 42122 - 23/24
Date: Tuesday, February 6, 2024 5:54:24 PM

RECEIPT for Union Notification for PSC 42122 - 23/24 more than \$100k

The AIRPORT COMMISSION -- AIR has submitted a request for a Personal Services Contract (PSC) 42122 - 23/24 for \$6,000,000 for Initial Request services for the period 07/01/2024 – 06/30/2029. 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/22011> For union notification, please see the TO: field of the email to verify receipt. If you do not see all the unions you intended to contact, the PSC Coordinator must change the state back to NOT READY, make sure the classes and unions you want to notify are selected and SAVE. Then VIEW the record and verify the list of unions and emails. EDIT the document again , change the state back START UNION NOTIFICATION and SAVE. You should receive the email with all unions to the TO: field as intended

Additional Attachment(s)

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: AIRPORT COMMISSION

Dept. Code: AIR

Type of Request: Initial Modification of an existing PSC (PSC # 47575 - 16/17)

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

Type of Service: Computer Aided Dispatch (CAD) Software Upgrade and Maintenance

Funding Source: Airport Operating Funds

PSC Original Approved Amount: \$6,000,000

PSC Original Approved Duration: 07/01/17 - 06/30/22 (5 years)

PSC Mod#1 Amount: no amount added

PSC Mod#1 Duration: 06/30/22-12/20/24 (2 years 24 weeks)

PSC Cumulative Amount Proposed: \$6,000,000

PSC Cumulative Duration Proposed: 7 years 24 weeks

1. Description of Work

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

Contractor will be responsible for the ongoing maintenance and software support of the Intergraph Computer Aided Dispatch System (CAD) for public safety dispatching used by multiple divisions at the San Francisco International Airport (Airport). Software support will include upgrades to new software versions of the proprietary CAD system, providing additional licenses, incorporating new interfaces with other Airport systems, mapping services, and other services necessary to maintain system functionality.

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

The contract is necessary to ensure continued maintenance and support provided by Intergraph for the Airport's CAD system, which is a public safety and lifesaving system. Consequences of denial include the Airport having an outdated CAD system that is not integrated with all required systems, which could compromise the Airport's ability to perform essential emergency response and dispatching services.

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.

PSC 47575-16/17

D. Will the contract(s) be renewed?

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

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

Need to extend the term of the contract to complete the work.

2. Reason(s) for the Request

A. Display all that apply

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

Explain the qualifying circumstances:

The maintenance and support services are required to be performed periodically.

B. Reason for the request for modification:

Need to extend the term of the contract to complete the work.

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 Intergraph CAD system are able to provide maintenance and support services.
- B. Which, if any, civil service class(es) normally perform(s) this work? 1043, IS Engineer-Senior; 1044, IS Engineer-Principal; 9203, Sr Airport Communications Disp; 9204, Airports Communications Sprv;
- 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?

Not Applicable

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.
- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain: No, as the vendor does not release system proprietary information or source code, so civil servants cannot perform the maintenance and support.

6. Additional Information

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.
No.
- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contact? If so, please explain what that will entail; if not, explain why not.
32 hours of training will be provided to the following staff on the new system features: 9202 (25 staff) 9203 (10 staff) 9204 (2 staff)
- 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.

Yes, Intergraph Corporation

7. Union Notification: On 12/21/21, the Department notified the following employee organizations of this PSC/RFP request:

SEIU Local 1021; SEIU 1021 Miscellaneous; 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: Cynthia Avakian Phone: 650-821-2014 Email: cynthia.avakian@flysfo.com

Address: PO Box 8097, San Francisco, CA, 94128

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 47575 - 16/17

DHR Analysis/Recommendation:

Commission Approval Not Required

Approved by DHR on 02/22/2022

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: AIRPORT COMMISSION -- AIR

Dept. Code: AIR

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

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

Type of Service: Computer Aided Dispatch (CAD) Software Upgrade and Maintenance

Funding Source: Airport Operating Funds

PSC Amount: \$6,000,000

PSC Est. Start Date: 07/01/2017

PSC Est. End Date 06/30/2022

1. Description of Work

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

Contractor will be responsible for the ongoing maintenance and software support of the Intergraph Computer Aided Dispatch System (CAD) for public safety dispatching used by multiple divisions at the San Francisco International Airport (Airport). Software support will include upgrades to new software versions of the proprietary CAD system, providing additional licenses, incorporating new interfaces with other Airport systems, mapping services, and other services necessary to maintain system functionality.

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

The contract is necessary to ensure continued maintenance and support provided by Intergraph for the Airport's CAD system, which is a public safety and lifesaving system. Consequences of denial include the Airport having an outdated CAD system that is not integrated with all required systems, which could compromise the Airport's ability to perform essential emergency response and dispatching services.

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 service was previously supported under PSC 4033-10/11.

D. Will the contract(s) be renewed?

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

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

not applicable

2. Reason(s) for the Request

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

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

B. Explain the qualifying circumstances:

The maintenance and support services are required to be performed periodically.

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 Intergraph CAD system are able to provide maintenance and support services.

B. Which, if any, civil service class(es) normally perform(s) this work? 1043, IS Engineer-Senior; 1044, IS Engineer-Principal; 9203, Sr Airport Communications Disp; 9204, Airports Communications Sprv;

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, as the CAD system is property and services can only be provided by Intergraph.

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.

- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. No, as the vendor does not release system proprietary information or source code, so civil servants cannot perform the maintenance and support.

6. Additional Information

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

- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contact? If so, please explain what that will entail; if not, explain why not.
Yes. 32 hours of training will be provided to the following staff on the new system features: 9202 (25 staff)
9203 (10 staff) 9204 (2 staff)

- 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 04/07/2017, the Department notified the following employee organizations of this PSC/RFP request:
Architect & Engineers, Local 21; 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: Cynthia Avakian Phone: 650-821-2014 Email: cynthia.avakian@flysfo.com

Address: PO Box 8097 San Francisco, CA, 94128

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 47575 - 16/17

DHR Analysis/Recommendation:

action date: 07/17/2017

Commission Approval Required

Approved by Civil Service Commission with conditions

07/17/2017 DHR Approved for 07/17/2017

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: Evaluation, research, and technical assistance

Funding Source: General Fund

PSC Duration: 3 years 33 weeks

PSC Amount: \$500,000

1. Description of Work

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

The City's Contract Monitoring Division (CMD) oversees the 14B Local Business Enterprise (LBE) program, which promotes equity in the City's procurement processes and aims to lower barriers to accessing contracting opportunities for the City's certified local businesses. In order to better serve the LBE community and to increase program effectiveness, CMD will partner with one or more contractors to conduct a utilization study to understand the current state of LBEs' participation on City contracts, an availability study to understand potential LBE participation, and an evaluation of the 14B program to understand how the program can be improved. The selected contractor(s) will provide research, evaluation, and technical assistance to the City, including but not limited to:

- Designing and implementing study methodologies
- Cleaning, aggregating, and analyzing key program data and conducting statistical analysis
- Conducting community and stakeholder engagement and user research
- Synthesizing study results and providing improvement recommendations to City leaders

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

The 14B LBE program is one of the City's flagship procurement economic justice programs, but there has not been a formal assessment of the program conducted since 2012. As the City continues to recover from the pandemic and adjust to structural economic changes, the City's primary LBE-serving program must also modernize and keep pace with the macro environment to better serve local businesses and to strengthen the City's economic resilience. If these research, evaluation, and technical assistance services are denied, the City will miss an opportunity to rigorously study the program and ground future program and policy changes in a strong analytical and community-rooted foundation.

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.

Previous program assessments and studies were conducted via contracts with external consultants, and services for PSC 41375 21.22 are similar to this proposed scope of work. However, there has not been a Citywide formal program evaluation or assessment of the 14B program conducted in over 10 years.

D. Will the contract(s) be renewed?

No.

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

2. Reason(s) for the Request

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

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

Circumstances where there is a demonstrable potential conflict of interest (e.g., independent appraisals, audits, inspections, third party reviews and evaluations).

- B. Explain the qualifying circumstances:

Availability and utilization studies require specialized technical skills to conduct which City staff do not possess. Furthermore, the program evaluation will have increased validity when conducted by an external evaluator rather than existing City employees performing an evaluation of their own work.

3. Description of Required Skills/Expertise

- A. Specify required skills and/or expertise: • Understanding of the legal parameters related to administering and evaluating local business preference programs • Knowledge of mixed methods study designs and implementation • Expertise in conducting community engagement and participatory design • Ability to conduct rigorous data and statistical analysis • Knowledge of San Francisco’s local economic and business conditions

- B. Which, if any, civil service class(es) normally perform(s) this work? 1824, Pr Administrative Analyst; 1825, Prnpl Admin Analyst II; 0922, Manager I; 9775, Sr Community Dev Spec 2;

- 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?

CMD contemplated whether this project could be completed through available resources within the City and determined that given the evaluative nature of this work, the time that has passed since the last formal assessment was completed, the highly specialized, technical knowledge required to conduct availability and utilization studies, and the need to maintain rigor and impartiality, CMD has determined that these services are best performed through an external evaluator.

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

- A. Explain why civil service classes are not applicable.

Given the evaluative nature of this work, as well as the highly specialized, technical knowledge required to conduct availability and utilization studies, CMD has determined that these services are best performed through external evaluators to maintain rigor and impartiality.

- 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. This is a time-limited project.

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. However, the contractor(s) will be expected to share their study design, methodology, and any data (both qualitative and quantitative) produced or analyzed through this project so that City staff could replicate this project to conduct any future internal assessments.
- 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 02/01/2024, the Department notified the following employee organizations of this PSC/RFP request:
Architect & Engineers, Local 21; Municipal Executive Association; 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: Joan Lubamersky Phone: 4155544859 Email: joan.lubamersky@sfgov.org

Address: One Carlton B. Goodlett Place Room 362 San Francisco, CA 94102

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 43039 - 23/24

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 05/06/2024

Receipt of Union Notification(s)

From: dhr-psccordinator@sfgov.org on behalf of joan.lubamersky@sfgov.org
To: [Lubamersky, Joan \(ADM\); oumar.fall@seiu1021.org; cade.crowell@seiu1021.org; SF-DHR-Info@seiu1021.org; max.porter@seiu1021.org; Jason Klumb; sarah.wilson@seiu1021.org; Thomas Vitale; Ricardo.lopez@sfgov.org; Kbasconcillo@sfwater.org; Sandeep.lal@seiu1021.me; pcamarillo_seiu@sbcglobal.net; Wendy Frigillana; pscreview@seiu1021.org; ted.zarzecki@seiu1021.net; leah.berlanga@seiu1021.org; davidmkersten@gmail.com; jharding@ifpte21.org; mweirick@ifpte21.org; dho@ifpte21.org; ewallace@ifpte21.org; ecassidy@ifpte21.org; WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; kschumacher@ifpte21.org; kpage@ifpte21.org; eerbach@ifpte21.org; l21pscreview@ifpte21.org; Lubamersky, Joan \(ADM\); DHR-PSCCoordinator, DHR \(HRD\)](mailto:Lubamersky,Joan(ADM);oumar.fall@seiu1021.org;cade.crowell@seiu1021.org;SF-DHR-Info@seiu1021.org;max.porter@seiu1021.org;Jason.Klumb;sarah.wilson@seiu1021.org;Thomas.Vitale;Ricardo.lopez@sfgov.org;Kbasconcillo@sfwater.org;Sandeep.lal@seiu1021.me;pcamarillo_seiu@sbcglobal.net;Wendy.Frigillana;pscreview@seiu1021.org;ted.zarzecki@seiu1021.net;leah.berlanga@seiu1021.org;davidmkersten@gmail.com;jharding@ifpte21.org;mweirick@ifpte21.org;dho@ifpte21.org;ewallace@ifpte21.org;ecassidy@ifpte21.org;WendyWong26@yahoo.com;wendywong26@yahoo.com;tmathews@ifpte21.org;kschumacher@ifpte21.org;kpage@ifpte21.org;eerbach@ifpte21.org;l21pscreview@ifpte21.org;Lubamersky,Joan(ADM);DHR-PSCCoordinator,DHR(HRD)@seiu1021.org)
Subject: Receipt of Notice for new PCS over \$100K PSC # 43039 - 23/24
Date: Thursday, February 1, 2024 11:52:26 PM

RECEIPT for Union Notification for PSC 43039 - 23/24 more than \$100k

The GENERAL SERVICES AGENCY - CITY ADMIN -- ADM has submitted a request for a Personal Services Contract (PSC) 43039 - 23/24 for \$500,000 for Initial Request services for the period 05/13/2024 – 12/31/2027. Notification of 30 days (60 days for SEIU) is required.

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

<http://apps.sfgov.org/dhrdrupal/node/21987> For union notification, please see the TO: field of the email to verify receipt. If you do not see all the unions you intended to contact, the PSC Coordinator must change the state back to NOT READY, make sure the classes and unions you want to notify are selected and SAVE. Then VIEW the record and verify the list of unions and emails. EDIT the document again , change the state back START UNION NOTIFICATION and SAVE. You should receive the email with all unions to the TO: field as intended

Additional Attachment(s)

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: 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: Professional services

Funding Source: Work orders

PSC Duration: 3 years

PSC Amount: \$350,000

1. Description of Work

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

Vendors will provide as-needed and intermittent advice and assistance to Local Business Enterprises (LBEs) in the service areas of business development (including communications, contracting opportunities and marketing), business technical assistance (including business planning, organizational development and proposal writing) and capacity building (including access to capital, funds administration and regulatory compliance). The goal of the contract(s) will be to support LBEs in securing contracts with the City.

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

This service is necessary for the Contract Management Division (CMD) to provide LBEs with much needed technical services directly through approved vendors. Consequences of denial would be that LBEs would not receive much-needed advice and assistance and not be eligible for business opportunities. Failure to provide these critical services would make it more difficult for CMD and departments to meet legislative mandates.

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

These services have not been provided in the past.

D. Will the contract(s) be renewed?

Unknown.

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

not applicable

2. Reason(s) for the Request

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

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

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

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:

Vendors will have expertise and knowledge in the services required. Work will be as-needed, when there are LBEs identified that would best benefit from these services.

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise: Extensive knowledge of San Francisco's LBE program, expertise in business development, marketing, proposal writing, cash flow projections, funds administration, organizational development and budgeting.

B. Which, if any, civil service class(es) normally perform(s) this work? 1823, Senior Administrative Analyst; 0922, Manager I;

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?

These resources are not available within the City.

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

A. Explain why civil service classes are not applicable.

This work is as-needed and intermittent. While some City employees such as 0922 Manager and 1823 Senior Administrative Analyst might have limited understanding of business development/technical assistance, City employees do not have direct entrepreneurial experience needed to perform this 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. Work is intermittent and as-needed.

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 03/01/2022, the Department notified the following employee organizations of this PSC/RFP request:
Architect & Engineers, Local 21; Municipal Executive Association

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

Name: Joan Lubamersky Phone: 4155544859 Email: joan.lubamersky@sfgov.org

Address: One Carlton B. Goodlett Place Rm 362 San Francisco, CA 94102

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 41375 - 21/22

DHR Analysis/Recommendation:

action date: 05/02/2022

Commission Approval Required

Approved by Civil Service Commission

05/02/2022 DHR Approved for 05/02/2022

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: DEPARTMENT OF EMERGENCY MANAGEMENT -- ECD

Dept. Code: ECD

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

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

Type of Service: IT Services

Funding Source: General Fund

PSC Amount: \$1,503,423

PSC Est. Start Date: 06/05/2024

PSC Est. End Date 06/04/2027

1. Description of Work

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

Provide stakeholder engagement, facilitation and training services for community based organizations and service providers for crisis response and emergency preparedness programs.

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

Proper function and maintenance of the DEM phone system is essential for answering 911 and non-emergency calls within the city of San Francisco. The phone system provides the means for emergency dispatchers to answer voice and text calls from the public 24/7. A denial would mean potential failure of this system that would severely impact the ability to answer calls from the public and provide emergency services.

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 service was provided in the past under a direct contract between the State of California and AT&T. That contract is expiring, which necessitates the need to create a direct contract with AT&T.

D. Will the contract(s) be renewed?

We do not anticipate renewal at this time as we will be moving to a new phone system sometime within the next three years that will be maintained under a state contract with the new vendor.

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

not applicable

2. Reason(s) for the Request

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

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

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

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

B. Explain the qualifying circumstances:

The Department of Emergency Management answers all 911 and non-emergency calls for Police, Fire, and Medical response within the City and County of San Francisco. AT&T is the sole vendor that has the capability and expertise to maintain our current Intrado Viper phone system. They are integral to its functionality.

3. Description of Required Skills/Expertise

- A. Specify required skills and/or expertise: Hardware and software engineering of this proprietary system.
- B. Which, if any, civil service class(es) normally perform(s) this work? 1042, IS Engineer-Journey;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: No, this is a propriety system and will be maintained by the contractor.

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

The Intrado Viper system is a proprietary system that only certified AT&T technicians are capable of maintaining.

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

- A. Explain why civil service classes are not applicable.
This is a proprietary system that can only be maintained by AT&T.
- 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. This work is temporary in nature and it would not make sense operationalize this position moving forward.

6. Additional Information

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.
No.
- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contact? If so, please explain what that will entail; if not, explain why not.
No. This work is temporary in nature and it would not make sense operationalize this position moving forward.
- 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 01/09/2024, the Department notified the following employee organizations of this PSC/RFP request:
Architect & Engineers, Local 21; Management & Superv Local 21; Prof & Tech Eng, Local 21; Professional & Tech Engrs, Local 21

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

Name: Thomas Chen Phone: 4152696562 Email: Thomas.Chen@sfgov.org

Address: 1011 Turk Street San Francisco, CA 94102

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 40897 - 23/24

DHR Analysis/Recommendation:

Commission Approval Required

DHR Approved for 05/06/2024

Civil Service Commission Action:

Receipt of Union Notification(s)

Chen, Thomas (DEM)

From: dhr-psccordinator@sfgov.org on behalf of Thomas.Chen@sfgov.org
Sent: Tuesday, January 9, 2024 4:31 PM
To: Chen, Thomas (DEM); Laxamana, Junko (DBI); sportillo@ifpte21.org; agarza@ifpte21.org; amakayan@ifpte21.org; kdavis@ifpte21.org; jharding@ifpte21.org; mweirick@ifpte21.org; dho@ifpte21.org; ewallace@ifpte21.org; ecassidy@ifpte21.com; WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; kschumacher@ifpte21.org; kpage@ifpte21.org; eerbach@ifpte21.org; l21pscreview@ifpte21.org; Chen, Thomas (DEM); DHR-PSCCoordinator, DHR (HRD)
Subject: Receipt of Notice for new PCS over \$100K PSC # 40897 - 23/24

RECEIPT for Union Notification for PSC 40897 - 23/24 more than \$100k

The DEPARTMENT OF EMERGENCY MANAGEMENT -- ECD has submitted a request for a Personal Services Contract (PSC) 40897 - 23/24 for \$1,503,423 for Initial Request services for the period 06/05/2024 – 06/04/2027. Notification of 30 days (60 days for SEIU) is required.

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

<http://apps.sfgov.org/dhrDrupal/node/21917> 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

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: HUMAN RESOURCES -- HRD

Dept. Code: HRD

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

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

Type of Service: Public Safety Test Design and Administration for Q050, Q060, Q080, H020, H030, H040, and H050

Funding Source: General Fund and Work Order

PSC Amount: \$1,200,000

PSC Est. Start Date: 06/01/2024

PSC Est. End Date 04/30/2029

1. Description of Work

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

Provide expert test development consultation for the Q050 Police Sergeant, Q060 Police Lieutenant, Q080 Police Captain, H020 Fire Lieutenant, H030 Fire Captain, H040 Battalion Chief, and H050 Assistant Chief, selection process and defense of selection process (if necessary), provide testimony, preparation, and consultation against legal challenges.

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

The services are necessary as the Police and Fire Department selection process are historically litigious. The value of the contractor and its ability to provide specialized statistical analysis and mitigate the risk of protests and litigation. The consultant will provide expert guidance and defend the City in the event of litigation. Denial of this PSC would impair the City's ability to defend against the selection process if the selection was legally challenged.

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.

Similar services were provided in 2023, the prior PSC# 40405 - 22/23.

D. Will the contract(s) be renewed?

There are no plans to renew the contracts at this time.

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

not applicable

2. Reason(s) for the Request

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

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

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

B. Explain the qualifying circumstances:

The services are necessary as the Police and Fire Department selection process are historically litigious. The value of the contractor and its ability to provide specialized statistical analysis and mitigate the risk of protests and litigation. The consultant will provide expert guidance and defend the City in the event of litigation.

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise: Contractors must have extensive knowledge of psychometrics and statistical analysis, and experience providing depositions and testifying as an expert witness in State and

Federal courts.

B. Which, if any, civil service class(es) normally perform(s) this work? 1241, Personnel Analyst; 1244, Senior Personnel Analyst; 1246, Principal Personnel Analyst; 0931, Manager III; 1241, Human Resources Analyst; 1244, Senior Human Resources Analyst; 1246, Principal Human Resources Analyst;

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

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

DHR is unable to provide these services as the staff does not have the level of expertise required to perform the scope of services needed.

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

A. Explain why civil service classes are not applicable.

DHR is unable to provide these services as the staff does not have the level of expertise required to perform the scope of services needed.

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. It is not practical to adopt a new civil service class because Human Resource Analysts due to the legal defensibility requirements and specialized knowledge required for the public safety exams identified.

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. The contractor will not train employees. The expectation is that the raters will provide a transfer of knowledge so that relevant stakeholders can appoint qualified candidates.

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 03/12/2024, the Department notified the following employee organizations of this PSC/RFP request:
Architect & Engineers, Local 21; Municipal Executive Association

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

Name: Mike Cotter Phone: 415-557-4912 Email: Mike.Cotter@sfgov.org

Address: 1 South Van Ness Ave., 4th Floor San Francisco, CA 94103

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 49801 - 23/24

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 05/06/2024

Receipt of Union Notification(s)

Choi, Suzanne (HRD)

From: dhr-psccordinator@sfgov.org on behalf of Mike.Cotter@sfgov.org
Sent: Tuesday, March 12, 2024 10:46 AM
To: Cotter, Mike (HRD); andrea@sfmea.com; Laxamana, Junko (DBI); Criss@sfmea.com; christina@sfmea.com; staff@sfmea.com; jnuti@ifpte21.org; kdavis@ifpte21.org; jharding@ifpte21.org; mweirick@ifpte21.org; dho@ifpte21.org; ewallace@ifpte21.org; ecassidy@ifpte21.com; WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; Kristen Schumacher; kpage@ifpte21.org; eerbach@ifpte21.org; l21pscreview@ifpte21.org; Rainaldi, Linda (HRD); DHR-PSCCoordinator, DHR (HRD)
Subject: Receipt of Notice for new PCS over \$100K PSC # 49801 - 23/24

RECEIPT for Union Notification for PSC 49801 - 23/24 more than \$100k

The HUMAN RESOURCES -- HRD has submitted a request for a Personal Services Contract (PSC) 49801 - 23/24 for \$1,200,000 for Initial Request services for the period 06/01/2024 – 04/30/2029. 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/22144> For union notification, please see the TO: field of the email to verify receipt. If you do not see all the unions you intended to contact, the PSC Coordinator must change the state back to NOT READY, make sure the classes and unions you want to notify are selected and SAVE. Then VIEW the record and verify the list of unions and emails. EDIT the document again , change the state back START UNION NOTIFICATION and SAVE. You should receive the email with all unions to the TO: field as intended

Additional Attachment(s)

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: HUMAN RESOURCES -- HRD

Dept. Code: HRD

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

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

Type of Service: Development and Administration for Q050, Q060, Q080, H020, H030, H040 and H050 Exam

Funding Source: General Fund and Work Order

PSC Amount: \$925,000

PSC Est. Start Date: 01/01/2023

PSC Est. End Date 12/31/2026

1. Description of Work

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

Provide expert test development consultation for the Q050 Police Sergeant, Q060 Police Lieutenant, Q080 Police Captain, H020 Fire Lieutenant, H030 Fire Captain, H040 Battalion Chief, and H050 Assistant Chief, selection process and defend that selection process, and if necessary, be available to provide testimony, preparation, and consultation against legal challenges.

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

This service is necessary because Police and Fire Department selection processes have historically been litigious. The value of the contractor is its ability to provide specialized statistical analysis and mitigate the risk of protests and litigation. The consultant will provide expert guidance and defend the City in the event of litigation. Denial of this PSC would impair the City's ability to defend the selection process in the event of litigation.

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.

Similar services were approved in 2019.

D. Will the contract(s) be renewed?

At the moment, there is no plans to renew the contracts.

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

not applicable

2. Reason(s) for the Request

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

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

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

B. Explain the qualifying circumstances:

The City lacks staff with the credentials required to provide expert testimony in court.

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise: Contractor must have extensive and current knowledge of psychometrics and statistical analysis, and experience providing depositions and testifying as an expert witness in State and Federal courts.

B. Which, if any, civil service class(es) normally perform(s) this work? 1241, Personnel Analyst; 1244, Senior Personnel Analyst; 1246, Principal Personnel Analyst; 0931, Manager III; 1241, Human Resources Analyst; 1244, Senior Human Resources Analyst; 1246, Principal Human Resources Analyst;

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?

DHR is unable to provide the services because staff do not have the level of expertise required.

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 are not applicable because staff do not have the credentials to provide expert testimony in court.

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. It would not be practical to adopt a new civil service class because human resource analysts perform the majority of tasks related to development and administration of the selection 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 contact? If so, please explain what that will entail; if not, explain why not.
No. There will be no formalized training. However, there will be a transfer of knowledge by working with the consultant.

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 01/10/2023, the Department notified the following employee organizations of this PSC/RFP request:
Architect & Engineers, Local 21; Management & Superv Local 21; Municipal Executive Association; Prof & Tech Eng, Local 21; Professional & Tech Engrs, Local 21; Professional & Tech Engrs, SFAPP

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

Name: Mike Cotter Phone: 415-557-4912 Email: Mike.Cotter@sfgov.org

Address: 1 South Van Ness Ave., 4th Floor San Francisco, CA 94103

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 40405 - 22/23

DHR Analysis/Recommendation:

action date: 03/06/2023

Commission Approval Required

Approved by Civil Service Commission

03/06/2023 DHR Approved for 03/06/2023

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: HUMAN SERVICES -- DSS

Dept. Code: DSS

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

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

Type of Service: Child Welfare Training

Funding Source: county, state, federal

PSC Amount: \$3,178,516

PSC Est. Start Date: 07/01/2024

PSC Est. End Date 06/30/2029

1. Description of Work

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

Provides comprehensive, high-quality, culturally-responsible State-mandated training to Child Welfare workers, using Federal dollars, to increase Child Welfare workers knowledge and skills in the practice of public child welfare. These trainings increase the knowledge and skills of Child Welfare workers, thereby improving outcomes for children and families. Trainings cover complex case management and have both clinical and legal implications, providing Child Welfare workers updates on State laws, regulations and standards.

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

The California Department of Social Services mandates that Child Welfare workers receive on-going high-quality, comprehensive, and culturally relevant training to increase their knowledge and skill in the practice of public child welfare. They are mandated to receive a minimum of 40 hours every two years, as required by CA Dept. of Social Services. This service is necessary to enable Child Welfare workers to respond effectively to the needs of children in the foster care system and their families, which in turn, improves outcomes for San Francisco children and their families. Training to Child Welfare workers provides an opportunity for children in the public child welfare system to achieve safety, permanency and well-being by ensuring the staff interacting with them have the latest and most comprehensive skills and knowledge available to them. The consequences of denial could result in more children in the foster care system, for longer periods of time, and increasingly poor outcomes in regards to the safety, permanency and wellbeing of the child. It could potentially lead to legal action against the City, were the workers not current on State standards, laws and regulations. The county would also be out of compliance with the state training requirements.

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 service has been provided consistently for the past 20 years by the Bay Area Academy. The Bay Area Academy serves the 12 counties in the Bay Area. The Bay Area Academies were established by the California Department of Social Services and are the coordinating system to provide training to Child Welfare workers in the State. To draw down Title IV-E Federal revenue, each academy is affiliated with a university. The Bay Area Training Academy has been affiliated with CSU/Fresno Foundation since 2011.

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):

Regulatory or legal requirements, or requirements or mandates of funding source(s) which limit or preclude the use of Civil Service Employees. Include a copy of the applicable requirement or mandate.

B. Explain the qualifying circumstances:

40 hours of public child welfare training required every two years by legal mandate from the California Department of Social Services, Welfare and Institutions Code 16206 and the CDSS Staff Development and Training Manual, Section 14-610.

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise: Masters-level Child Welfare protective services worker. Given the nature of the training, it is critical that trainers be experienced master level social workers or clinicians in order to effectively train in advanced practices and address complex case situations. In order to draw down the full potential federal revenue (Title IV-E), the agency providing the service must be part of a public institution of higher learning (university or college). The regional training academies are the state system for providing Child Welfare training to county staff across the state.

B. Which, if any, civil service class(es) normally perform(s) this work? 1232, Training Officer;

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?

Not applicable. Child Welfare workers (2940, 2941 and 2944) are required by California State Department of Social Services to receive 40 hours of training in public child welfare every 2 years from one of four training academies, established in California. In order to leverage Federal funding, the Bay Area Academy (BAA), affiliated with CSU/Fresno Foundation, is the designated academy for the 12 Bay Area Counties.

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

A. Explain why civil service classes are not applicable.

The 1232 is a Bachelors-level position and does not require child welfare expertise or experience. Child Welfare workers are Masters-level staff. The work involves complex case management and decision making, requires clinical knowledge, and involves court processes. The 1232 position does not have the experience and educational background to effectively provide this level of training. Masters level Child Welfare staff are generally trained at university Social Work programs and regional academies.

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, this is a very specific training designated for child welfare and social workers. It would also be a significant increase in cost to the county as federal funding can only come through an agency affiliated with a university in order to draw down Federal Title IV-E dollars through use of university indirect as match.

6. Additional Information

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

B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contact? If so, please explain what that will entail; if not, explain why not.
Yes. Child Welfare workers (2940, 2941 and 2944) are required by California State Department of Social Services to receive 40 hours of training in public child welfare every 2 years from one of four training academies, established in California. In order to leverage Federal funding, the Bay Area Academy (BAA), affiliated with CSU/Fresno Foundation, is the designated academy for the 12 Bay Area Counties.

C. Are there legal mandates requiring the use of contractual services?
Yes. 40 hours of public child welfare training required every two years by legal mandate from the California Department of Social Services, Welfare and Institutions Code 16206 and the CDSS Staff Development and Training Manual, Section 14-610

- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.
No.
- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.
No.
- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.
Yes.

7. Union Notification: On 03/04/2024, the Department notified the following employee organizations of this PSC/RFP request:
Architect & Engineers, Local 21; Management & Superv Local 21; Prof & Tech Eng, Local 21; Professional & Tech Engrs, Local 21

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

Name: Tara Alvarez Phone: Email: tara.alvarez@sfgov.org

Address: 1650 Mission Street, 5th Floor San Francisco, CA 94103

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 47230 - 23/24

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 05/06/2024

Receipt of Union Notification(s)

Alvarez, Tara (HSA)

From: dhr-psccordinator@sfgov.org on behalf of tara.alvarez@sfgov.org
Sent: Monday, March 4, 2024 9:12 AM
To: Alvarez, Tara (HSA); Laxamana, Junko (DBI); sportillo@ifpte21.org; agarza@ifpte21.org; amakayan@ifpte21.org; jnuti@ifpte21.org; kdavis@ifpte21.org; jharding@ifpte21.org; mweirick@ifpte21.org; dho@ifpte21.org; ewallace@ifpte21.org; ecassidy@ifpte21.com; WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; Kristen Schumacher; kpage@ifpte21.org; eerbach@ifpte21.org; l21pscreview@ifpte21.org; Grant, Jennifer (HSA); DHR-PSCCoordinator, DHR (HRD)
Subject: Receipt of Notice for new PCS over \$100K PSC # 47230 - 23/24

RECEIPT for Union Notification for PSC 47230 - 23/24 more than \$100k

The HUMAN SERVICES -- DSS has submitted a request for a Personal Services Contract (PSC) 47230 - 23/24 for \$3,178,516 for Initial Request services for the period 07/01/2024 – 06/30/2029. 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/22118> For union notification, please see the TO: field of the email to verify receipt. If you do not see all the unions you intended to contact, the PSC Coordinator must change the state back to NOT READY, make sure the classes and unions you want to notify are selected and SAVE. Then VIEW the record and verify the list of unions and emails. EDIT the document again , change the state back START UNION NOTIFICATION and SAVE. You should receive the email with all unions to the TO: field as intended

Additional Attachment(s)

State of California

WELFARE AND INSTITUTIONS CODE

Section 16206

16206. (a) The purpose of the program is to develop and implement statewide coordinated training programs designed specifically to meet the needs of county child protective services social workers assigned emergency response, family maintenance, family reunification, permanent placement, and adoption responsibilities. It is the intent of the Legislature that the program include training for other agencies under contract with county welfare departments to provide child welfare services. In addition, the program shall provide training programs for persons defined as a mandated reporter pursuant to the Child Abuse and Neglect Reporting Act (Article 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code). The program shall provide the services required in this section to the extent possible within the total allocation. If allocations are insufficient, the department, in consultation with the grantee or grantees and the Child Welfare Training Advisory Board, shall prioritize the efforts of the program, giving primary attention to the most urgently needed services. County child protective services social workers assigned emergency response responsibilities shall receive first priority for training pursuant to this section.

(b) The training program shall provide practice-relevant training for mandated child abuse reporters and all members of the child welfare delivery system that will address critical issues affecting the well-being of children, and shall develop curriculum materials and training resources for use in meeting staff development needs of mandated child abuse reporters and child welfare personnel in public and private agency settings.

- (c) The training provided pursuant to this section shall include all of the following:
- (1) Crisis intervention.
 - (2) Investigative techniques.
 - (3) Rules of evidence.
 - (4) Indicators of abuse and neglect.
 - (5) Assessment criteria, including the application of guidelines for assessment of relatives for placement according to the criteria described in Section 361.3.
 - (6) Intervention strategies.
 - (7) Legal requirements of child protection, including requirements of child abuse reporting laws.
 - (8) Case management.
 - (9) Use of community resources.
 - (10) Information regarding the dynamics and effects of domestic violence upon families and children, including indicators and dynamics of teen dating violence.

(11) Post-traumatic stress disorder and the causes, symptoms, and treatment of post-traumatic stress disorder in children and the types of and behavioral manifestation of trauma, loss, and grief.

(12) The importance of maintaining relationships with individuals who are important to a child in out-of-home placement, including methods to identify those individuals, consistent with the child's best interests, including, but not limited to, asking the child about individuals who are important, and ways to maintain and support those relationships.

(13) The legal duties of a child protective services social worker, in order to protect the legal rights and safety of children and families from the initial time of contact during investigation through treatment.

(14) The information described in subdivision (d) of Section 16501.4.

(15) The information described in subdivision (i) of Section 16521.5. The program may use the curriculum created pursuant to subdivision (h), and described in subdivision (i), of Section 16521.5.

(d) The training provided pursuant to this section may also include any or all of the following:

- (1) Child development and parenting.
- (2) Intake, interviewing, and initial assessment.
- (3) Casework and treatment.
- (4) Medical aspects of child abuse and neglect.

(e) The training program in each county shall assess the program's performance at least annually and forward it to the State Department of Social Services for an evaluation. The assessment shall include, at a minimum, all of the following:

- (1) Workforce data, including education, qualifications, and demographics.
- (2) The number of persons trained.
- (3) The type of training provided.
- (4) The degree to which the training is perceived by participants as useful in practice.

(5) Any additional information or data deemed necessary by the department for reporting, oversight, and monitoring purposes.

(f) The training program shall provide practice-relevant training to county child protective services social workers who screen referrals for child abuse or neglect and for all workers assigned to provide emergency response, family maintenance, family reunification, and permanent placement services. The training shall be developed in consultation with the Child Welfare Training Advisory Board and domestic violence victims' advocates and other public and private agencies that provide programs for victims of domestic violence or programs of intervention for perpetrators.

(Amended (as amended by Stats. 2017, Ch. 24, Sec. 48) by Stats. 2017, Ch. 714, Sec. 3. (AB 1006) Effective January 1, 2018.)

DEPARTMENT OF SOCIAL SERVICES
744 P Street, Sacramento, CA 95814

COPY

July 10, 1991

*File
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COUNTY FISCAL LETTER NO. 91/92-01

TO: COUNTY WELFARE DIRECTORS
COUNTY FISCAL OFFICERS
COUNTY AUDITOR-CONTROLLERS
COUNTY STAFF DEVELOPMENT OFFICERS

SUBJECT: TRAINING CONTRACTS WITH INSTITUTIONS OF HIGHER EDUCATION.

ISOM

MAGALLANES

BUSH
- BUTLER
CABRAL
COIN
DM's (5)
EVANS
- FITZGERALD
HEARINGS (3)
IRUSSI
JUDKINS
KENWORTHY
KREIDER

- MILLER
- OLANDER
PACHECO
PHELPS
PREECE
REBURN
ROTH
SMITH
- STAFF DEV (2) Julie
- STEINHELPER
STRAHL
ASU

RECEIVED
AUG 7 1991
P S S A
FISCAL UNIT

This letter provides revised instructions for contracts with public and private institutions of higher education (IHE) for the provision of training to County Welfare Department (CWD) staff and persons preparing for employment with the CWD. This CFL supersedes All-County Information Notice I-60-82 and All-County Letter No. 86-26. A CWD, or consortium of CWDs, contracting with an IHE for staff development services must adhere to the following program, fiscal, and contract requirements in order to obtain Federal and State reimbursement of the costs.

Program Requirements

1. Allowable training services which may be provided by the IHE include curriculum development, classroom instruction, field instruction, or a combination of these.
2. The contract objectives must describe how the training directly relates to the CWD's programs and how it meets the CWD's training needs. This information is included in the CWD's Annual Training Plan; refer to Manual of Policies and Procedures (MPP), Division 14, Chapter 14-400 Annual Training Plans.
3. The IHE must be accredited by an institutional accrediting agency recognized by the U.S. Commissioner of Education.
4. A joint evaluation of the training must be conducted by CWD and IHE staff no later than the end of the first year of the contract. The evaluation procedures are specified in MPP, Division 14, Chapter 14-820 Procedures. The evaluation must determine whether the objectives of the contract were met; if the objectives of the contract were not met, payment shall be terminated at the end of the first year of the contract. The CWD shall maintain the evaluation on file for audit purposes.

5. An informational copy of the contract must be provided to the State Department of Social Services Training Bureau at M.S. 7-473, 744 P. Street, Sacramento, CA 95814, Attention: IHE.

Fiscal Requirements.

1. The IHE is allowed to charge for the following training costs:
 - a. Instructor's salary, benefits, and travel;
 - b. Salary and benefits of administrative/clerical support;
 - c. Teaching materials and equipment;
 - d. Indirect costs, if the IHE has an approved indirect cost rate from the Federal Department of Health and Human Services, Division of Cost Allocation.

2. The CWD may negotiate with public IHEs to provide the CWD's share of costs. Billings from the IHE must identify the total costs for the quarter and separately identify the portion of the costs contributed by the IHE. The IHE may contribute no more than the CWD's share of costs; if the IHE provides less than the CWD's share of costs, the CWD is responsible for the difference. If the IHE provides more than the CWD's share of costs, the amount in excess of the County share will be applied to the State match. The remaining costs are reimbursed via the Federal and State ratios established for each program.

If a public IHE contributes any costs, the billing must contain a certification that the costs are eligible for reimbursement under 45 Code of Federal Regulations (CFR), Part 235.60 - 235.66 (attached).

3. A private IHE is not permitted to contribute the CWD's share of costs; any funds received from a private IHE are program income and must be deducted from the total allowable costs reported for reimbursement (see 45 CFR Part 235.66(b) for details).
4. The financial management systems of both public and private institutions must meet the requirement specified in Office of Management and Budget (OMB) Circular A-110, Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations, Attachment F; all costs must be identified in accordance with OMB Circular A-21, Cost Principles For Educational Institutions. These circulars are available from the fiscal officer of the IHE.
5. All staff development costs are reimbursed through the CWD's existing Federal and State allocations.

Contract Requirements

1. The contract must comply with the provisions of MPP, Division 23, Chapter 23-600 Purchase of Service.
2. The contract must include the program and fiscal provisions listed above.

If there are questions concerning this letter, please contact the Fiscal Policy and Procedures Bureau, Administrative Policy Unit, at (916) 445-7046.

Sincerely,



ROBERT L. GARCIA
Deputy Director
Administration

Attachment

cc: CWDA

(Secs. 2, 3, 402, 403, 1002, 1003, 1402, 1403, and 1602, Social Security Act, as amended; 74 Stat. 987 as amended, 45 Stat. 627 as amended, 49 Stat. 645 as amended, 49 Stat. 647 as amended, 64 Stat. 555 as amended, 76 Stat. 198 as amended; 42 U.S.C. 302, 602, 1202, 1302, 1352, and 1382 Note)

[45 FR 25398, Apr. 15, 1980]

§ 235.60 Federal financial participation (FFP) for State and local training.

Sections 235.61 through 235.66 contain (a) State plan requirements for training programs and (b) conditions for Federal financial participation (FFP) for training costs under the State plans. These sections apply to the State plans for the financial assistance programs in all jurisdictions under title I, IV-A, X, XIV, or XVI (AABD) of the Social Security Act.

(Secs. 2, 3, 402, 403, 1002, 1003, 1402, 1403, 1602, and 1603, Social Security Act as amended; 49 Stat. 620 as amended, 49 Stat. 621, as amended, 49 Stat. 627, as amended, 49 Stat. 628 as amended, 49 Stat. 645 as amended, 49 Stat. 646, as amended, 49 Stat. 647, as amended, 64 Stat. 555, as amended, 76 Stat. 198, as amended, 76 Stat. 200, as amended; 42 U.S.C. 302, 303, 602, 603, 1202, 1203, 1302, 1352, 1353, 1382, and 1383)

[45 FR 29833, May 6, 1980]

§ 235.61 Definition of terms.

For purposes of §§ 235.60-235.66:

"Act" means the Social Security Act, as amended.

"A grant to an educational institution" means payments to an educational institution for services rendered under a time limited agreement between the State agency and the eligible educational institution which provides for the training of State or local agency employees or persons preparing for employment with the State or local agency.

"A training program" is the method through which the State agency carries out a plan of educational and training activities to improve the operation of its programs.

(a) "Initial in-service training" means a period of intensive, task-oriented training to prepare new employees to assume job responsibilities.

(b) "Continuing training" means an on-going program of training planned to enable employees to: (1) Reinforce their basic knowledge and develop the

required skills for the performance of specific functions, and (2) acquire additional knowledge and skill to meet changes such as enactment of new legislation, development of new policies, or shifts in program emphasis.

(c) "Full-time training" means training that requires employees to be relieved of all responsibility for performance of current work to participate in a training program.

(d) "Part-time training" means training that allows employees to continue full time in their jobs or requires only partial reduction of work activities to participate in a training program outside of the State or local agency.

(e) "Long-term training" means training for eight consecutive work weeks or longer.

(f) "Short-term training" means training for less than eight consecutive work weeks.

"FFP or Federal financial participation" means the Federal government's share of expenditures made by a State or local agency under a training program.

"Fringe benefits" means the employer's share of premiums for industrial compensation, employee's retirement, unemployment compensation, health insurance, and similar expenses.

"Persons preparing for employment" means individuals who are not yet employed by the State or local agency, but who have received financial assistance from the State agency for training, and have made a legally binding commitment with the State or local agency for future employment under the conditions of these regulations.

"Stipend" means the basic living allowance paid to a student.

(Secs. 2, 3, 402, 403, 1002, 1003, 1402, 1403, 1602, and 1603, Social Security Act as amended; 49 Stat. 620 as amended, 49 Stat. 621, as amended, 49 Stat. 627, as amended, 49 Stat. 628 as amended, 49 Stat. 645 as amended, 49 Stat. 646, as amended, 49 Stat. 647, as amended, 64 Stat. 555, as amended, 76 Stat. 198, as amended, 76 Stat. 200, as amended; 42 U.S.C. 302, 303, 602, 603, 1202, 1203, 1302, 1352, 1353, 1382, and 1383)

[45 FR 29833, May 6, 1980]

§ 235.62 State plan requirements for training programs.

A State plan under title I, IV-A, X, XIV, or XVI (AABD) of the Act must provide for a training program for agency personnel. The training program must:

(a) Include initial in-service training for newly appointed staff, and continuing agency training opportunities to improve the operation of the program. The training program may also include short-term and long-term training at educational institutions through grants to institutions or by direct financial assistance to students enrolled in institutions who are agency employees or persons preparing for employment with the State or local agency;

(b) Be related to job duties performed or to be performed by the persons trained, and be consistent with the program objectives of the agency; and

(c) Be described in an annual training plan prepared prior to the beginning of the fiscal year. Copies of the training plan shall be made available upon request to the Regional Office of Family Assistance for review by the Federal staff.

(Secs. 2, 3, 402, 403, 1002, 1003, 1402, 1403, 1602, and 1603, Social Security Act as amended; 49 Stat. 620 as amended, 49 Stat. 621, as amended, 49 Stat. 627, as amended, 49 Stat. 628 as amended, 49 Stat. 645 as amended, 49 Stat. 646, as amended, 49 Stat. 647, as amended, 64 Stat. 555, as amended, 76 Stat. 198, as amended, 76 Stat. 200, as amended; 42 U.S.C. 302, 303, 602, 603, 1202, 1203-1302, 1352, 1353, 1382, and 1383)

[45 FR 29833, May 6, 1980, as amended at 46 FR 29264, June 1, 1981]

§ 235.63 Conditions for FFP.

(a) *Who may be trained.* FFP is available only for training provided personnel employed in all classes of positions, volunteers, and persons preparing for employment by the State or local agency administering the program.

(b) *When FFP is available.* FFP is available for personnel employed and persons preparing for employment by the State or local agency provided the following conditions are met, and with the following limitations:

(1) Employees in full-time, long-term training make a commitment to work in the agency for a period of time equal to the period for which financial assistance is granted. A State agency may exempt an employee from fulfilling this commitment only if failure to continue in employment is due to death, disability, employment in a financial assistance program in a public assistance agency in another State, or other emergent circumstances determined by the single State agency head to be valid for exemption;

(2) An employee retains his or her rights and benefits in the agency while on full-time, long-term training leave;

(3) Persons preparing for employment are selected by the State agency and accepted by the school;

(4) Persons preparing for employment are pursuing educational programs approved by the State agency;

(5) Persons preparing for employment are committed to work for State or local agency for a period of time at least equal to the period for which financial assistance is granted if employment is offered within 2 months after training is completed;

(6) The State or local agency offers the individual preparing for employment a job upon completion of training unless precluded by merit system requirements, legislative budget cuts, position freezes, or other circumstances beyond the agency's control; and if unable to offer employment, releases the individual from his or her commitment;

(7) The State agency keeps a record of the employment of persons trained. If the persons are not employed by the State or local agency, the record specifies the reason for non-employment;

(8) The State agency evaluates the training programs; and

(9) Any recoupment of funds by the State from trainees failing to fulfill their commitment under this section shall be treated as a refund and deducted from total training costs for the purpose of determining net costs for FFP.

(c) *Grants to educational institutions.* FFP is available in payments for services rendered under grants to edu-

educational institutions provided all of the following conditions are met:

(1) Grants are made for the purpose of developing, expanding, or improving training for personnel employed by the State or local agency or preparing for employment by the State or local agency administering the program. Grants are made for an educational program (curriculum development, classroom instruction, field instruction, or any combination of these) that is directly related to the agency's program. Grants are made for not more than 3 years, but may be renewed, subject to the conditions of this section:

(2) Grants are made to educational institutions and programs that are accredited by the appropriate institutional accrediting body recognized by the U.S. Commissioner of Education. When a specialized program within the institution for which there is a specialized accrediting body is used, that program must be accredited by or have pre-accreditation status from that body. (Part 149 of this title explains the requirements and procedures for obtaining recognition as an accrediting agency or association. Lists of currently recognized accrediting bodies are published in the *FEDERAL REGISTER* periodically. See also *Nationally Recognized Accrediting Agencies and Associations* published by the Office of Education);

(3) The State agency has written policies establishing conditions and procedures for such grants;

(4) Each grant describes objectives in terms of how the educational program is related to the financial assistance programs and how it is designed to meet the State or local agency's manpower needs; and

(5) An evaluation of the educational program funded by each grant is made no later than the close of the second year of the grant. The evaluation shall be conducted by representatives from the educational institution and the State agency to determine whether conditions and objectives described in the grant are being met. If the educational program does not meet these conditions and objectives, payment shall be terminated no later than the close of the second year of the grant.

(Secs. 2, 3, 402, 403, 1002, 1003, 1402, 1403, 1602, and 1603, Social Security Act as amended; 49 Stat. 620 as amended, 49 Stat. 621, as amended, 49 Stat. 627, as amended, 49 Stat. 628 as amended, 49 Stat. 645 as amended, 49 Stat. 646, as amended, 49 Stat. 647, as amended, 64 Stat. 555, as amended, 76 Stat. 198, as amended, 76 Stat. 200, as amended; 42 U.S.C. 302, 303, 602, 603, 1202, 1203, 1302, 1352, 1353, 1382, and 1383)

(45 FR 29834, May 6, 1980)

§ 235.64 FFP rates, and activities and costs matchable as training expenditures.

Under title I, X, XIV, or XVI (AABD) of the Act, FFP is available at the rate of 75 percent, and under title IV-A effective October 1, 1981, FFP is available at the rate of 50 percent for the following costs:

(a) Salaries, fringe benefits, travel and per diem for:

(1) Staff development personnel (including support staff) assigned full time to training functions and;

(2) Staff development personnel assigned part time to training functions to the extent time is spent performing such functions.

(b) For agency training sessions, FFP is available for:

(1) Salaries, fringe benefits, travel and per diem for employees in initial in-service training of at least one week;

(2) Travel and per diem for employees in agency training sessions away from the employee's work site, or in institutes, seminars or workshops related to the job and sponsored by professional organizations;

(3) Salaries, fringe benefits, travel and per diem for experts outside the agency engaged to develop or conduct special programs; and

(4) Costs of space, postage, teaching supplies, purchase or development of teaching material and equipment, and costs of maintaining and operating the agency library as an essential resource to the agency's training program.

(c) For training and education outside of the agency, FFP is available for:

(1) Salaries, fringe benefits, dependency allowance, travel, tuition, books, and educational supplies for employees in full-time, long-term training

P.S.S.A. CENTRAL OFFICE
VENTURA, CALIFORNIA

Office of Family Assistance, Fam. Sup. Admin., HHS

§ 235.70

programs (with no assigned agency duties):

(2) Salaries, fringe benefits, travel, tuition, books, and educational supplies for employees in full-time, short-term training programs of four or more consecutive work weeks;

(3) Travel, per diem, tuition, books and educational supplies for employees in short-term training programs of less than four consecutive work weeks, or part-time training programs; and

(4) Stipends, travel, tuition, books and educational supplies for persons preparing for employment with the State or local agency.

(d) FFP is available for payments to educational institutions, as described in § 235.63(c) for salaries, fringe benefits, and travel of instructors, clerical assistance, teaching materials and equipment.

(Secs. 2, 3, 402, 403, 1002, 1003, 1102, 1402, 1403, 1602, and 1603, Social Security Act as amended; 49 Stat. 620 as amended, 49 Stat. 621, as amended, 49 Stat. 627, as amended, 49 Stat. 628 as amended, 49 Stat. 645 as amended, 49 Stat. 646, as amended, 49 Stat. 647, as amended, 64 Stat. 555, as amended, 76 Stat. 198, as amended, 76 Stat. 200, as amended, 95 Stat. 843; 42 U.S.C. 302, 303, 602, 603, 1202, 1203, 1302 and Part XXXIII of Pub. L. 97-35, 1352, 1353, 1382, and 1383)

[45 FR 29834, May 6, 1980, as amended at 47 FR 5683, Feb. 3, 1982]

§ 235.65 Activities and costs not matchable as training expenditures.

FFP is not available for the following expenditures as training costs; however, the expenditures described in this section may be matched as administrative costs, if conditions for such matching are met:

(a) Salaries of supervisors (day-to-day supervision of staff is not a training activity); and

(b) Employment of students on a temporary basis, such as in the summertime.

(Secs. 2, 3, 402, 403, 1002, 1003, 1402, 1403, 1602, and 1603, Social Security Act as amended; 49 Stat. 620 as amended, 49 Stat. 621, as amended, 49 Stat. 627, as amended, 49 Stat. 628 as amended, 49 Stat. 645 as amended, 49 Stat. 646, as amended, 49 Stat. 647, as amended, 64 Stat. 555, as amended, 76 Stat. 198, as amended, 76 Stat. 200, as amended; 42 U.S.C. 302, 303, 602, 603, 1202, 1203, 1302, 1352, 1353, 1382, and 1383)

(45 FR 29835, May 6, 1980)

§ 235.66 Sources of State funds.

(a) *Public funds.* Public funds may be considered as the State's share in claiming Federal reimbursement where the funds:

(1) Are appropriated directly to the State or local agency, or transferred from another public agency (including Indian tribes) to the State or local agency and under its administrative control, or certified by the contributing public agency as representing expenditures eligible for FFP under §§ 235.60-235.66;

(2) Are not used to match other Federal funds; and

(3) Are not federal funds, or are Federal funds authorized by Federal law to be used to match other Federal funds.

(b) *Private funds.* Funds donated from private sources may be considered as the State's share in claiming Federal reimbursement only where the funds are:

(1) Transferred to the State or local agency and under its administrative control;

(2) Donated without any restriction which would require their use for the training of a particular individual or at particular facilities or institutions; and

(3) Do not revert to the donor's facility or use.

(Secs. 2, 3, 402, 403, 1002, 1003, 1402, 1403, 1602, and 1603, Social Security Act as amended; 49 Stat. 620 as amended, 49 Stat. 621, as amended, 49 Stat. 627, as amended, 49 Stat. 628 as amended, 49 Stat. 645 as amended, 49 Stat. 646, as amended, 49 Stat. 647, as amended, 64 Stat. 555, as amended, 76 Stat. 198, as amended, 76 Stat. 200, as amended; 42 U.S.C. 302, 303, 602, 603, 1202, 1203, 1302, 1352, 1353, 1382, and 1383)

[45 FR 29835, May 6, 1980]

§ 235.70 Prompt notice to child support agency.

(a) A State plan under title IV-A of the Social Security Act must provide for prompt notice to the State or local child support agency designated pursuant to section 454(3) of the Social Security Act whenever:

(1) Aid is furnished to a child who has been deserted or abandoned by a

Appendix A– Scope of Work
California State University, Fresno Foundation –Bay Area Academy (BAA)
San Francisco Training Project
July 1, 2019 to June 30, 2023

I. SERVICES TO BE PROVIDED

The California State University, Fresno Foundation, in collaboration with the Bay Area Academy (BAA) will enhance the City and County of San Francisco’s Human Services Agency’s (HSA) ability to deliver quality, culturally responsive services. A comprehensive training program will be offered that will increase Division of Family & Children’s Services (FCS) staff knowledge and skills in the practice of public child welfare. Key to this objective is training that promotes Safety, Permanency and Wellbeing. Working with the FCS Program Manager and management team to identify current training needs, BAA will identify potential trainers, purchase or develop classroom, field, and/or online learning curriculum available on BAA password protected page, coordinate pre-registration, develop and distribute training announcements, provide on-site support of classroom training, provide field-based training, provide technical assistance and implementation support and conduct evaluations. Provide tracking and report for all non-BAA training.

A. TRAINING: CLASSROOM, FIELD-BASED, eLEARNING

BAA will support the implementation, development and coordination of classroom, field-based, e-learning training designed to:

1. Support FCS program mandates and initiatives, including but not limited to California Practice Model, Safety Organized Practice, Child Family Teams, Continuum of Care Reform and Continuous Quality Improvement (CQI).
2. Meet the training needs, both classroom and field based, that are required to implement those initiatives.
3. Enhance the staff’s professional skills and knowledge through multiple training mediums, including e-learning, classroom and field-based training.
4. Support and provide learning opportunities, field-based training and evaluation of the agency’s internal coaching program.
5. Increase staff’s cultural awareness and responsiveness by delivering curriculum that is culturally appropriate.
6. Support current efforts to develop and sustain a trauma-informed infrastructure.
7. Increase staff knowledge on the application of new laws and regulations in child welfare.
8. Provide training that will assist child welfare staff in meeting the 40 hours training requirement every two years that is mandated by California Department of Social Services.
9. Emphasize Permanency, Safety and Wellbeing in all training related activities.

B. TECHNICAL ASSISTANCE AND EVALUATION

BAA will support and enhance HSA FCS’s program initiatives through technical assistance, including but not limited to:

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: HUMAN SERVICES -- DSS

Dept. Code: DSS

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

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

Type of Service: Professional Services

Funding Source: county, state and federal

PSC Amount: \$3,500,000

PSC Est. Start Date: 07/01/2019

PSC Est. End Date 06/30/2023

1. Description of Work

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

Provides comprehensive, quality, culturally-responsible State-mandated training to Child welfare workers, using Federal dollars, to increase child welfare workers knowledge and skills in the practice of public child welfare. These trainings increase the knowledge and skills of child welfare workers, thereby improving outcomes for children and families. Trainings cover complex case management and have both clinical and legal implications; providing child welfare workers updates on State laws, regulations and standards.

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

The California Department of Social Services mandates that child welfare workers receive on-going quality, comprehensive and culturally relevant training to increase their knowledge and skill in the practice of public child welfare. They are mandated to receive a minimum of 40 hours every two years, as required by CA Dept. of Social Services. This service is necessary to enable child welfare workers to respond effectively to the needs of children in the foster care system and their families, which in turn, improves outcomes for San Francisco children and their families. Training to child welfare workers provides an opportunity for children in the public child welfare system to achieve safety, permanency and well-being by ensuring the staff interacting with them have the latest and most comprehensive skills and knowledge available to them. The consequences of denial could result in more children in the foster care system, for longer periods of time and increasingly poor outcomes in regards to the safety, permanency and well being of the child. It could potentially lead to legal action against the City, were the workers not current on State standards, laws and regulations. The county would also be out of compliance with the state training requirements.

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 services has been provided consistently for the past 20 years by the Bay Area Academy. The Bay Area Academy serves the 12 counties in the Bay Area. The Bay Area Academies were established by the CA. State Dept of Social Services and are the coordinating system to provide training to Child Welfare workers in the State. To draw down Title IV-E Federal revenue, each academy is affiliated with a university. The Bay Area Training Academy has been affiliated with CSU/Fresno Foundation since 2011.

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):

Other (be specific and attach any relevant supporting documents):

REASON FOR CHECKING OTHER:

City does not have masters level, child welfare experienced trainers at the level required nor the academic institutional support for those trainers.

3. Description of Required Skills/Expertise

- A. Specify required skills and/or expertise: Masters-level child welfare protective services worker. Given the nature of the training, it is critical that trainers be experienced master level social workers or clinicians in order to effectively train in advanced practices and address complex case situations. In order to draw down the full potential federal revenue (Title IV-E) the academy agency providing the service must be part of a public institution of higher learning (university or college). The regional training academies are the state system for providing child welfare training to county staff across the state.
- B. Which, if any, civil service class(es) normally perform(s) this work? 1232, Training Officer;
- 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?

Not Applicable

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

- A. Explain why civil service classes are not applicable.
The 1232 is a BA-level position and does not require child welfare expertise or experience. Child protective service workers are masters level staff. The work involves complex case management and decision making, requires some clinical knowledge, and involves court processes. The 1232 position does not have the experience and educational background to effectively provide this level of training. Masters level child welfare staff are generally trained out of the university social work schools and regional academies.
- 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, this is a very specific training designated for child protective services and social workers. It would also be a significant increase in cost to the county due the federal funding can only come through an agency affiliated with a University in order to draw down Federal IV-E dollars through use of university indirect as match.

6. Additional Information

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.
No.
- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contact? If so, please explain what that will entail; if not, explain why not.
Yes. Child Welfare workers (2940, 2941 and 2944) are required by California State Department of Social Services to receive 40 hours of training in public child welfare every 2 years from one of four training academies, established in California. The Bay Area Academy (BAA), affiliated with CSU/Fresno Foundation in order to leverage Federal funding, is the designed BAA for the 12 Bay Area Counties.
- C. Are there legal mandates requiring the use of contractual services?
Yes. 40 hours of public child welfare training required every two years by legal mandate from the California Department of Social Services, Welfare and Institutions Code 16206 and the CDSS Staff Development and Training Manual, Section 14-610

- 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 02/25/2019, the Department notified the following employee organizations of this PSC/RFP request:
Architect & Engineers, Local 21; Management & Superv Local 21; Prof & Tech Eng, Local 21; Professional & Tech Engrs, Local 21

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

Name: John Tsutakawa Phone: 415-557-6299 Email: john.tsutakawa@sfgov.org

Address: 1650 Mission Street, Suite 300, SF CA 94103 San Francisco, CA

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 49081 - 18/19

DHR Analysis/Recommendation:

action date: 06/03/2019

Commission Approval Required

Approved by Civil Service Commission

06/03/2019 DHR Approved for 06/03/2019

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: JUVENILE PROBATION -- JUV

Dept. Code: JUV

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

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

Type of Service: Transitional Housing and Supportive Services for Juveniles

Funding Source: General Fund

PSC Amount: \$300,000

PSC Est. Start Date: 03/01/2024

PSC Est. End Date 11/30/2028

1. Description of Work

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

The department wishes to contract with organizations that specialize in transitional housing programs and supportive services for young people, ages 18-25, re-entering the community from a secure commitment term in San Francisco's Juvenile Justice Center.

Supportive services provided by transitional housing programs shall include:

- a. Case management,
- b. Mental Health services or linkage to mental health services,
- c. Linkage to vocational services such as vocational support, job readiness skills, etc.,
- d. Ability to promote family reunification,
- e. Independent living skills,
- f. Financial education, including money management, how to pay bills, etc.,
- g. Basic needs support,
- h. Regular check-ins and ability to support young person to meet court mandates and orders,
--including stay away orders from people and locations, no weapons clauses, no substance use clauses, etc.,
- i. Confidentiality for young person to ensure safety and successful return to community, and
- j. Ability to support reentry and transition goals.

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

These services are court-mandated on a case-by-case basis depending on the needs of the young person exiting a Secure Commitment setting at the Juvenile Justice Center. The department must be ready to quickly refer a qualifying young person to a transitional housing program if the court requires it, without delays. The department is committed to providing a continuum of reentry housing and programmatic options that best support each individual young person as they step down from their commitment and reenter the community. Upon release, these young people are often not eligible for transitional housing for youth in extended foster care, as they were not considered foster youth on their 18th birthday, and so we are looking to identify a list of qualified providers who can provide that same kind and level of services for this population.

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.
The department does not and has not provided this service through a contract in the past.

D. Will the contract(s) be renewed?

The resulting contract(s) may be renewed if business needs demand it.

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

2. Reason(s) for the Request

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

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

B. Explain the qualifying circumstances:

These services are court-mandated on a case-by-case basis depending on the needs of the young person exiting a Secure Commitment setting at Juvenile Hall. The department must be ready to quickly refer a qualifying young person to a transitional housing program if the court requires it, without delays.

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise: Contractor(s) must have an established transitional housing program including supportive services, with a proven track record of providing both to justice-involved young persons.

B. Which, if any, civil service class(es) normally perform(s) this work? none

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes - the contractor(s) will provide housing units and supportive services for qualifying young persons referred by the department.

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

These specialized housing needs and supportive services for young people exiting secure commitment at the Juvenile Justice Center are not provided by City employees.

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

A. Explain why civil service classes are not applicable.

These specialized housing needs and supportive services for young people exiting secure commitment at the Juvenile Justice Center are not provided by City employees nor by the department. This request is targeting a more specified service that requires specific expertise, skills, and program infrastructure to meet demand in a timely fashion, on an as-needed basis.

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. These specialized housing needs and supportive services are not provided by City employees nor by the department. This request is targeting a more specified service that requires specific expertise, skills, and program infrastructure to meet demand in a timely fashion, on an as-needed basis.

6. Additional Information

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

B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.
No. Training will not be provided.

C. Are there legal mandates requiring the use of contractual services?
Yes. Through the passage of Senate Bills 823 and 92, California enacted historic reforms to the administration of justice for young people with sustained charges for the most serious offenses, shifting numerous responsibilities from the state to the counties. This realignment of responsibilities and funding, "DJJ Realignment," includes: a) As of July 2021, juvenile courts can no longer commit youth to the Division of Juvenile Justice (DJJ)—the state's youth prison system. b) Responsibility and funding have been shifted to the counties for the custody, care, and supervision of youth who would have otherwise been eligible for DJJ. The DJJ Realignment target population includes young people, age 14 to 25, adjudicated to be a ward of the juvenile court based on an offense described in subdivision (b) of Section 707 of the Welfare & Institutions Code, 4 or on an offense described in Section 290.008 of the Penal Code. Commencing July 1, 2021, the court may order eligible youth to be committed to a "Secure Youth Treatment Facility" (SYTF), defined as a secure facility that is operated, utilized, or accessed by the county of commitment to provide appropriate programming, treatment, and education. As a result of DJJ Realignment, JPD now operates two secure commitment units in the Juvenile Justice Center that house young people with serious offenses who the court has ordered to serve long term secure commitments. These terms may last anywhere from 2 to 7 years, with all young people ultimately returning to the community, under the supervision of the Juvenile Probation Department. San Francisco is committed to providing a continuum of reentry housing and programmatic options that best supports each individual young person as they step down from their commitment and reenter the community. Upon release, these young people are often not eligible for extended foster care transitional housing as they were not considered foster youth on their 18th birthday, however the court still requires that they have a safe and stable place to live upon release, so we are looking to identify providers who can provide that same kind and level of services for this population.

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 02/01/2024, the Department notified the following employee organizations of this PSC/RFP request:
all unions were notified

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

Name: Elisa Baeza Phone: 4157537526 Email: elisa.baeza@sfgov.org

Address: 375 Woodside Avenue San Francisco, CA 94127

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 44510 - 23/24

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required
DHR Approved for 05/06/2024

Receipt of Union Notification(s)

From: dhr-psccordinator@sfgov.org on behalf of elisa.baeza@sfgov.org
To: [RECEIPT for Union Notification for PSC 44510 - 23/24 more than \\$100k](mailto:Baeza, Elisa (JUV); jnuti@ifpte21.org; jnuti@ifpte21.org; jegy.sering@seiu1021.org; joshv@smw104.org; oumar.fall@seiu1021.org; oumar.fall@seiu1021.org; sportillo@ifpte21.org; sportillo@ifpte21.org; matthew.torres@seiu1021.org; matthew.torres@seiu1021.org; cade.crowell@seiu1021.org; jduritz@uapd.com; kdavis@ifpte21.org; kdavis@ifpte21.org; jharding@ifpte21.org; mweirick@ifpte21.org; mweirick@ifpte21.org; agarza@ifpte21.org; dho@ifpte21.org; dho@ifpte21.org; dvickers@iam1414.org; SF-DHR-Info@seiu1021.org; SF-DHR-Info@seiu1021.org; sbalaria@cirseiu.org; andrea@sfmea.com; camaguey@sfmea.com (contact); camaguey@sfmea.com (contact); cpark@local39.org; cpark@local39.org; khughes@ibew6.org; ewallace@ifpte21.org; ewallace@ifpte21.org; plangrooferslocal40@gmail.com; rooferslocal40@gmail.com; Stan Eichenberger; dtuttle@oe3.org; dtuttle@oe3.org; pkim@ifpte21.org; Najuwanda Daniels; Pierre King - UAPD; President; max.porter@seiu1021.org; kennethlomba@gmail.com; snaranjo@cirseiu.org; mdennis@twusf.org; roger.marengo; pwilson@twusf.org; cmoyer@nccrc.org; Frigault, Noah (HRC); sfdpoa@icloud.com; mjayne@iam1414.org; Emanuel, Rachel (DEM); laborers261@gmail.com; Laxamana, Junko (DBI); jennifer.esteen@seiu1021.org; emathurin@cirseiu.org; abush@cirseiu.org; sbalaria@cirseiu.org; anthony@dc16.us; mlobre@sfpoa.org; @sfpoa.org; Tracy McCray; mleach; rooferslocal40@gmail.com; sal@local16.org; Criss@sfmea.com; Meyers, Julie (HSA); Stan Eichenberger; Jason Klumb; camaguey@sfmea.com (contact); ablood@cirseiu.org; kcartermartinez@cirseiu.org; ecassidy@ifpte21.com; WendyWong26@yahoo.com; wendywong26@yahoo.com; sarah.wilson@seiu1021.org; kschumacher@ifpte21.org; kpage@ifpte21.org; tjenkins@uapd.com; eerbach@ifpte21.org; tmathews@ifpte21.org; amakayan@ifpte21.org; jb@local16.org; Ricardo.lopez@sfgov.org; Kbasconillo@sfwater.org; Sandeep.lal@seiu1021.me; pcamarillo_seiu@sbcglobal.net; MRainsford@local39.org; Wendy Frigillana; pscreview@seiu1021.org; pkim@ifpte21.org; agonzalez@iam1414.org; ted.zarzecki@seiu1021.net; leah.berlanga@seiu1021.org; gail@sfflocal798.org; cityworker@sfcwu.org; davidmkersten@gmail.com; djohnson@opcmialocal300.org; Ramon.Hernandez; ablood@cirseiu.org; pkarinen@nccrc.org; tony@dc16.us; stevek@bac3-ca.org; XiuMin Lj; Sin.Yee.Poon@sfgov.org; Sean McGarry; rrmitchell@twusf.org; grojo@local39.org; iduritz@uapd.com; staff@sfmea.com; mike@dc16.us; khughes@ibew6.org; l21pscreview@ifpte21.org; sfsmsa@gmail.com; bart@dc16.us; David Canham; jtaner940@aol.com; Osha Ashworth; l21pscreview@ifpte21.org; laborers261@gmail.com; local200twu@sbcglobal.net; speedy4864@aol.com; christina@sfmea.com; ecdemvoter@aol.com; Thomas Vitale; Baeza, Elisa (JUV); DHR-PSCCoordinator, DHR (HRD)
Subject: Receipt of Notice for new PCS over $100K PSC # 44510 - 23/24
Date: Tuesday, January 16, 2024 12:42:17 PM</p><hr/></div><div data-bbox=)

The JUVENILE PROBATION -- JUV has submitted a request for a Personal Services Contract (PSC) 44510 - 23/24 for \$300,000 for Initial Request services for the period 03/01/2024 – 11/30/2028. Notification of 30 days (60 days for SEIU) is required.

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

<http://apps.sfgov.org/dhrdrupal/node/21939> For union notification, please see the TO: field of the email to verify receipt. If you do not see all the unions you intended to contact, the PSC Coordinator must change the state back to NOT

READY, make sure the classes and unions you want to notify are selected and SAVE. Then VIEW the record and verify the list of unions and emails. EDIT the document again , change the state back START UNION NOTIFICATION and SAVE. You should receive the email with all unions to the TO: field as intended

Additional Attachment(s)



CDSS

WILL LIGHTBOURNE
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



EDMUND G. BROWN JR.
GOVERNOR

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by One or More Counties
- Initiated by CDSS

September 11, 2012

ALL COUNTY LETTER NO. 12-44

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY WELFARE FISCAL OFFICERS
ALL CHIEF PROBATION OFFICERS
ALL INDEPENDENT LIVING PROGRAM MANAGERS
ALL INDEPENDENT LIVING PROGRAM COORDINATORS
ALL COUNTY TRANSITIONAL HOUSING COORDINATORS

SUBJECT: TRANSITIONAL HOUSING PLACEMENT-PLUS-FOSTER CARE
AND CHANGES TO TRANSITIONAL HOUSING PLACEMENT
PROGRAM AND TRANSITIONAL HOUSING PROGRAM-PLUS

REFERENCE: ALL COUNTY INFORMATION NOTICE NO. I-40-11; ALL COUNTY
LETTERS NOS. 11-21, 11-53, 11-61, 11-69, AND 11-77;
WELFARE AND INSTITUTIONS CODE SECTIONS 308,
11400,11403, 11403.2, 16504.5, 16522.1, 16522.2, AND 16522.5;
HEALTH AND SAFETY CODE SECTIONS 1502.7 AND
1559.110-1559.115; MANUAL OF POLICIES AND PROCEDURES
SECTIONS 30-912-30-920; PUBLIC LAW 110-351, THE
FOSTERING CONNECTIONS TO SUCCESS AND INCREASING
ADOPTIONS ACT OF 2008.

The primary purpose of this All County Letter (ACL) is to provide information about the Transitional Housing Placement-Plus-Foster Care (THP+FC) program, a type of Supervised Independent Living Setting (SILS) that is one of the new placement options for Non-Minor Dependents (NMDs). Changes to the Transitional Housing Placement Program (THPP) and the Transitional Housing Program-Plus (THP-Plus) will also be discussed.

As originally created by Assembly Bill (AB) 12 (Chapter 559, Statutes of 2010), the California Fostering Connections to Success Act, the THP+FC program was to be approved by counties. This placement option is now required to be offered by a licensed transitional housing placement provider to serve NMDs from age 18 up to 21

as expanded by Senate Bill (SB) 1013 (Chapter 35, Statutes of 2012). The THP+FC is added to the current transitional housing placement options of THPP for minor dependents and wards, and THP-Plus for emancipated youth. These placement options provide transitional housing and supportive services based on a Transitional Independent Living Plan (TILP) (Welfare and Institutions Code (W&I) sections 11403.2(a)(1) and 11403.2(a)(2).)

The AB 12, AB 212 (Chapter 459, Statutes of 2011), and SB 1013 are California's enacted laws that implement the option for Extended Foster Care (EFC) authorized by the federal Public Law (P.L.) 110-351, the Fostering Connections to Success and Increasing Adoptions Act of 2008. The AB 1712 is making further changes, reflected in this ACL, and is still pending before the Legislature.

This ACL partially supersedes and clarifies ACL No. 11-53 as it relates to THP+FC. Originally, as explained in ACL No. 11-53, providers were to be approved by counties for operation, and every county was to submit a THP+FC plan to the California Department of Social Services (CDSS). However, this has been changed by SB 1013. The county is no longer required to submit a plan for THP+FC to CDSS. Instead, under SB 1013, the provider serving NMDs in THP+FC must be licensed by CDSS' Community Care Licensing (CCL) Division as a transitional housing placement provider. Consistent with existing THPP licensing regulations, the program must be certified by the applicable county where its administrative or sub-administrative office is located, or a primary placing county, in order to serve NMDs ages 18 to 21. This county certification must be submitted by the provider to CDSS as part of the licensure application process and as part of the provider's THP+FC rate application.

This ACL provides instructions on the following procedures for becoming a licensed transitional housing placement provider to serve NMDs:

- Process for county certification of THP+FC program;
- Process for applying for a license as a transitional housing placement provider to include serving NMDs for both currently licensed transitional housing placement providers and new providers;
- Process for applying for a THP+FC rate, and information on applicable rates; and
- Process for providers to certify living units (Certificate of Compliance).

This ACL also includes information on applicable rates for THP+FC (Attachment 1). The counties are reminded that the base rate for THPP for minors remains \$2,100 (refer to ACL No. 11-03). For information about claiming for THPP for minors, please refer to ACL No. 09-73 and County Fiscal Letter No. 04/05-54.

The THP+FC participants are NMDs, as described in ACL No. 11-77, and therefore all applicable eligibility requirements for EFC apply. For more detailed information on eligibility requirements for NMDs, please refer to ACL Nos. 11-53, 11-61, and 11-69.

BACKGROUND

Federal Background

On October 7, 2008, P.L. 110-351 amended Title IV-B and Title IV-E of the Social Security Act to improve outcomes for children in foster care, provide for tribal foster care and adoption access, and support relative caregivers. The Fostering Connections to Success and Increasing Adoptions Act of 2008 added, among various provisions, a new definition of “child” for the foster care program that includes youth up to 21 when states are approved to provide care up to age 21. On July 9, 2010, the United States Department of Health and Human Services, the Administration for Children and Families, issued implementing guidance in Public Instruction Log No. ACYF-CB-PI-10-11. The federal guidance states: “...agency has the discretion to develop a range of supervised independent living settings which can be reasonably interpreted as consistent with the law, including whether or not such settings need to be licensed and any safety protocols that may be needed. For example, a title IV-E agency may determine that when paired with a supervising agency or supervising worker, host homes, college dormitories, shared housing, semi-supervised apartments, supervised apartments or another housing arrangement meet the supervised setting requirement....”

This guidance recognizes that a SILS can include a wide range of placement types to meet an “*older child’s need for supervision and support as he/she moves toward independence.*” The Aid to Families with Dependent Children-Foster Care (AFDC-FC) funded, state-licensed THP+FC SILS assists the NMD in working toward becoming better prepared for successful transition into independent adulthood and self-sufficiency. The NMD transitions to independent adulthood through education and employment training opportunities while maintaining a safety net of support and experiencing independence in a secure and supervised living environment (Health and Safety Code (H&S Code) section 1559.110(d)(2)(B)). This SILS is further defined in W&IC section 11400(x).

In California, there are now two types of SILS as placement options for NMDs (W&IC section 11400(x)):

1. A Supervised Independent Living Placement (SILP) (as described in ACL No. 11-77) is a foster care placement approved and supervised by the

county social worker or probation officer for that NMD only and in which the NMD is living independently, can be their own payee, and is not receiving provider-based supportive services. A SILP is the least restrictive placement option and pays only the basic AFDC-FC rate with no specialized care increment (W&IC section 11400(w)).

2. The THP+FC program for NMDs, which is offered by a licensed transitional housing placement provider, is a provider-based, supervised housing and supportive services program that includes regular contact with a provider case manager. Through THP+FC, NMDs are able to gain a level of independence in a supervised setting. This type of SILS placement is more restricted and has a higher rate structure than a SILP (W&IC section 11400(x)).

Overview of Transitional Housing in California

There are three transitional housing placement options—THPP¹, THP+FC, and THP-Plus. The THPP and THP+FC are for current foster youth, while THP-Plus is for former foster youth. The THPP serves minor dependents or wards ages 16 and 17, and THP+FC serves NMDs ages 18 and up to 21. A licensed transitional housing placement provider may offer either THPP or THP+FC, or it may offer both options.

Transitional Housing Placement Program¹ (THPP)

The THPP is a foster care program offered by a licensed transitional housing placement provider to provide a safe living environment for 16- and 17-year old minor wards or dependents, so the minors can practice the skills needed to live independently upon exiting the foster care system. In addition to supervised transitional housing, the program provides supportive services based on a minor's TILP and the Needs and Services plan as developed by the provider. The TILP is developed with the youth and other supportive persons that details goals and objectives to achieve while working toward self-sufficiency.

Counties that have not submitted a THPP plan for minors but intend to start providing this placement option must submit a county plan to CDSS, as described in ACL No. 11-53.

¹ The Community Care Facility Act originally designated this facility category as a "transitional housing placement facility" (H&S code section 1502) serving foster youth ages 16 and up to 19 (if still in high school), and CCL regulations were titled "transitional housing placement program" regulations. The SB 1013 renamed the CCL licensee as the "transitional housing placement provider" and retained the term Transitional Housing Placement Program (THPP) for the county-certified program for minors. In this ACL, the acronym THPP refers to the program for minors and the licensee is referred to as a "transitional housing placement provider" without an acronym.

Transitional Housing Placement-Plus-Foster Care (THP+FC)

The THP+FC program is a foster care placement option effective July 1, 2012, for NMDs. This new option is available to NMDs age 18 and up to age 21. Foster youth who have reached 18 years of age must meet the educational or employment eligibility criteria to receive EFC benefits. Although attending high school is not a specific requirement, it may be used to satisfy the eligibility criteria.

The THP+FC is a program offered by a licensed transitional housing placement provider to provide safe housing for NMDs and assistance in developing the skills needed for transitioning to independent living. The program provides supportive services based on the NMD's TILP and Needs and Services plan as developed by the provider. To serve this older population, a currently licensed transitional housing placement provider must expand its Plan of Operation to indicate it will serve NMDs ages 18 to 21, obtain county certification, update its license, and obtain a THP+FC rate. Similarly, a prospective transitional housing placement provider must obtain a THP+FC county certification indicating it will serve NMDs ages 18 to 21, state licensure as a transitional housing placement provider, and a THP+FC rate. These processes are explained below. *The SB 1013 eliminated the requirement for counties to submit a county plan to CDSS for the THP+FC program.*

The THP+FC providers are licensed as transitional housing placement providers and, as such, will be subject to CCL regulations, which are contained in the California Code of Regulations (CCR), Title 22, sections 80000–80095, as applicable, and sections 86000–86088, as well as sections 86100–86187 of the AB 12 Interim Licensing Standards, which may be found at ccl.d.ca.gov/PG2802.htm.

Transitional Housing Program-Plus (THP-Plus)

The THP-Plus is an optional, county-certified, provider-based transitional housing placement option for former foster youth, including those formerly supervised by probation, ages 18 to 24 who exited foster care at or after age 18. Former foster youth in this program are not eligible for AFDC-FC funds. The program's goal is to provide a safe living environment, for up to 24 months, while assisting the youth in developing the life skills necessary to be successful living independently. The program provides supervised transitional living housing and supportive services based on a TILP, which is developed by the young adult, the county Aftercare ILP coordinator or delegate, and other supportive persons. The TILP details the goals and objectives he/she will achieve while working toward self-sufficiency. *The SB 1013 eliminated the requirement for counties to submit a county plan to CDSS for their THP-Plus program and eliminated county requirements to dedicate 70 percent of its realigned THP-Plus funding to the*

THP+FC program. However, if a county intends to eliminate or significantly reduce the level of its THP-Plus program by 10 percent in any one year or by a cumulative 25 percent over the previous three years, the decision must be affirmed in open session by a vote of its local Board of Supervisors pursuant to Government Code section 30026.5(f), as adopted in SB 1020 (Chapter 40, Statutes of 2012.)

PROCESS TO EXPAND CURRENT THPP TO INCLUDE THP+FC

Outlined below are procedures for *currently licensed* transitional housing placement providers serving foster youth ages 16 to 18 seeking to expand services to include NMDs.

A licensed transitional housing placement provider must first submit a revised Plan of Operation to the applicable county, along with its request for a THP+FC certification. The provider must then submit the county certification, the revised Plan of Operation, and a new license application (LIC 200) to the appropriate CCL Regional Office. Revisions to the Plan of Operation must incorporate NMDs.

A provider that is not licensed as a transitional housing placement provider will need to follow the process for new providers, beginning on page ten, to obtain this type of license before it can serve the NMD population. Additionally, in order to receive Title IV-E funding, it is necessary to apply for and receive a THP+FC rate from CDSS.

A. County Certification

The current county certification process as described in W&IC section 16522.1(b) for a transitional housing placement provider to serve minors in THPP is NOT used for a transitional housing placement provider to serve NMDs in THP+FC. The above certification process to provide THP+FC is a streamlined process. The applicable county is encouraged to consult and coordinate with other counties in which the provider plans to operate the THP+FC Program so that the certification represents a consensus of the placing counties that the provider meets the certification standards.

A licensed transitional housing placement provider needs a certification from ONE county for the THP+FC Program.

Provider Responsibilities

Currently licensed transitional housing placement providers:

- a. Update the Plan of Operation, in accordance with CCR, Title 22, section 86022 and section 86122 of the AB 12 Interim Licensing Standards to reflect service provisions for NMDs.
- b. Submit updated Plan of Operation to the child welfare director of the applicable county for certification.
- c. Should disclose in writing any revocation or disciplinary action pending or finalized (with the result of the final action) in any CCL programs.

NOTE: Transitional housing placement providers that have previously submitted updated Plans of Operation in accordance with CCR, Title 22, section 86022 and section 86122 of the AB 12 Interim Licensing Standards to reflect provisions for NMDs will need to update their Plans of Operation again in order to reflect that their THPP program will now serve minor foster youth who are dependents or wards 16-17 years of age and that they are opening a new program to serve NMDs age 18 and up to 21 as a THP+FC program. This revision to their Plans of Operation should be amended for THP+FC to include that the Program Staffing Ratio for case manager to client does not exceed one to twelve for each full-time case manager.

Applicable County Responsibilities

1. County reviews Plan of Operation for THP+FC for NMDs and other relevant information for the requesting provider prior to certification. A description of the elements of the Plan of Operation may be found in CCR, Title 22, section 86022. Additionally, the provider should describe the type of housing models to be offered to NMDs.
2. County certifies the following (per W&IC section 16522.1(c)):
 - a. That the program is needed by the county.
 - b. That the provider is capable of effectively and efficiently operating the program.
 - c. That the provider is willing and able to accept the AFDC-FC eligible NMDs for placement by the placing agency who need the level of care and services that will be provided by the program.
 - d. That the Plan of Operation is suitable to meet the needs of the identified population.
 - e. That, additionally, the Plan of Operation has a Program Staffing Ratio for case manager to client not to exceed one to twelve.

3. County issues certification to provider in the form of a letter on county letterhead, a certificate, or other appropriate document determined by the county signed by the Child Welfare Director (or designee).

B. Licensing Application

Provider Responsibilities

1. Provider submits a new application for a Community Care Facility License (LIC 200) to the appropriate CCL Regional Office, indicating it will serve NMDs.

NOTE: A provider that has already submitted a revised LIC 200 to serve NMDs in its THPP and may already have been approved by CCL should attach that copy to its new revised Plan of Operation and to its county certification when submitting the information to CCL for the licensing application.

The LIC 200 is available through the CCL website at <http://www.dss.cahwnet.gov/cdssweb/entres/forms/English/LIC200.pdf>.

A list of CCL licensing offices is available through the CCL website at http://ccl.ca.gov/res/pdf/childres_rolist.pdf.

2. Provider attaches its Plan of Operation and county certification (or indicates the certification is in process and will be submitted subsequently), along with other relevant information, to the application for licensure to serve NMDs.

It may take approximately 90 days before a license is issued, or longer if additional information must be acquired and reviewed. In order for a county to verify that the provider's license has been updated, the county must contact either the provider or CCL.

CCL Responsibilities

The CCL will include a notation in the comment section of the license indicating the transitional housing placement provider has a THP+FC program that has been certified by the applicable county to serve NMDs. The comment will appear on the license automatically when the provider seeks to update its license as a result of caring for the NMD population.

C. Rate Application

A licensed transitional housing placement provider will receive a different rate for THP+FC for NMDs than it does for THPP minors, due to their differing needs and services.

Provider Responsibilities

1. A currently licensed transitional housing placement provider wishing to serve NMDs must complete an application for a THP+FC rate. A copy of the THP+FC rate application is located at:
<http://www.cdss.ca.gov/cdssweb/entres/forms/English/SOC179.pdf>
2. The THP+FC rate application can be initiated by the provider while updating its existing licensure. The rate application needs to specify the type of housing model the provider plans to operate, as the host family model has a separate rate.
3. A rate will not be approved until all required documents are received by CDSS.
4. Subsequent to the initial rate application being submitted to and approved by CDSS, a rate letter will be issued to the provider and counties. The rate application includes a list of county placement agencies using this program. The rate letter is effective for two years. Information will be forthcoming regarding biennial rate applications.
5. Enclose the following documents with the SOC 179 (rate application):
 - Transitional housing placement provider license, or application for a license, to serve NMDs
 - County Certification of THP+FC program
 - Articles of Incorporation (Secretary of State)
 - Internal Revenue Service Tax Exempt Letter
 - Job Titles/Descriptions
 - Organization Chart
 - List of Board members
 - Non-Profit declaration signed by the Board of Directors: requires that the organization will operate during the fiscal year in the public interest for scientific, education, service or charitable purposes; is not organized for profit making purposes; and uses its net proceeds to maintain, improve, or expand its operations.
 - Lease Agreement(s) in effect at the time of the application: must be submitted with biennial rate applications for ongoing programs, as well as with rate applications for new THP+FC programs.

- Statement of Information 100 (SI 100)
- A case manager is required for the single site and remote site models to guide and support participants. The provider is required to submit the following case manager information as part of the rate application process:
1) list of case manager names; 2) type of case manager degrees.

Submit the rate package to:

California Department of Social Services
Foster Care Audits and Rates Branch
Rates Unit
744 P Street, M.S. 9-6-74
Sacramento, CA 95814

For additional information regarding THP+FC rates please refer to Attachment 1.

PROCESS TO BECOME A NEW TRANSITIONAL HOUSING PLACEMENT PROVIDER TO OPERATE A THP+FC PROGRAM

Outlined below are procedures for *new providers* that are seeking a license as a transitional housing placement provider in order to operate a THP+FC for NMDs. These procedures also apply to current providers that are licensed to operate another facility (such as Foster Family Agencies, Group Homes, or unlicensed programs such as THP-Plus) but would like to become a new transitional housing placement provider to include THP+FC.

To offer services to an NMD, a provider must obtain certification from the applicable county and be licensed by CCL.

A. County Certification

New Providers

A transitional housing placement provider needs a certification from ONE county for the THP+FC Program.

1. Provider requests certification of its THP+FC program from the child welfare director of the applicable county. If the provider plans to operate in more than one county, only one certification is needed. Please visit

<http://www.cwda.org/about/membership.php> for a list of county welfare directors that oversee the child welfare program.

2. Provider creates a Plan of Operation, in accordance with CCR, Title 22, section 86022 and section 86122 of the AB 12 Interim Licensing Standards. "Provider Plan of Operation" means a current, written, definitive Plan of Operation including but not limited to the following: a comprehensive program statement, staff training plan, procedures to respond to complaints, written contract, and program policies, as well as the type of housing models to be offered. (If the Plan of Operation includes a program to provide the NMD a portion of the AFDC-FC rate for money management purposes, this may be described but is not required to be provided.)
3. Provider should disclose to the applicable county in writing any revocation or disciplinary action in any CCL program.
4. Provider submits a request to the applicable county for certification including a completed Plan of Operation and other relevant information, as required by the applicable county.

Applicable County Responsibilities

1. County reviews Plan of Operation and other relevant information for each provider prior to certification. A description of the elements of the Plan of Operation may be found in CCR, Title 22, section 86022. Additionally, each provider should describe the type of housing models to be offered to NMDs.
2. County certifies the following (per W&IC section 16522.1(c)):
 - a. That the program is needed by the county.
 - b. That the provider is capable of effectively and efficiently operating the program.
 - c. That the provider is willing and able to accept the AFDC-FC eligible NMDs for placement by the placing agency who need the level of care and services that will be provided by the program.
 - d. That the Plan of Operation is suitable to meet the needs of the identified population.
 - e. That, additionally, the Plan of Operation has a Program Staffing Ratio for case manager to client not to exceed one to twelve.
3. County issues certification to provider in the form of a letter on county letterhead, a certificate, or other appropriate document determined by the county signed by the Child Welfare Director (or designee). The applicable county is encouraged to consult and coordinate with other counties in which the provider plans to operate the THP+FC program so that the certification represents a consensus of the placing counties that the provider meets the certification standards.

B. Licensing Application

Provider Responsibilities

1. Provider submits a new Application for a Community Care Facility License (LIC 200) to the appropriate CCL Regional Office, indicating it will serve NMDs. The LIC 200 is available through the CCL website at <http://www.dss.cahwnet.gov/cdssweb/entres/forms/English/LIC200.pdf>. A list of CCL licensing offices is available through the CCL website at http://ccl.ca.gov/res/pdf/childres_rolist.pdf.
2. Provider attaches its Plan of Operation and county certification, along with other relevant information, to the application for licensure to serve NMDs.

It may take approximately 90 days before a license is issued, or longer if additional information must be acquired and reviewed. In order for a county to verify the provider's license has been updated, the county must contact either the provider or CCL.

CCL Responsibilities

The CCL will include a notation in the comment section of the license indicating the transitional housing placement provider has a THP+FC program that has been certified by the applicable county to serve NMDs. The comment will appear on the license automatically when the provider seeks to update its license as a result of caring for the NMD population.

C. Rate Application

A licensed transitional housing placement provider wishing to serve NMDs will receive a different rate for THP+FC for NMDs than it does for THPP for minors, due to their differing needs and services.

The rate application process for new providers is the same as for currently licensed transitional housing placement providers. For the rate application procedures, please refer to the Rate Application section under the process for currently licensed transitional housing placement providers (page nine).

TYPES OF THP+FC HOUSING SITES

There are three types of housing sites for NMDs placed with a transitional housing placement provider:

1. Host Family: A placement where the NMD lives with a caring adult who has been selected and approved by the transitional housing placement provider serving NMDs in THP+FC. The NMD receives provider-based supportive services, and it is expected the host family will provide basic board and care for the NMD. See also CCR, Title 22, section 86001(h)(3).
2. Single Site: A placement where an NMD lives in an apartment, single family dwelling, or condominium rented or leased by the transitional housing placement provider serving NMDs in THP+FC, in which one or more adult employees of the provider reside and provide supervision.
3. Remote Site: A single housing unit where the NMD lives independently and where provider's staff does not live in the same building. This may include apartments, single family dwellings, or condominiums rented or leased by the transitional housing placement provider in various locations, not necessarily near each other. Minor foster children placed prior to October 1, 2012, may remain in this type of housing model; adults living in the remote site with minor foster children are subject to criminal background clearance and Child Abuse Central Index requirements, as required by licensing regulations. After October 1, 2012, new placement of minors into THPP remote sites is prohibited.

CERTIFICATE OF COMPLIANCE FOR LIVING UNITS

In accordance with CCR, Title 22, section 86030.5, a licensed transitional housing placement provider must complete and sign a Certificate of Compliance for each single living unit ensuring each unit meets the requirements of H&S Code section 1501(b)(5). *The transitional housing placement provider shall secure and maintain for each THPP participant living unit any fire clearance required by and approved by the fire authority having jurisdiction.*

A copy of the Certificate of Compliance for each living unit shall be kept in the administrative office records maintained by the provider. A Certificate of Compliance is not transferable to any other living unit and shall be void upon a change of location or under emergency conditions. More detailed instructions concerning conditions of program participation are contained in ACL No. 11-61, dated November 4, 2011.

The living unit cannot be more than two hours by car from the provider's administrative or sub-administrative office, according to CCR, Title 22, section 86087.1(c). Therefore, programs that are planning to open new living units which are located more than two hours from their administrative office must establish a sub-administrative office to provide support for these new living units within the two-hour radius. Each sub-administrative office must be independently licensed by CCL, pursuant to Title 22, section 86001(s)(2), and be certified by an applicable county.

Provider Responsibilities

1. Existing Provider:

After updating its county certification, state license and receiving a rate, the provider may begin issuing Certificates of Compliance for each living unit it operates.

2. New Provider:

- a. Upon receiving a license and a rate, the provider may begin issuing Certificates of Compliance for each living unit it operates (a provider may not issue a Certificate of Compliance for a site prior to receiving a license and a rate).
- b. The Certificate of Compliance shall include the following:
 - (1) The capacity for which the site has been certified,
 - (2) Any limitations, including ambulatory status,
 - (3) Any preferences requested by the site owner,
 - (4) Date of issuance,
 - (5) Date of expiration not to exceed one year from the date of issuance, and
 - (6) The type of housing model.

A licensed transitional housing placement provider may certify living units within and across county lines and has the responsibility to decertify previously approved sites. County placement agencies may also request, and CCL may require, that providers decertify sites due to health and safety issues.

PROCESS FOR NMD PLACEMENT

Upon licensure as a transitional housing placement provider to serve NMDs and receipt of the THP+FC rate, counties may begin placing NMDs in a THP+FC program. As a state-licensed community care facility, the provider may accept placements from any county.

A provider must certify each participant living unit in accordance with H&S Code section 1501(b)(5) and as outlined below prior to the placement of an NMD.

A minor who would otherwise age out of THPP may remain with a provider whose license has not yet been updated to include NMDs if the licensed transitional housing placement provider meets the following conditions: (1) has submitted an updated Plan of Operation to serve NMDs to the appropriate CCL Regional Office, (2) has requested a county THP+FC certification from the applicable county, and (3) intends to apply for the THP+FC rate.

The provider may continue to serve these youth while these actions are pending. The provider will still receive the THPP rate, and these youth will still be considered as participating in THPP, until the THP+FC rate is obtained. However, the provider cannot accept a new NMD placement until the county certification and the rate have been issued.

Counties have the discretion to develop Memoranda of Understanding (MOU), interagency agreements, or contracts, as required by individual county policies. Neither state statute nor state regulations require counties to contract with providers. As part of the NMD placement process, some counties may require an MOU or contract addressing the responsibilities of all parties prior to placement of the youth (please refer to ACL No. 11-53 for more information).

A placing county has the option to require the provider to furnish a copy of each Certificate of Compliance to the county.

THP+FC Placement Decisions

As NMDs are legal adults, it is expected that they be provided the least restrictive placements and given the greatest amount of independence possible, based on the NMD's developmental needs and readiness for independence. The decisions regarding placements with a licensed transitional housing placement provider, as in any other foster care placement option, shall be made in consultation with the NMD and based on an assessment of the NMD's strengths and needs.

DATA COLLECTION

As for any other foster care placement, counties are required to record data about a **placement in a THP+FC** program. Data must be entered into and be collected through the Child Welfare Services/Case Management System application. Please refer to ACL No. 12-05, dated January 13, 2012, concerning the special project code for THP+FC.

For any questions or concerns regarding this ACL, please contact the Independent Living Program Policy Unit at (916) 651-7465 or via email at ilppolicy@dss.ca.gov, or me at (916) 657-2614.

Sincerely,

Original Document Signed By:

GREGORY E. ROSE
Deputy Director
Children and Family Services Division

Attachments

Attachment 1

Assembly Bill (AB) 12 (California's Fostering Connections to Success Act) and AB 212 provided statutory authority for California's implementation of extended foster care (up to age 21 by the year 2014), as authorized by federal Public Law 110-351. Additionally, AB 12 and AB 212 provided a new placement option for the 18-21 year old population, referred to as Non-Minor Dependents (NMDs). Placements of NMDs are funded by Aid to Families with Dependent Children-Foster Care (AFDC-FC) for federally and non-federally eligible foster youth. The program for NMDs placed with a licensed transitional housing placement provider is called Transitional Housing Program-Plus-Foster Care (THP+FC), and providers wishing to provide housing/services under this program must submit a rate application in accordance with the instructions in this All County Letter. The THP+FC as set forth in Senate Bill (SB) 1013 (Chapter 35, Statutes of 2012) requires the provider to be organized and operated on a private and nonprofit basis.

Licensed transitional housing placement providers may offer up to three housing models for NMDs, for which there are two rates. The Single and Remote sites have the same rate, while the Host Family model has its own rate.

Single Site Housing - \$2,797 Per Month Per Youth

Single Site Housing is a placement where an NMD lives in an apartment, single family dwelling, or condominium rented or leased by the THP+FC provider, in which one or more adult employees of the THP+FC provider reside and provide supervision.

Remote Site - \$2,797 Per Month Per Youth

A Remote Site is a single housing unit where the NMD lives independently and where provider's staff do not live in the same building. This may include apartments, single family dwellings, or condominiums rented or leased by the THP+FC provider in various locations, not necessarily near each other. Minor foster children placed prior to October 1, 2012, may remain in this type of housing model; adults living in the remote site with minor foster children are subject to criminal background clearance and Child Abuse Central Index requirements, as required by licensing regulations. After October 1, 2012, new placement of minors into THPP remote sites is prohibited.

Host Family Model - \$2,225 Per Month Per Youth

The Host Family model is a placement where the NMD lives with a caring adult who has been selected and approved by the transitional housing placement provider serving NMDs in THP+FC. The NMD receives provider-based supportive services, and it is expected the host family will provide basic board and care for the NMD. See also CCR, Title 22, section 86001(h)(3).

In all housing models, NMDs receive guidance, supportive services, and case management from the licensed transitional housing placement provider, while having access to safe, stable housing to prepare for self-sufficiency before exiting foster care. For case management information, please refer to ACL No. 11-69, dated October 13, 2011.

Attachment 2

The following chart provides a simple overview and comparison of the three transitional housing placement options:

Transitional Housing Placements

	Transitional Housing Placement Program	Transitional Housing Placement-Plus-Foster Care	Transitional Housing Program-Plus
Age	16-18	18-21	18-24
Dependent/Ward	Yes	Yes	No
Time limit	N/A	N/A	2 years
Funding	*AFDC-FC	*AFDC-FC	*CWS Realignment funds
State-Licensed	Yes	Yes	No
Open *CMS Case Rate	Yes	Yes	No
ACIN No.	I-18-05, I-40-09	I-40-11	I-40-09
ACL No.	11-03	11-53, 11-69, 11-77, 11-85	11-03
Regulations	Title 22, sections 80000–80095, as applicable, 86000–86088 *MPP sections 30-900 to 30-911	Title 22, sections 80000–80095, as applicable, 86000–86088 Assembly Bill 12 Interim Licensing Standards, sections 86100–86187	*MPP sections 30-912 to 30-920
Statutes	*W&IC Sections 11400(r), 11403.2, 11403.3, 16522, 16522.1, 16522.2, 16522.5 *H&S Code sections 1502, 1559.110, 1559.115	*W&IC Sections 11403, 11403.2, 11403.3, 16522, 16522.1 *H&S Code sections 1502, 1559.110, 1559.115	*W&IC Sections 11400(s), 11403.2 *H&S Code section 1505(l)(4)

* CMS - Case Management System

* AFDC-FC - Aid to Families with Dependent Children-Foster Care

* MPP – Manual of Policies and Procedures

* W&IC – Welfare and Institutions Code

* H&S – Health and Safety

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SB-92 Juvenile Justice. (2021-2022)

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Date Published: 05/14/2021 09:00 PM

Senate Bill No. 92

CHAPTER 18

An act to amend Section 3056 of the Penal Code, and to amend Sections 208, 208.5, 607, 726, 733.1, 736.5, 1731.5, 1731.6, 1752.1, 1752.15, 1767.35, 1991, and 2250 of, to amend and repeal Sections 704, 707.2, and 1731.7 of, to add Sections 731 and 779.5 to, and to add Article 23.5 (commencing with Section 875) to Chapter 2 of Part 1 of Division 2 of, the Welfare and Institutions Code, relating to juvenile justice, and making an appropriation therefor, to take effect immediately, bill related to the budget.

[Approved by Governor May 14, 2021. Filed with Secretary of State May 14, 2021.]

LEGISLATIVE COUNSEL'S DIGEST

SB 92, Committee on Budget and Fiscal Review. Juvenile Justice.

Existing law establishes the Division of Juvenile Justice within the Department of Corrections and Rehabilitation to operate facilities to house specified juvenile offenders. Existing law, commencing July 1, 2021, prohibits further commitment of wards to the Division of Juvenile Justice unless the ward is otherwise eligible to be committed to the division and a motion was filed to transfer the ward from the juvenile court to a court of criminal jurisdiction. Existing law requires that all wards committed to the division prior to July 1, 2021, remain within the custody of the division until the ward is discharged, released, or transferred.

This bill would require a court to consider, as an alternative to commitment to the Division of Juvenile Justice, placement in local programs established as a result of the realignment of wards from the Division of Juvenile Justice to county-based custody. This bill would require the Division of Juvenile Justice to close on June 30, 2023, and would require the Director of the Division of Juvenile Justice, by January 1, 2022, to develop a plan for the transfer of jurisdiction of youth remaining at the Division of Juvenile Justice who are unable to discharge or otherwise move pursuant to law prior to the division's final closure on June 30, 2023. The bill would make various other technical and conforming changes to implement the realignment of wards from the Division of Juvenile Justice to county-based custody.

This bill would, commencing July 1, 2021, allow counties to establish secure youth treatment facilities for wards who are 14 years of age or older who have been adjudicated and found to be a ward of the court based on an offense that would have resulted in a commitment to the Division of Juvenile Justice, as provided. The bill would require the court to set a baseline term of confinement for the ward that is based on the most serious recent offense for which the ward has been adjudicated, as specified. The bill would additionally require the court to set a maximum term of confinement for the ward in a secure youth treatment facility and require the court, within 30 days of making the order of commitment, to receive, review, and approve an individual rehabilitation plan for the ward from the probation department and any other entity that is designated by the court for development of the plan. The bill would require the court to hold a progress review hearing for the ward not less frequently than once every 6 months during the term of confinement, as specified. The bill would authorize the court, at the conclusion of a progress review hearing, or at a separately scheduled hearing, to order a ward to be transferred from a secure youth treatment facility to a less restrictive program. The bill would, by July 1, 2023, require the Judicial Council to develop and adopt a matrix of offense-based classifications to be applied by the juvenile courts in all counties, as specified. The bill would prohibit a court from committing a juvenile to any juvenile facility for a period that exceeds the middle term of imprisonment that could be imposed upon an adult convicted of the same offense or offenses.

This bill would require the probation department to request the prosecuting attorney to petition the committing

court for an order directing that the person remain subject to the control of the department at the time of discharge if the person confined is determined to be physically dangerous to the public because of the person's mental or physical condition, disorder, or other problem that causes the person to have serious difficulty controlling their dangerous behavior. The bill would establish the process for the petition, probable cause hearing, trial, continued detention, and appeal pursuant to this provision. The bill would require the Governor and the Legislature to work with stakeholders to develop language by July 1, 2021, that would replace these provisions with a commitment process that ensures the treatment, capacity, legal protections, and court procedures are appropriate, as specified.

Existing law establishes a Juvenile Justice Realignment Block Grant program to provide county-based custody, care, and supervision of youth who are realigned from the Division of Juvenile Justice or who would have otherwise been eligible for commitment to the division. Existing law requires the Department of Finance to allocate funds under this program by September 1 each year, beginning September 1, 2021, and provide a schedule of allocations to the Controller. Existing law requires the Controller to allocate the funds in monthly installments pursuant to a schedule that is the same as the schedule for allocations from the Youthful Offender Block Grant Special Account.

This bill would instead require the Department of Finance to allocate funds under this program by July 1 each year, beginning July 1, 2021, and would require the Controller to allocate the funds, consistent with the schedule provided by the Department of Finance, no later than August 1 of each year.

Existing law establishes the Adult Reentry Grant that is awarded by the Board of State and Community Corrections to support people formerly incarcerated in the state prison.

This bill would appropriate \$50,000 from the General Fund in 2021–22 fiscal year to the Adult Reentry Grant to support rental assistance programs, as specified.

This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

Vote: majority Appropriation: yes Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 3056 of the Penal Code is amended to read:

3056. (a) Prisoners on parole shall remain under the supervision of the department but shall not be returned to prison except as provided in subdivision (b) or as provided by subdivision (c) of Section 3000.09. A parolee awaiting a parole revocation hearing may be housed in a county jail while awaiting revocation proceedings. If a parolee is housed in a county jail, they shall be housed in the county in which they were arrested or the county in which a petition to revoke parole has been filed or, if there is no county jail in that county, in the housing facility with which that county has contracted to house jail inmates. Additionally, except as provided by subdivision (c) of Section 3000.09, upon revocation of parole, a parolee may be housed in a county jail for a maximum of 180 days per revocation. When housed in county facilities, parolees shall be under the sole legal custody and jurisdiction of local county facilities. A parolee shall remain under the sole legal custody and jurisdiction of the local county or local correctional administrator, even if placed in an alternative custody program in lieu of incarceration, including, but not limited to, work furlough and electronic home detention. When a parolee is under the legal custody and jurisdiction of a county facility awaiting parole revocation proceedings or upon revocation, the parolee shall not be under the parole supervision or jurisdiction of the department. Unless otherwise serving a period of flash incarceration, whenever a parolee who is subject to this section has been arrested, with or without a warrant or the filing of a petition for revocation with the court, the court may order the release of the parolee from custody under any terms and conditions the court deems appropriate. When released from the county facility or county alternative custody program following a period of custody for revocation of parole or because no violation of parole is found, the parolee shall be returned to the parole supervision of the department for the duration of parole.

(b) Inmates paroled pursuant to Section 3000.1 may be returned to prison following the revocation of parole by the Board of Parole Hearings until July 1, 2013, and thereafter by a court pursuant to Section 3000.08.

(c) Until July 1, 2021, a parolee who is subject to subdivision (a), but who is under 18 years of age, may be housed in a facility of the Division of Juvenile Justice, Department of Corrections and Rehabilitation.

SEC. 2. Section 208 of the Welfare and Institutions Code is amended to read:

208. (a) When any person under 18 years of age is detained in or sentenced to an adult facility, including a jail or other facility established for the purpose of confinement of adults, it shall be unlawful to permit that person to come or remain in contact with adults confined there.

(b) A person who is a ward or dependent child of the juvenile court who is detained in or committed to any state hospital or other state facility shall not be permitted to come or remain in contact with any adult person who has

been committed to any state hospital or other state facility as a mentally disordered sex offender under the provisions of Article 1 (commencing with Section 6300) of Chapter 2 of Part 2 of Division 6, or with any adult person who has been charged in an accusatory pleading with the commission of any sex offense for which registration of the convicted offender is required under Section 290 of the Penal Code and who has been committed to any state hospital or other state facility pursuant to Section 1026 or 1370 of the Penal Code.

(c) As used in this section, "contact" does not include participation in supervised group therapy or other supervised treatment activities, participation in work furlough programs, or participation in hospital recreational activities which are directly supervised by employees of the hospital, so long as living arrangements are strictly segregated and all precautions are taken to prevent unauthorized associations.

(d) This section shall be operative January 1, 1998.

SEC. 3. Section 208.5 of the Welfare and Institutions Code is amended to read:

208.5. (a) Notwithstanding any other law, any person whose case originated in juvenile court shall remain, if the person is held in secure detention, in a county juvenile facility until the person attains 25 years of age, except as provided in subdivisions (b) and (c) of this section and Section 731. A person whose case originated in juvenile court but who was sentenced in criminal court shall not serve their sentence in a juvenile facility, but if not otherwise excluded, may remain in the juvenile facility until transferred to serve their sentence in an adult facility. This section is not intended to authorize confinement in a juvenile facility where authority would not otherwise exist.

(b) The probation department may petition the court to house a person who is 19 years of age or older in an adult facility, including a jail or other facility established for the purpose of confinement of adults.

(c) Upon receipt of a petition to house a person who is 19 years of age or older in an adult facility, the court shall hold a hearing. There shall be a rebuttable presumption that the person will be retained in a juvenile facility. At the hearing, the court shall determine whether the person will be moved to an adult facility, and make written findings of its decision based on the totality of the following criteria:

(1) The impact of being held in an adult facility on the physical and mental health and well-being of the person.

(2) The benefits of continued programming at the juvenile facility and whether required education and other services called for in any juvenile court disposition or otherwise required by law or court order can be provided

in the adult facility.

(3) The capacity of the adult facility to separate younger and older people as needed and to provide them with safe and age-appropriate housing and program opportunities.

(4) The capacity of the juvenile facility to provide needed separation of older from younger people given the youth currently housed in the facility.

(5) Evidence demonstrating that the juvenile facility is unable to currently manage the person's needs without posing a significant danger to staff or other youth in the facility.

(d) If a person who is 19 to 24 years of age, inclusive, is removed from a juvenile facility pursuant to this section, upon the motion of any party and a showing of changed circumstances, the court shall consider the criteria in subdivision (c) and determine whether the person should be housed at a juvenile facility.

(e) A person who is 19 years of age or older and who has been committed to a county juvenile facility or a facility of a contracted entity shall remain in the facility and shall not be subject to a petition for transfer to an adult facility. This section is not intended to authorize or extend confinement in a juvenile facility where authority would not otherwise exist.

SEC. 4. Section 607 of the Welfare and Institutions Code, as added by Section 24 of Chapter 337 of the Statutes of 2020, is amended to read:

607. (a) The court may retain jurisdiction over a person who is found to be a ward or dependent child of the juvenile court until the ward or dependent child attains 21 years of age, except as provided in subdivisions (b), (c), (d), and (e).

(b) The court may retain jurisdiction over a person who is found to be a person described in Section 602 by reason of the commission of an offense listed in subdivision (b) of Section 707, until that person attains 23 years of age, subject to the provisions of subdivision (c).

(c) The court may retain jurisdiction over a person who is found to be a person described in Section 602 by reason of the commission of an offense listed in subdivision (b) of Section 707 until that person attains 25 years of age if the person, at the time of adjudication of a crime or crimes, would, in criminal court, have faced an aggregate sentence of seven years or more.

(d) The court shall not discharge a person from its jurisdiction who has been committed to the Department of Corrections and Rehabilitation, Division of Juvenile Justice while the person remains under the jurisdiction of the Department of Corrections and Rehabilitation, Division of Juvenile Justice, including periods of extended control ordered pursuant to Section 1800.

(e) The court may retain jurisdiction over a person described in Section 602 by reason of the commission of an offense listed in subdivision (b) of Section 707, who has been confined in a state hospital or other appropriate public or private mental health facility pursuant to Section 702.3 until that person attains 25 years of age, unless the court that committed the person finds, after notice and hearing, that the person's sanity has been restored.

(f) The court may retain jurisdiction over a person while that person is the subject of a warrant for arrest issued pursuant to Section 663.

(g) Notwithstanding subdivisions (b), (c), and (e), a person who is committed by the juvenile court to the Department of Corrections and Rehabilitation, Division of Juvenile Justice on or after July 1, 2012, but before July 1, 2018, and who is found to be a person described in Section 602 by reason of the commission of an offense listed in subdivision (b) of Section 707 shall be discharged upon the expiration of a two-year period of control, or when the person attains 23 years of age, whichever occurs later, unless an order for further detention has been made by the committing court pursuant to Article 6 (commencing with Section 1800) of Chapter 1 of Division 2.5. This subdivision does not apply to a person who is committed to the Department of Corrections and Rehabilitation, Division of Juvenile Justice, or to a person who is confined in a state hospital or other appropriate public or private mental health facility, by a court prior to July 1, 2012, pursuant to subdivisions (b), (c), and (e).

(h) (1) Notwithstanding subdivision (g), a person who is committed by the juvenile court to the Department of Corrections and Rehabilitation, Division of Juvenile Justice, on or after July 1, 2018, and who is found to be a person described in Section 602 by reason of the commission of an offense listed in subdivision (c) of Section 290.008 of the Penal Code or subdivision (b) of Section 707 of this code, shall be discharged upon the expiration of a two-year period of control, or when the person attains 23 years of age, whichever occurs later, unless an order for further detention has been made by the committing court pursuant to Article 6 (commencing with Section 1800) of Chapter 1 of Division 2.5.

(2) A person who, at the time of adjudication of a crime or crimes, would, in criminal court, have faced an aggregate sentence of seven years or more, shall be discharged upon the expiration of a two-year period of control, or when the person attains 25 years of age, whichever occurs later, unless an order for further detention has been made by the committing court pursuant to Article 6 (commencing with Section 1800) of

Chapter 1 of Division 2.5.

(3) This subdivision does not apply to a person who is committed to the Department of Corrections and Rehabilitation, Division of Juvenile Justice, or to a person who is confined in a state hospital or other appropriate public or private mental health facility, by a court prior to July 1, 2018, as described in subdivision (g).

(i) The amendments to this section made by Chapter 342 of the Statutes of 2012 apply retroactively.

(j) This section does not change the period of juvenile court jurisdiction for a person committed to the Division of Juvenile Justice prior to July 1, 2018.

(k) This section shall become operative July 1, 2021.

SEC. 5. Section 704 of the Welfare and Institutions Code is amended to read:

704. (a) If the court has determined that a minor is a person described by Section 602, or if the court has determined that a minor is a person described by Section 601 and a supplemental petition for commitment of the minor to the Division of Juvenile Justice has been filed pursuant to Section 777, and the minor is otherwise eligible for commitment to the Division of Juvenile Justice, the court, if it concludes that a disposition of the case in the best interest of the minor requires such observation and diagnosis as can be made at a diagnostic and treatment center of the Division of Juvenile Justice, may continue the hearing and order that the minor be placed temporarily in such a center for a period not to exceed 90 days, with the further provision in such order that the Director of the Division of Juvenile Justice report to the court its diagnosis and recommendations concerning the minor within the 90-day period.

(b) The Director of the Division of Juvenile Justice shall, within the 90 days, cause the minor to be observed and examined and shall forward to the court the diagnosis and recommendation concerning the minor's future care, supervision, and treatment.

(c) The Division of Juvenile Justice shall accept that person if there is in effect a contract made pursuant to Section 1752.1 and if it believes that the person can be materially benefited by such diagnostic and treatment services, and if the Director of the Division of Juvenile Justice certifies that staff and institutions are available. A person shall not be transported to any facility under the jurisdiction of the Division of Juvenile Justice until the director has notified the referring court of the place to which said person is to be transported and the time at

which the person can be received.

(d) The probation officer of the county in which an order is made placing a minor in a diagnostic and treatment center pursuant to this section, or any other peace officer designated by the court, shall execute the order placing the minor in the center or returning the minor therefrom to the court. The expense of the probation officer or other peace officer incurred in executing the order is a charge upon the county in which the court is situated.

(e) This section shall become inoperative on July 1, 2021, and, as of January 1, 2022, is repealed.

SEC. 6. Section 707.2 of the Welfare and Institutions Code is amended to read:

707.2. (a) Prior to sentence and after considering a recommendation on the issue which shall be made by the probation department, the court of criminal jurisdiction may remand the minor to the custody of the Division of Juvenile Justice for a period not to exceed 90 days for the purpose of evaluation and report concerning the minor's amenability to training and treatment offered by the Division of Juvenile Justice. If the court decides not to remand the minor to the custody of the Division of Juvenile Justice, the court shall make a finding on the record that the amenability evaluation is not necessary. However, a court of criminal jurisdiction shall not sentence any minor who was under 16 years of age when the minor committed any criminal offense to the state prison unless the minor has first been remanded to the custody of the Division of Juvenile Justice for evaluation and report pursuant to this section.

The need to protect society, the nature and seriousness of the offense, the interests of justice, and the needs of the minor shall be the primary considerations in the court's determination of the appropriate disposition for the minor.

(b) This section shall not apply where commitment to the Division of Juvenile Justice is prohibited pursuant to Section 1732.6.

(c) This section shall become inoperative on July 1, 2021, and, as of January 1, 2022, is repealed.

SEC. 7. Section 726 of the Welfare and Institutions Code is amended to read:

726. (a) In all cases in which a minor is adjudged a ward or dependent child of the court, the court may limit the control to be exercised over the ward or dependent child by any parent or guardian and shall, in its order, clearly and specifically set forth all those limitations, but no ward or dependent child shall be taken from the physical

custody of a parent or guardian, unless upon the hearing the court finds one of the following facts:

- (1) That the parent or guardian is incapable of providing or has failed or neglected to provide proper maintenance, training, and education for the minor.
- (2) That the minor has been tried on probation while in custody and has failed to reform.
- (3) That the welfare of the minor requires that custody be taken from the minor's parent or guardian.

(b) Whenever the court specifically limits the right of the parent or guardian to make educational or developmental services decisions for the minor, the court shall at the same time appoint a responsible adult to make educational or developmental services decisions for the child until one of the following occurs:

- (1) The minor reaches 18 years of age, unless the child chooses not to make educational or developmental services decisions for themselves, or is deemed by the court to be incompetent.
- (2) Another responsible adult is appointed to make educational or developmental services decisions for the minor pursuant to this section.
- (3) The right of the parent or guardian to make educational or developmental services decisions for the minor is fully restored.
- (4) A successor guardian or conservator is appointed.
- (5) The child is placed into a planned permanent living arrangement pursuant to paragraph (5) or (6) of subdivision (b) of Section 727.3, at which time, for educational decisionmaking, the foster parent, relative caretaker, or nonrelative extended family member, as defined in Section 362.7, has the right to represent the child in educational matters pursuant to Section 56055 of the Education Code, and for decisions relating to developmental services, unless the court specifies otherwise, the foster parent, relative caregiver, or nonrelative extended family member of the planned permanent living arrangement has the right to represent the child in matters related to developmental services.

(c) An individual who would have a conflict of interest in representing the child, as specified under federal regulations, may not be appointed to make educational decisions. The limitations applicable to conflicts of interest for educational rights holders shall also apply to authorized representatives for developmental services decisions pursuant to subdivision (b) of Section 4701.6. For purposes of this section, "an individual who would have a conflict of interest" means a person having any interests that might restrict or bias their ability to make

educational or developmental services decisions, including, but not limited to, those conflicts of interest prohibited by Section 1126 of the Government Code, and the receipt of compensation or attorneys' fees for the provision of services pursuant to this section. A foster parent may not be deemed to have a conflict of interest solely because the foster parent receives compensation for the provision of services pursuant to this section.

(1) If the court limits the parent's educational rights pursuant to subdivision (a), the court shall determine whether there is a responsible adult who is a relative, nonrelative extended family member, or other adult known to the child and who is available and willing to serve as the child's educational representative before appointing an educational representative or surrogate who is not known to the child.

If the court cannot identify a responsible adult who is known to the child and available to make educational decisions for the child and paragraphs (1) to (5), inclusive, of subdivision (b) do not apply, and the child has either been referred to the local educational agency for special education and related services or has a valid individualized education program, the court shall refer the child to the local educational agency for appointment of a surrogate parent pursuant to Section 7579.5 of the Government Code.

(2) All educational and school placement decisions shall seek to ensure that the child is in the least restrictive educational programs and has access to the academic resources, services, and extracurricular and enrichment activities that are available to all pupils. In all instances, educational and school placement decisions shall be based on the best interests of the child. If an educational representative or surrogate is appointed for the child, the representative or surrogate shall meet with the child, shall investigate the child's educational needs and whether those needs are being met, and shall, before each review hearing held under Article 10 (commencing with Section 360), provide information and recommendations concerning the child's educational needs to the child's social worker, make written recommendations to the court, or attend the hearing and participate in those portions of the hearing that concern the child's education.

(3) Nothing in this section in any way removes the obligation to appoint surrogate parents for students with disabilities who are without parental representation in special education procedures as required by state and federal law, including Section 1415(b)(2) of Title 20 of the United States Code, Section 56050 of the Education Code, Section 7579.5 of the Government Code, and Rule 5.650 of the California Rules of Court.

If the court appoints a developmental services decisionmaker pursuant to this section, they shall have the authority to access the child's information and records pursuant to subdivision (u) of Section 4514 and subdivision (y) of Section 5328, and to act on the child's behalf for the purposes of the individual program plan process pursuant to Sections 4646, 4646.5, and 4648 and the fair hearing process pursuant to Chapter 7

(commencing with Section 4700) of Division 4.5, and as set forth in the court order.

(d) (1) If the minor is removed from the physical custody of the minor's parent or guardian as the result of an order of wardship made pursuant to Section 602, the order shall specify that the minor may not be held in physical confinement for a period in excess of the middle term of imprisonment which could be imposed upon an adult convicted of the offense or offenses which brought or continued the minor under the jurisdiction of the juvenile court.

(2) As used in this section and in Section 731, "maximum term of imprisonment" means the middle of the three time periods set forth in paragraph (3) of subdivision (a) of Section 1170 of the Penal Code, but without the need to follow the provisions of subdivision (b) of Section 1170 of the Penal Code or to consider time for good behavior or participation pursuant to Sections 2930, 2931, and 2932 of the Penal Code, plus enhancements which must be proven if pled.

(3) If the court elects to aggregate the period of physical confinement on multiple counts or multiple petitions, including previously sustained petitions adjudging the minor a ward within Section 602, the "maximum term of imprisonment" shall be the aggregate term of imprisonment specified in subdivision (a) of Section 1170.1 of the Penal Code, which includes any additional term imposed pursuant to Section 667, 667.5, 667.6, or 12022.1 of the Penal Code, and Section 11370.2 of the Health and Safety Code.

(4) If the charged offense is a misdemeanor or a felony not included within the scope of Section 1170 of the Penal Code, the "maximum term of imprisonment" is the middle term of imprisonment prescribed by law.

(5) "Physical confinement" means placement in a juvenile hall, ranch, camp, forestry camp or secure juvenile home pursuant to Section 730, or in any institution operated by the Department of Corrections and Rehabilitation, Division of Juvenile Justice.

(6) This section does not limit the power of the court to retain jurisdiction over a minor and to make appropriate orders pursuant to Section 727 for the period permitted by Section 607.

SEC. 8. Section 731 is added to the Welfare and Institutions Code, to read:

731. (a) If a minor is adjudged a ward of the court on the grounds that the minor is a person described by Section 602, the court may commit the ward to the Department of Corrections and Rehabilitation, Division of Juvenile Justice if the ward has committed an offense described in subdivision (b) of Section 707 or subdivision (c) of

Section 290.008 of the Penal Code, and has been the subject of a motion filed to transfer the ward to the jurisdiction of the criminal court as provided in subdivision (c) of Section 736.5 and is not otherwise ineligible for commitment to the division under Section 733.

(b) A ward committed to the Division of Juvenile Justice shall not be confined in excess of the term of confinement set by the committing court. The court shall set a maximum term based upon the facts and circumstances of the matter or matters that brought or continued the ward under the jurisdiction of the court and as deemed appropriate to achieve rehabilitation. The court shall not commit a ward to the Division of Juvenile Justice for a period that exceeds the middle term of imprisonment that could be imposed upon an adult convicted of the same offense. This subdivision does not limit the power of the Board of Juvenile Hearings to discharge a ward committed to the Division of Juvenile Justice pursuant to Sections 1719 and 1769. Upon discharge, the committing court may retain jurisdiction of the ward pursuant to Section 607.1 and establish the conditions of supervision pursuant to subdivision (b) of Section 1766.

(c) This section shall become operative on July 1, 2021, and shall remain in effect until the final closure of the Division of Juvenile Justice.

SEC. 9. Section 733.1 of the Welfare and Institutions Code is amended to read:

733.1. (a) Notwithstanding any other law, except as otherwise provided in this section, a ward of the juvenile court shall not be committed to the Department of Corrections and Rehabilitation, Division of Juvenile Justice on or after July 1, 2021.

(b) A court may commit a ward to the Department of Corrections and Rehabilitation, Division of Juvenile Justice as authorized in subdivision (c) of Section 736.5.

(c) Effective July 1, 2021, a person adjudged a ward of the court pursuant to Section 602, shall not be committed to the Department of Corrections and Rehabilitation, Division of Juvenile Justice, as long as allocations required by Section 1991 are authorized in statute and disbursed by September 1, 2021, and September 1 annually thereafter. To the extent that the allocations required by Section 1991 are not authorized in statute and disbursed annually thereafter, it is the intent of this section that wards adjudged wards of the court pursuant to Section 602 for an offense described in subdivision (b) of Section 707 of this code or subdivision (c) of Section 290.008 of the Penal Code may be committed to the Division of Juvenile Justice or, upon the final closure of the Division of Juvenile Justice, another state-funded facility, if the ward could have been committed to the Division of Juvenile Justice pursuant to Section 731, as that section read on January 1, 2021, and Sections 733, 734, and 736.5. For

the purpose of determining the state's compliance with this subdivision, the presumption shall be that the state is meeting its commitment in Section 1991 if that section is not materially changed from the law in effect on the operative date of this section.

SEC. 10. Section 736.5 of the Welfare and Institutions Code is amended to read:

736.5. (a) It is the intent of the Legislature to close the Division of Juvenile Justice within the Department of Corrections and Rehabilitation, through shifting responsibility for all youth adjudged a ward of the court, commencing July 1, 2021, to county governments and providing annual funding for county governments to fulfill this new responsibility.

(b) Beginning July 1, 2021, a ward shall not be committed to the Department of Corrections and Rehabilitation, Division of Juvenile Justice, except as described in subdivision (c).

(c) Pending the final closure of the Department of Corrections and Rehabilitation, Division of Juvenile Justice, a court may commit a ward who is otherwise eligible to be committed under existing law and in whose case a motion to transfer the minor from juvenile court to a court of criminal jurisdiction was filed. The court shall consider, as an alternative to commitment to the Division of Juvenile Justice, placement in local programs, including those established as a result of the implementation of Chapter 337 of the Statutes of 2020.

(d) All wards committed to the Department of Corrections and Rehabilitation, Division of Juvenile Justice prior to July 1, 2021 or pursuant to (c), shall remain within its custody until the ward is discharged, released or otherwise moved pursuant to law, or until final closure of the Division of Juvenile Justice.

(e) The Division of Juvenile Justice within the Department of Corrections and Rehabilitation shall close on June 30, 2023.

(f) The Director of the Division of Juvenile Justice shall develop a plan, by January 1, 2022, for the transfer of jurisdiction of youth remaining at the Division of Juvenile Justice who are unable to discharge or otherwise move pursuant to law prior to final closure on June 30, 2023.

SEC. 11. Section 779.5 is added to the Welfare and Institutions Code, to read:

779.5. The court committing a ward to a secure youth treatment facility as provided in Section 875 may thereafter modify or set aside the order of commitment upon the written application of the ward or the probation

department and upon a showing of good cause that the county or the commitment facility has failed, or is unable to, provide the ward with treatment, programming, and education that are consistent with the individual rehabilitation plan described in subdivision (d) of Section 875, that the conditions under which the ward is confined are harmful to the ward, or that the juvenile justice goals of rehabilitation and community safety are no longer served by continued confinement of the ward in a secure youth treatment facility. The court shall notice a hearing in which it shall hear any evidence from the ward, the probation department, and any behavioral health or other specialists having information relevant to consideration of the request to modify or set aside the order of commitment. The court shall, at the conclusion of the hearing, make its findings on the record, including findings as to the custodial and supervision status of the ward, based on the evidence presented.

SEC. 12. Article 23.5 (commencing with Section 875) is added to Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code, to read:

Article 23.5. Secure Youth Treatment Facilities

875. (a) In addition to the types of treatment specified in Sections 727 and 730, commencing July 1, 2021, the court may order that a ward who is 14 years of age or older, be committed to a secure youth treatment facility for a period of confinement described in subdivision (b) if the ward meets the following criteria:

(1) The juvenile is adjudicated and found to be a ward of the court based on an offense listed in subdivision (b) of Section 707.

(2) The adjudication described in paragraph (1) is the most recent offense for which the juvenile has been adjudicated.

(3) The court has made a finding on the record that a less restrictive, alternative disposition for the ward is unsuitable. In determining this, the court shall consider all relevant and material evidence, including the recommendations of counsel, the probation department, and any other agency or individual designated by the court to advise on the appropriate disposition of the case. The court shall additionally make its determination based on all of the following criteria:

(A) The severity of the offense or offenses for which the ward has been most recently adjudicated, including the ward's role in the offense, the ward's behavior, and harm done to victims.

(B) The ward's previous delinquent history, including the adequacy and success of previous attempts by the juvenile court to rehabilitate the ward.

(C) Whether the programming, treatment, and education offered and provided in a secure youth treatment facility is appropriate to meet the treatment and security needs of the ward.

(D) Whether the goals of rehabilitation and community safety can be met by assigning the ward to an alternative, less restrictive disposition that is available to the court.

(E) The ward's age, developmental maturity, mental and emotional health, sexual orientation, gender identity and expression, and any disabilities or special needs affecting the safety or suitability of committing the ward to a term of confinement in a secure youth treatment facility.

(b) In making its order of commitment for a ward, the court shall set a baseline term of confinement for the ward that is based on the most serious recent offense for which the ward has been adjudicated. The baseline term of confinement shall represent the time in custody necessary to meet the developmental and treatment needs of the ward and to prepare the ward for discharge to a period of probation supervision in the community. The baseline term of confinement for the ward shall be determined according to offense-based classifications that are approved by the Judicial Council as described in subdivision (h). Pending the development and adoption of offense-based classifications by the Judicial Council, the court shall set a baseline term of confinement for the ward utilizing the discharge consideration date guidelines applied by the Department of Corrections and Rehabilitation, Division of Juvenile Justice prior to its closure and as set forth in Sections 30807 to 30813, inclusive, of Title 9 of the California Code of Regulations. These guidelines shall be used only to determine a baseline confinement time for the ward and shall not be used or relied on to modify the ward's confinement time in any manner other than as provided in this section. The court may, pending the adoption of Judicial Council guidelines, modify the initial baseline term with a deviation of plus or minus six months. The baseline term shall also be subject to modification in progress review hearings as described in subdivision (e).

(c) In making its order of commitment, the court shall additionally set a maximum term of confinement for the ward in a secure youth treatment facility. The maximum term of confinement shall represent the longest term of confinement in a facility that the ward may serve subject to the following:

(1) A ward committed to a secure youth treatment facility under this section shall not be held in secure confinement beyond 23 years of age, or two years from the date of the commitment, whichever occurs later. However, if the ward has been committed to a facility based on adjudication for an offense or offenses for which the ward, if convicted in adult criminal court, would face an aggregate sentence of seven or more years, the maximum period of confinement shall not exceed the ward attaining 25 years of age or two years from the date of the commitment, whichever occurs later.

(2) The maximum period of confinement shall not exceed the middle term of imprisonment that can be imposed upon an adult convicted of the same offense or offenses.

(d) (1) Within 30 days of making an order of commitment to a secure youth treatment facility, the court shall receive, review, and approve an individual rehabilitation plan that meets the requirements of paragraph (2) for the ward that has been submitted to the court by the probation department and any other agencies or individuals the court deems necessary for the development of the plan. The plan may be developed in consultation with a multidisciplinary team of youth service, mental and behavioral health, education, and other treatment providers who are convened to advise the court for this purpose. The prosecutor and the counsel for the ward may provide input in the development of the rehabilitation plan prior to the court's approval of the plan. The plan may be modified by the court based on all of the information provided.

(2) An individual rehabilitation plan shall do all of the following:

(A) Identify the ward's needs in relation to treatment, education, and development, including any special needs the ward may have in relation to health, mental or emotional health, disabilities, or gender-related or other special needs.

(B) Describe the programming, treatment, and education to be provided to the ward in relation to the identified needs during the commitment period.

(C) Reflect, and be consistent with, the principles of trauma-informed, evidence-based, and culturally responsive care.

(D) The ward and their family shall be given the opportunity to provide input regarding the needs of the ward during the identification process stated in subparagraph (A), and the opinions of the ward and the ward's family shall be included in the rehabilitation plan report to the court.

(e) (1) The court shall, during the term of commitment, schedule and hold a progress review hearing for the ward not less frequently than once every six months. In the review hearing, the court shall evaluate the ward's progress in relation to the rehabilitation plan and shall determine whether the baseline term of confinement is to be modified. The court shall consider the recommendations of counsel, the probation department and any behavioral, educational, or other specialists having information relevant to the ward's progress. At the conclusion of the review hearing, the court may order that the ward remain in custody for the remainder of the baseline term or may order that the ward's baseline term be modified downward by a reduction of confinement time not to exceed six months. The court may additionally order that the ward be assigned to a less restrictive program, as

provided in subdivision (f).

(2) The ward's confinement time, including time spent in a less restrictive program described in subdivision (f), shall not be extended beyond the baseline confinement term, or beyond a modified baseline term, for disciplinary infractions or other in-custody behaviors. Any infractions or behaviors shall be addressed by alternative means, which may include a system of graduated sanctions for disciplinary infractions adopted by the operator of a secure youth treatment facility and subject to any relevant state standards or regulations that apply to juvenile facilities generally.

(3) The court shall, at the conclusion of the baseline confinement term, including any modified baseline term, hold a probation discharge hearing for the ward. For a ward who has been placed in a less restrictive program described in subdivision (f), the probation discharge hearing shall occur at the end of the period, or modified period, of placement that has been ordered by the court. At the discharge hearing, the court shall review the ward's progress toward meeting the goals of the individual rehabilitation plan and the recommendations of counsel, the probation department, and any other agencies or individuals having information the court deems necessary. At the conclusion of the hearing, the court shall order that the ward be discharged to a period of probation supervision in the community under conditions approved by the court, unless the court finds that the ward constitutes a substantial risk of imminent harm to others in the community if released from custody. If the court so finds, the ward may be retained in custody in a secure youth treatment facility for up to one additional year of confinement, subject to the review hearing and probation discharge hearing provisions of this subdivision and subject to the maximum confinement provisions of subdivision (c).

(4) If the ward is discharged to probation supervision, the court shall determine the reasonable conditions of probation that are suitable to meet the developmental needs and circumstances of the ward and to facilitate the ward's successful reentry into the community. The court shall periodically review the ward's progress under probation supervision and shall make any additional orders deemed necessary to modify the program of supervision in order to facilitate the provision of services or to otherwise support the ward's successful reentry into the community. If the court finds that the ward has failed materially to comply with the reasonable orders of probation imposed by the court, the court may order that the ward be returned to a juvenile facility or to a placement described in subdivision (f) for a period not to exceed either the remainder of the baseline term, including any court-ordered modifications, or six months, whichever is longer, and in any case not to exceed the maximum confinement limits of subdivision (c).

(f) (1) Upon a motion from the probation department or the ward, the court may order that the ward be transferred from a secure youth treatment facility to less restrictive program, such as a halfway house, a camp or

ranch, or a community residential or nonresidential service program. The purpose of a less restrictive program is to facilitate the safe and successful reintegration of the ward into the community. The court shall consider the transfer request at the next scheduled treatment review hearing or at a separately scheduled hearing. The court shall consider the recommendations of the probation department on the proposed change in placement. Approval of the request for a less restrictive program shall be made only upon the court's determination that the ward has made substantial progress toward the goals of the individual rehabilitation plan described in subdivision (d) and that placement is consistent with the goals of youth rehabilitation and community safety. In making its determination, the court shall consider both of the following factors:

(A) The ward's overall progress in relation to the rehabilitation plan during the period of confinement in a secure youth treatment facility.

(B) The programming and community transition services to be provided, or coordinated by the less restrictive program, including, but not limited to, any educational, vocational, counseling, housing, or other services made available through the program.

(2) In any order transferring the ward from a secure youth treatment facility to a less restrictive program, the court may require the ward to observe any conditions of performance or compliance with the program that are reasonable and appropriate in the individual case and that are within the capacity of the ward to perform. The court shall set the length of time the ward is to remain in a less restrictive program, not to exceed the remainder of the baseline or modified baseline term, prior to a probation discharge hearing described in subdivision (e). If, after placement in a less restrictive program, the court determines that the ward has materially failed to comply with the court-ordered conditions of placement in the program, the court may modify the terms and conditions of placement in the program or may order the ward to be returned to a secure youth treatment facility for the remainder of the baseline term, or modified baseline term, and subject to further periodic review hearings, as provided in subdivision (e) and to the maximum confinement provisions of subdivision (c).

(g) A secure youth treatment facility, as described in this section, shall meet the following criteria:

(1) The facility shall be a secure facility that is operated, utilized, or accessed by the county of commitment to provide appropriate programming, treatment, and education for wards having been adjudicated for the offenses specified in subdivision (a).

(2) The facility may be a stand-alone facility, such as a probation camp or other facility operated under contract

with the county, or with another county, or may be a unit or portion of an existing county juvenile facility, including a juvenile hall or probation camp, that is configured and programmed to serve the population described in subdivision (a) and is in compliance with the standards described in paragraph (3).

(3) The Board of State and Community Corrections shall by July 1, 2023, review existing juvenile facility standards and modify or add standards for the establishment, design, security, programming and education, and staffing of any facility that is utilized or accessed by the court as a secure youth treatment facility under the provisions of this section. The standards shall be developed by the board with the coordination and concurrence of the Office of Youth and Community Restoration established by Section 2200. The standards shall specify how the facility may be used to serve or to separate juveniles, other than juveniles described in subdivision (a) serving baseline confinement terms, who may also be detained in or committed to the facility or to some portion of the facility. Pending the final adoption of these modified standards, a secure youth treatment facility shall comply with applicable minimum standards for juvenile facilities in Title 15 and Title 24 of the California Code of Regulations.

(4) A county proposing to establish a secure youth treatment facility for wards described in subdivision (a) shall notify the Board of State and Community Corrections of the operation of the facility and shall submit a description of the facility to the board in a format designated by the board. Commencing July 1, 2022, the Board of State and Community Corrections shall conduct a biennial inspection of each secure youth treatment facility that was used for the confinement of juveniles placed pursuant to subdivision (a) during the preceding calendar year. To the extent new standards are not yet in place, the board shall utilize the standards in existing regulations.

(5) In lieu of establishing its own secure youth treatment facility, a county may contract with another county having a secure youth treatment facility to accept commitments of wards described in subdivision (a).

(6) A county may establish a secure youth treatment facility to serve as a regional center for commitment of juveniles by one or more other counties on a contract payment basis.

(h) (1) By July 1, 2023, the Judicial Council shall develop and adopt a matrix of offense-based classifications to be applied by the juvenile courts in all counties in setting the baseline confinement terms described in subdivision (b). Each classification level or category shall specify a set of offenses within the level or category that is linked to a standard baseline term of years to be assigned to youth, based on their most serious recent adjudicated offense, who are committed to a secure youth treatment facility as provided in this section. The classification matrix may provide for upward or downward deviations from the baseline term and may also provide for a

system of positive incentives or credits for time served. In developing the matrix, the Judicial Council shall be advised by a working group of stakeholders, which shall include representatives from prosecution, defense, probation, behavioral health, youth service providers, youth formerly incarcerated in the Division of Juvenile Justice, and youth advocacy and other stakeholders and organizations having relevant expertise or information on dispositions and sentencing of youth in the juvenile justice system. In the development process, the Judicial Council shall also examine and take into account youth sentencing and length-of-stay guidelines or practices adopted by other states or recommended by organizations, academic institutions, or individuals having expertise or having conducted relevant research on dispositions and sentencing of youth in the juvenile justice system.

(2) Upon final adoption by the Judicial Council, the matrix of offense-based classifications shall be applied in a standardized manner by juvenile courts in each county in cases where the court is required to set a baseline confinement term under subdivision (b) for wards who are committed to a secure youth treatment facility. The discharge consideration date guidelines of the Division of Juvenile Justice that were applied on an interim basis, as provided in subdivision (b), shall not thereafter be utilized to determine baseline confinement terms for wards who are committed to a secure youth treatment facility under the provisions of this section.

(i) A court shall not commit a juvenile to any juvenile facility, including a secure youth treatment facility as defined in this section, for a period that exceeds the middle term of imprisonment that could be imposed upon an adult convicted of the same offense or offenses.

875.5. (a) It is the intent of the Legislature to apply Article 6 (commencing with Section 1800) of Chapter 1 of Division 2.5, governing extended detention of persons physically dangerous to the public who are served by the Division of Juvenile Justice, to persons physically dangerous to the public who are committed to a secure treatment facility pursuant to Section 875, pending development of a specific commitment process for realigned persons pursuant to subdivision (b).

(b) The Governor and the Legislature shall work with stakeholders, including, but not limited to, the Division of Juvenile Justice, the State Department of State Hospitals, the Chief Probation Officers of California, the California State Association of Counties, advocacy organizations representing youth, and the Judicial Council to develop language by July 1, 2021, to replace the procedures specified in Section 876 with a commitment process that ensures the treatment capacity, legal protections, and court procedures are appropriate to successfully serve persons realigned from the Division of Juvenile Justice to the counties by Senate Bill 823 (Chapter 337, Statutes of 2020).

(c) It is the intent of the Legislature to enact legislation that would, effective July 1, 2022, extend detention of

persons physically dangerous to the public who are in a secure youth treatment facility pursuant to the commitment process developed in subdivision (b).

876. (a) If a probation department determines that the discharge of a person confined in a secure youth treatment facility from the control of the court at the time required by Section 875 would be physically dangerous to the public because of the person's mental or physical condition, disorder, or other problem that causes the person to have serious difficulty controlling their dangerous behavior, the department shall request the prosecuting attorney to petition the committing court for an order directing that the person remain subject to the control of the department beyond that time. The petition shall be filed at least 90 days before the time of discharge otherwise required. The petition shall be accompanied by a written statement of the facts upon which the department bases its opinion that discharge at the time stated would be physically dangerous to the public, but the petition may not be dismissed and an order may not be denied merely because of technical defects in the application.

(b) The prosecuting attorney shall promptly notify the probation department of a decision not to file a petition.

(c) If a petition is filed with the court and, upon review, the court determines that the petition, on its face, supports a finding of probable cause, the court shall order that a hearing be held. The court shall provide notification of the hearing to the person whose liberty is involved and, if the person is a minor, the minor's parent or guardian, if the minor's parent or guardian can be reached, and, if not, the court shall appoint a person to act in the place of the parent or guardian and shall afford the person an opportunity to appear at the hearing with the aid of counsel and the right to cross-examine experts or other witnesses upon whose information, opinion, or testimony the petition is based. The court shall inform the person named in the petition of their right of process to compel attendance of relevant witnesses and the production of relevant evidence. When the person is unable to provide their own counsel, the court shall appoint counsel to represent them. The probable cause hearing shall be held within 10 calendar days after the date the order is issued pursuant to this subdivision unless the person named in the petition waives this time.

(d) At the probable cause hearing, the court shall receive evidence and determine whether there is probable cause to believe that discharge of the person would be physically dangerous to the public because of the person's mental or physical condition, disorder, or other problem that causes the person to have serious difficulty controlling dangerous behavior. If the court determines there is not probable cause, the court shall dismiss the petition and the person shall be discharged from the control of a secure youth treatment facility at the time required by Section 875, as applicable. If the court determines there is probable cause, the court shall order that

a trial be conducted to determine whether the person is physically dangerous to the public because of their mental or physical condition, disorder, or other problem.

(e) If a trial is ordered, the trial shall be by jury unless the right to a jury trial is personally waived by the person, after the person has been fully advised of the constitutional rights being waived, and by the prosecuting attorney, in which case trial shall be by the court. If the jury is not waived, the court shall cause a jury to be summoned and to be in attendance at a date stated, not less than 4 days nor more than 30 days from the date of the order for trial, unless the person named in the petition waives time. The court shall submit to the jury, or, at a court trial, the court shall answer, the following question: Is the person physically dangerous to the public because of a mental or physical condition, disorder, or other problem that causes the person to have serious difficulty controlling their dangerous behavior? The court's previous order entered pursuant to this section shall not be read to the jury, nor alluded to in the trial. The person shall be entitled to all rights guaranteed under the federal and state constitutions in criminal proceedings. A unanimous jury verdict shall be required in any jury trial. As to either a court or a jury trial, the standard of proof shall be that of proof beyond a reasonable doubt.

(f) If an order for continued detention is made pursuant to this section, the control of the department over the person shall continue, subject to the provisions of this article, but, unless the person is previously discharged as provided in Section 875, the department shall, within two years after the date of that order in the case of persons committed by the juvenile court, or within two years after the date of that order in the case of persons committed after conviction in criminal proceedings, file a new application for continued detention in accordance with the provisions of this section if continued detention is deemed necessary. These applications may be repeated at intervals as often as in the opinion of the department may be necessary for the protection of the public, except that the court shall have the power, in order to protect other persons in the custody of probation to refer the person for evaluation for civil commitment or to transfer the custody of any person over 25 years of age to the county adult probation authorities for placement in an appropriate institution. Each person shall be discharged from the control of the probation department at the termination of the period stated in this section unless the probation department has filed a new application and the court has made a new order for continued detention as provided above in this section.

(g) An order of the committing court made pursuant to this section is appealable by the person whose liberty is involved in the same manner as a judgment in a criminal case. The appellate court may affirm the order of the lower court, or modify it, or reverse it and order the appellant to be discharged. Pending appeal, the appellant shall remain under the control of the probation department.

SEC. 13. Section 1731.5 of the Welfare and Institutions Code is amended to read:

1731.5. (a) After certification to the Governor as provided in this article, a court may, until July 1, 2021, commit to the Division of Juvenile Justice any person who meets all of the following:

(1) Is convicted of an offense described in subdivision (b) of Section 707 or subdivision (c) of Section 290.008 of the Penal Code.

(2) Is found to be less than 21 years of age at the time of apprehension.

(3) Is not sentenced to death, imprisonment for life, with or without the possibility of parole, whether or not pursuant to Section 190 of the Penal Code, imprisonment for 90 days or less, or the payment of a fine, or after having been directed to pay a fine, defaults in the payment thereof, and is subject to imprisonment for more than 90 days under the judgment.

(4) Is not granted probation, or was granted probation and that probation is revoked and terminated.

(b) The Division of Juvenile Justice shall accept a person committed to it prior to July 1, 2021, pursuant to this article if it believes that the person can be materially benefited by its reformatory and educational discipline, and if it has adequate facilities to provide that care.

(c) A person under 18 years of age who is not committed to the division pursuant to this section may be transferred to the division by the Secretary of the Department of Corrections and Rehabilitation with the approval of the Director of the Division of Juvenile Justice. In sentencing a person under 18 years of age, the court may, until July 1, 2021, order that the person be transferred to the custody of the Division of Juvenile Justice pursuant to this subdivision. If the court makes this order and the division fails to accept custody of the person, the person shall be returned to court for resentencing. The transfer shall be solely for the purposes of housing the inmate, allowing participation in the programs available at the institution by the inmate, and allowing division parole supervision of the inmate, who, in all other aspects shall be deemed to be committed to the Department of Corrections and Rehabilitation and shall remain subject to the jurisdiction of the Secretary of the Department of Corrections and Rehabilitation and the Board of Parole Hearings. Notwithstanding subdivision (b) of Section 2900 of the Penal Code, the secretary, with the concurrence of the director, may designate a facility under the jurisdiction of the director as a place of reception for a person described in this subdivision. The director has the same powers with respect to an inmate transferred pursuant to this subdivision as if the inmate had been committed or transferred to the Division of Juvenile Justice either under the Arnold-Kennick Juvenile Court Law or

subdivision (a). The duration of the transfer shall extend until any of the following occurs:

(1) The director orders the inmate returned to the Department of Corrections and Rehabilitation.

(2) The inmate is ordered discharged by the Board of Parole Hearings.

(3) The inmate reaches 18 years of age. However, if the inmate's period of incarceration would be completed on or before the inmate's 25th birthday, the director may continue to house the inmate until the period of incarceration is completed or until final closure of the Division of Juvenile Justice.

(d) The amendments to subdivision (c), as that subdivision reads on July 1, 2018, made by the act adding this subdivision, apply retroactively.

SEC. 14. Section 1731.6 of the Welfare and Institutions Code is amended to read:

1731.6. (a) In any county in which there is in effect a contract made pursuant to Section 1752.1, if a court has determined that a person comes within the provisions of Section 1731.5 and concludes that a proper disposition of the case requires such observation and diagnosis as can be made at a diagnostic and treatment center of the Division of Juvenile Justice, the court may continue the hearing and, until July 1, 2021, order that the person be placed temporarily in such a center for a period not to exceed 90 days, with the further provision in such order that the Director of the Division of Juvenile Justice report to the court its diagnosis and recommendations concerning the person within the 90-day period.

(b) The Director of the Division of Juvenile Justice shall, within the 90 days, cause the person to be observed and examined and shall forward to the court the diagnosis and recommendation concerning the person's future care, supervision, and treatment.

(c) The Division of Juvenile Justice shall accept that person if it believes that the person can be materially benefited by such diagnostic and treatment services and if the Director of the Division of Juvenile Justice certifies that staff and institutions are available. A person shall not be transported to any facility under the jurisdiction of the Division of Juvenile Justice until the director has notified the referring court of the place to which the person is to be transported and the time at which the person can be received.

(d) Notwithstanding subdivision (c), the Division of Juvenile Justice shall accept without cost to the county any persons remanded pursuant to Section 707.2.

(e) The sheriff of the county in which an order is made placing a person in a diagnostic and treatment center pursuant to this section, or any other peace officer designated by the court, shall execute the order placing the person in the center or returning them therefrom to the court. The expense of the sheriff or other peace officer incurred in executing that order is a charge upon the county in which the court is situated.

SEC. 15. Section 1731.7 of the Welfare and Institutions Code, as amended by Section 42 of Chapter 29 of the Statutes of 2020, is amended to read:

1731.7. (a) The Department of Corrections and Rehabilitation, Division of Juvenile Justice, shall establish and operate a seven-year pilot program for transition-aged youth. Commencing on or after January 1, 2019, the program shall divert a limited number of transition-aged youth from adult prison to a juvenile facility in order to provide developmentally appropriate, rehabilitative programming designed for transition-aged youth with the goal of improving their outcomes and reducing recidivism.

(b) The department may develop criteria for placement in this program, initially targeting youth sentenced by a superior court who committed an offense described in subdivision (b) of Section 707 prior to 18 years of age. Youth with a period of incarceration that cannot be completed on or before their 25th birthday are ineligible for placement in the transition-aged youth program. The department may consider the availability of program credit earning opportunities that lower the total length of time a youth serves in determining eligibility.

(c) Notwithstanding any other law, following sentencing, an individual who is 18 years of age or older at the time of sentencing and who has been convicted of an offense described in subdivision (b) of Section 707 that occurred prior to 18 years of age shall remain in local detention pending a determination of acceptance or rejection by the Division of Juvenile Justice. The Division of Juvenile Justice shall notify the local detention authority upon determination of acceptance or rejection of an individual pursuant to this subdivision.

(d) An eligible person may be transferred to the Division of Juvenile Justice by the Secretary of the Department of Corrections and Rehabilitation with the approval of the Director of the Division of Juvenile Justice. Notwithstanding subdivision (b) of Section 2900 of the Penal Code, the secretary, with the concurrence of the director, may designate a facility under the jurisdiction of the Division of Juvenile Justice as a place of reception for a person described in this section.

(e) The duration of the transfer shall extend until either of the following occurs:

(1) The director orders the youth returned to the Department of Corrections and Rehabilitation.

(2) The youth's period of incarceration is completed.

(f) The Division of Juvenile Justice shall produce and submit a report to the Legislature on January 1, 2020, to assess the program. At a minimum, the report shall include all of the following:

(1) Criteria used to determine placement in the program.

(2) Guidelines for satisfactory completion of the program.

(3) Demographic data of eligible and selected participants, including, but not limited to, county of conviction, race, gender, sexual orientation, and gender identity and expression.

(4) Disciplinary infractions incurred by participants.

(5) Good conduct, milestone completion, rehabilitative achievement, and educational merit credits earned in custody.

(6) Quantitative and qualitative measures of progress in programming.

(7) Rates of attrition of program participants.

(g) The Division of Juvenile Justice shall contract with one or more independent universities or outside research organizations to evaluate the effects of participation in the program established by this section. This evaluation shall include, at a minimum, an evaluation of cost-effectiveness, recidivism data, consistency with evidence-based principles, and program fidelity. If sufficient data is available, the evaluation may also compare participant outcomes with a like group of similarly situated transition aged youth retained in the counties or incarcerated in adult institutions.

(h) The Division of Juvenile Justice shall promulgate regulations to implement this section.

(i) Effective July 1, 2020, the pilot program operated pursuant to this section shall be suspended. Any pilot program participants who were diverted from an adult prison pursuant to this section and who were housed at the Division of Juvenile Justice prior to January 1, 2020, may remain at the Division of Juvenile Justice pursuant to subdivision (e).

SEC. 16. Section 1731.7 of the Welfare and Institutions Code, as added by Section 68 of Chapter 25 of the Statutes of 2019, is repealed.

SEC. 17. Section 1752.1 of the Welfare and Institutions Code is amended to read:

1752.1. (a) The director may enter into contracts with the approval of the Director of Finance with any county of this state, upon request of the board of supervisors thereof, wherein the Division of Juvenile Justice agrees to furnish diagnosis and treatment services and temporary detention during a period of study to the county for selected cases of persons eligible for commitment to the Division of Juvenile Justice. The county shall reimburse the state for the cost of those services, the cost to be determined by the Director of the Division of Juvenile Justice.

(b) The Division of Juvenile Justice shall present to the county, not more frequently than monthly, a claim for the amount due the state under this section which the county shall process and pay pursuant to the provisions of Chapter 4 (commencing with Section 29700) of Division 3 of Title 3 of the Government Code.

(c) The Division of Juvenile Justice shall not accept new cases from the counties pursuant to this section on and after July 1, 2021.

SEC. 18. Section 1752.15 of the Welfare and Institutions Code is amended to read:

1752.15. (a) The director may enter into contracts, with the approval of the Director of Finance, with any county of this state upon request of the board of supervisors thereof, wherein the Division of Juvenile Justice agrees to furnish temporary emergency detention facilities and necessary services incident thereto, for persons under the age of 18 years who are in the custody of the county probation officer pursuant to provisions of Chapter 2 (commencing with Section 200) of Part 1 of Division 2. Facilities of the department may be used only on a temporary basis when existing county juvenile facilities are rendered unsafe or inadequate because of a natural or manmade disaster, or when the continued presence of the minor or minors in the county juvenile facilities would, in the opinion of the judge of the juvenile court having jurisdiction over the minor, of the chief probation officer of the county, and of the director, present a significant risk of violence or escape. They may not be used for the detention of a person who is alleged to be or has been adjudged to be a person described by Section 300 or Section 601.

(b) Whenever any person is detained in a Division of Juvenile Justice facility located in a county other than the county which has contracted for services pursuant to this section, the county shall provide for adequate consultation between the minor and the minor's attorney; and, if the minor's parent or guardian lacks adequate private means of transportation, and if the minor has been detained in the facility for more than 10 days, the

county shall make reasonable efforts to provide for visitation between the minor and the minor's parents or guardian.

(c) The county shall reimburse the state for the cost of these services, the cost to be determined by the director. The department shall present to the county, not more than once a month, a claim for the amount due the state under this section which the county shall process and pay pursuant to the provisions of Chapter 4 (commencing with Section 29700) of Division 3 of Title 3 of the Government Code.

(d) The Division of Juvenile Justice shall not accept new cases from the counties pursuant to this section on and after July 1, 2021.

SEC. 19. Section 1767.35 of the Welfare and Institutions Code is amended to read:

1767.35. (a) For a ward discharged from the Division of Juvenile Justice to the jurisdiction of the committing court, that person may be detained by probation, for the purpose of initiating proceedings to modify the ward's conditions of supervision entered pursuant to paragraph (6) of subdivision (b) of Section 1766 if there is probable cause to believe that the ward has violated any of the court-ordered conditions of supervision. Within 15 days of detention, the committing court shall conduct a modification hearing for the ward. Pending the hearing, the ward may be detained by probation. At the hearing authorized by this subdivision, at which the ward shall be entitled to representation by counsel, the court shall consider the alleged violation of conditions of supervision, the risks and needs presented by the ward, and the supervision programs and sanctions that are available for the ward. Modification may include, as a sanction for a finding of a serious violation or a series of repeated violations of the conditions of supervision, an order for the reconfinement of a ward under 18 years of age in a juvenile facility, or for the reconfinement of a ward 18 years of age or older in a juvenile facility as authorized by Section 208.5, or for the reconfinement of a ward 18 years of age or older in a local adult facility as authorized by subdivision (b), or, until July 1, 2021, the Division of Juvenile Justice as authorized by subdivision (c). The ward shall be fully informed by the court of the terms, conditions, responsibilities, and sanctions that are relevant to the order that is adopted by the court. The procedure of the supervision modification hearing, including the detention status of the ward in the event continuances are ordered by the court, shall be consistent with the rules, rights, and procedures applicable to delinquency disposition hearings, as described in Article 17 (commencing with Section 675) of Chapter 2 of Part 1 of Division 2.

(b) Notwithstanding any other law, subject to Chapter 1.6. (commencing with Section 1980), and consistent with the maximum periods of time set forth in Section 731, in any case in which a person who was committed to and

discharged from the Department of Corrections and Rehabilitation, Division of Juvenile Justice to the jurisdiction of the committing court attains 18 years of age prior to being discharged from the division or during the period of supervision by the committing court, the court may, upon a finding that the ward violated their conditions of supervision and after consideration of the recommendation of the probation officer and pursuant to a hearing conducted according to the provisions of subdivision (a), order that the person be delivered to the custody of the sheriff for a period not to exceed a total of 90 days, as a custodial sanction consistent with the reentry goals and requirements imposed by the court pursuant to paragraph (6) of subdivision (b) of Section 1766. Notwithstanding any other law, the sheriff may allow the person to come into and remain in contact with other adults in the county jail or in any other county correctional facility in which the person is housed.

(c) Notwithstanding any other law and subject to Chapter 1.6 (commencing with Section 1980), in any case in which a person who was committed to and discharged from the Department of Corrections and Rehabilitation, Division of Juvenile Justice, to the jurisdiction of the committing court, the juvenile court may, upon a finding that the ward violated their conditions of supervision and after consideration of the recommendation of the probation officer and pursuant to a hearing conducted according to the provisions of subdivision (a), order that the person be returned to the custody of the Department of Corrections and Rehabilitation, Division of Juvenile Justice, for a specified amount of time no shorter than 90 days and no longer than one year. This return shall be a sanction consistent with the reentry goals and requirements imposed by the court pursuant to paragraph (6) of subdivision (b) of Section 1766. A decision to return a ward to the custody of the Division of Juvenile Justice can only be made prior to July 1, 2021, and pursuant to the court making the following findings: (1) that appropriate local options and programs have been exhausted, and (2) that the ward has available confinement time that is greater than or equal to the length of the return.

(d) Upon ordering a ward to the custody of the Division of Juvenile Justice, the court shall send to the Division of Juvenile Justice a copy of its order along with a copy of the ward's probation plans and history while under the supervision of the county.

SEC. 20. Section 1991 of the Welfare and Institutions Code is amended to read:

1991. (a) Commencing with the 2021–22 fiscal year, and annually thereafter, there shall be an allocation to the county for use by the county to provide appropriate rehabilitative housing and supervision services for the population specified in subdivision (b) of Section 1990. In making allocations, the Board of Supervisors shall consider the plan required in Section 1995. Any entity receiving a direct allocation of funding from the Board of Supervisors under this section for any secure residential placement for court ordered detention will be subject to

existing regulations. With the exception of county probation departments, a local public agency that has primary responsibility for prosecuting or making arrests or detentions shall not provide rehabilitative and supervision services for the population specified in subdivision (b) of Section 1990 or receive funding pursuant to this section:

(1) For the 2021–22 fiscal year, thirty-nine million nine hundred forty-nine thousand dollars (\$39,949,000) shall be appropriated from the General Fund to provide appropriate rehabilitative and supervision services for the population specified in subdivision (b) of Section 1990 based on a projected average daily population of 177.6 wards. The by-county distribution shall be based on 30 percent of the per-county percentage of the average number of wards committed to the Department of Corrections and Rehabilitation, Division of Juvenile Justice, as of December 31, 2018, June 30, 2019, and December 31, 2019, 50 percent of the by-county distribution of juveniles adjudicated for certain violent and serious felony crime categories per 2018 Juvenile Court and Probation Statistical System data, updated annually based on the most recently available data, and 20 percent of the by-county distribution of all individuals between 10 and 17 years of age, inclusive, from the preceding calendar year.

(2) For the 2022–23 fiscal year, one hundred eighteen million three hundred thirty-nine thousand dollars (\$118,339,000) shall be appropriated from the General Fund to provide appropriate rehabilitative and supervision services for the population specified in subdivision (b) of Section 1990. The by-county distribution is based on the per-county percentage referenced in paragraph (1) of subdivision (a) and a projected average daily population of 526 wards.

(3) For the 2023–24 fiscal year, one hundred ninety two million thirty-seven thousand dollars (\$192,037,000) shall be appropriated from the General Fund to provide appropriate rehabilitative and supervision services for the population specified in subdivision (b) Section 1990. The by-county distribution is based the per-county percentage referenced in paragraph (1) of subdivision (a) and a projected average daily population of 853.5 wards.

(4) For the 2024–25 fiscal year and each year thereafter, two hundred eight million eight hundred thousand dollars (\$208,800,000) shall be appropriated from the General Fund to provide appropriate rehabilitative and supervision services for the population specified in subdivision (b) of Section 1990 based on a projected average daily population of 928 wards. The Governor and the Legislature shall work with stakeholders to establish a distribution methodology for the funding in this paragraph by January 10, 2024, and ongoing that improves outcomes for this population.

(5) The Department of Finance shall increase to no more than two hundred fifty thousand dollars (\$250,000)

the award amount for any county whose allocation as calculated pursuant to paragraphs (1), (2), (3), and (4) totals less than two hundred fifty thousand dollars (\$250,000). The appropriation in paragraphs (1), (2), (3), and (4) shall be increased by the amount(s) needed to bring each counties allocation to \$250,000.

(b) Commencing with the 2024–25 fiscal year, the allocations determined by paragraphs (4) and (5) of subdivision (a) and shall be adjusted annually by a rate commensurate with any applicable growth in the Juvenile Justice Growth Special Account in the prior fiscal year. Each year this growth shall become additive to the next year’s base allocation.

(c) By July 1, 2021, and each July 1 annually thereafter, the Department of Finance shall allocate the amount calculated in paragraphs (1), (2), (3), (4), and (5) of subdivision (a) from the General Fund and provide a schedule for the allocation of funds among counties to the Controller. The Controller shall allocate these funds no later than August 1 each year, consistent with the schedule provided by the Department of Finance.

SEC. 21. Section 2250 of the Welfare and Institutions Code is amended to read:

2250. (a) Nine million six hundred thousand dollars (\$9,600,000) is hereby appropriated from the General Fund to the Youth Programs and Facilities Grant Program, which shall be administered by the Board of State and Community Corrections, to award one-time grants, to counties for the purpose of providing resources for infrastructure related needs and improvements to assist counties in the development of a local continuum of care.

(b) Each entity receiving a grant from the Youth Programs and Facilities Grant Program shall submit a detailed report to the office with the following information:

- (1) An accounting of expenditures.
- (2) A description of the physical and system enhancements made.
- (3) How many regional placement beds were supported with the funding.
- (4) What proportion of the regional placement beds were contracted to other counties and which counties.

(c) With the exception of county probation departments, a local public agency that has responsibility for making arrests and detaining suspects as its primary responsibility, or which is responsible for prosecutions, is ineligible to apply for this grant.

(d) Funds from the Youth Programs and Facilities Grant Program shall not be used by counties to enter into contracts with private entities whose primary business is the custodial confinement of adults or youth in a prison or prison-like setting.

(e) (1) The Board of State and Community Corrections shall complete and submit, no later than October 1, 2024, a report to the budget and public safety policy committees of the Legislature describing the expenditures of the Youth Programs and Facilities Grant Program, including, but not limited to, recipients and award amounts, how funding was spent, how many regional placements were supported and a detailed description of the counties that contracted to utilize the regional facility beds. The report shall also be made available to the public on the board's internet website.

(2) The report required by paragraph (1) shall be submitted in compliance with Section 9795 of the Government Code.

(f) Any costs incurred by the office in connection with the development or administration of the grant program shall be deducted from the amount appropriated before awarding any grants, not to exceed five percent of the amount appropriated.

(g) This chapter shall remain in effect only until January 1, 2026, and as of that date is repealed.

SEC. 22. Fifty thousand dollars (\$50,000) is hereby appropriated from the General Fund in the 2021–22 fiscal year to the Adult Reentry Grant administered by the Board of State and Community Corrections to support rental assistance programs.

SEC. 23. This act is a bill providing for appropriations related to the Budget Bill within the meaning of subdivision (e) of Section 12 of Article IV of the California Constitution, has been identified as related to the budget in the Budget Bill, and shall take effect immediately.

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC HEALTH -- DPH

Dept. Code: DPH

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

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

Type of Service: Substance Use Disorder Residential Treatment Services for Youth

Funding Source: General Funds, Federal Dollars

PSC Duration: 5 years 4 weeks

PSC Amount: \$4,000,000

1. Description of Work

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

The selected contractor(s) will provide substance use residential services at American Society of Addiction Medicine (ASAM) Level 3.1, clinically managed low-intensity residential services, for youth up to the age of 18 years old experiencing high level of substance use and meeting the ASAM criteria for residential services.

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

The need for services is based on the prevalent and increasing substance issues that our youth are facing in San Francisco, and indications are that youth in the City who are experiencing elevated risks associated with their substance misuse would benefit from a residential milieu to support their treatment in a safe and supervised environment. Additionally, the trend we see of adult users starting their substance use journey in adolescence presents an opportunity to treat any elevated or problematic substance use sooner in their life by expanding into this level of care. Denial of services could result in a lack of appropriate care for youth facing substance use issues, increased risks for youth such as poor health outcomes and a continuation of substance-related issues, and negative impacts on their long-term health and well-being. Additionally, if the Department does not maintain program compliance with State and Federal requirements, it can result in sanctions ranging from fines to withholding payments.

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

This is a new service.

D. Will the contract(s) be renewed?

Yes, as the need continues and as funding is available, and as long as the City continues to contract with the Department of Healthcare Services (DHCS).

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 department expects the need for these services to be ongoing.

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 Department currently does not have a children's residential facility, licensed and certified by DHCS and CDSS, to provide 24/7 substance use treatment. The Department also does not have capacity nor plans to build or acquire such a facility and therefore must utilize contractors to meet as many of the City's youth needs as possible. Additionally, if the Department does not maintain program compliance with State and Federal requirements, it can result in sanctions ranging from fines to withholding payments.

3. Description of Required Skills/Expertise

- A. Specify required skills and/or expertise: Contractor(s) must have: -Clinical staff who are knowledgeable about the biological and psychosocial dimensions of substance use disorders for adolescents and their treatment, and are able to identify signs and symptoms of acute psychiatric conditions including psychiatric decompensation. -Experience with youth substance youth residential treatment or mental health residential treatment. -Clinical staff who are experienced and knowledgeable in family dynamics and family system work. -Medical director who is an addiction specialist physician under whose license the program will exist. -Licensed practitioners of the healing arts (LPHA), such as licensed or license-eligible professional staff registered under Board of Behavioral Sciences (BBS) or Board of Psychology (BOP), who can determine medical necessity, diagnose, and supervise clinical work of allied staff. LPHA experience will include working with youth with intense behavioral needs. -Drug counselors, registered or certified with DHCS-approved national licensing boards. -Nurse practitioners who can administer and monitor medication given to youth and take vital signs as necessary. -Group living workers who monitor the safety and well-being of the youth, especially overnight. -Care coordinators and navigators to help youth and family link to other services and transition to another level of care upon discharge.
- B. Which, if any, civil service class(es) normally perform(s) this work? 2233, Supervising Physician Spec; 2585, Health Worker 1; 2586, Health Worker 2; 2587, Health Worker 3; 2588, Health Worker 4; 2930, Psychiatric Social Worker; 2932, Sr Psychiatric Social Worker; 2242, Senior Psychiatric Physician Specialist; 2243, Supervising Psychiatric Physician Specialist;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes. Contractor will maintain appropriate community facilities that are licensed and otherwise compliant with external funding and regulatory requirements for provision of contracted services.

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

The Department is responsible for continually monitoring the abilities of its system of care to deliver services and utilizes civil service staff to provide services. The Department currently does not have a children's residential facility, licensed and certified by DHCS and California Department of Social Services (CDSS), to provide 24/7 substance use treatment. The Department also does not have capacity nor plans to build or acquire such a facility.

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 are not applicable because the Department does not have a children's residential facility, licensed and certified by DHCS and CDSS, to provide 24/7 substance use treatment. The Department also does not have capacity nor plans to build or acquire such a facility.
- 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 Department does not have the infrastructure, e.g. children's residential facility, to provide substance use disorder youth residential services.

6. Additional Information

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.
No.
- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contact? If so, please explain what that will entail; if not, explain why not.
No. No. The purpose of the services does not include formal training of civil service staff.
- 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 01/22/2024, the Department notified the following employee organizations of this PSC/RFP request:
Physicians and Dentists - 11AA; Physicians and Dentists - 8CC; 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# 43395 - 23/24

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 05/06/2024

Receipt of Union Notification(s)

From: dhr-psccordinator@sfgov.org on behalf of reanna.albert@sfdph.org
To: [Albert, Reanna \(DPH\)](mailto:Albert,Reanna@DPH); oumar.fall@seiu1021.org; cade.crowell@seiu1021.org; max.porter@seiu1021.org; [Laxamana, Junko \(DBI\)](mailto:Laxamana,Junko@DBI); sarah.wilson@seiu1021.org; Sandeep.lal@seiu1021.me; leah.berlanga@seiu1021.org; jegy.sering@seiu1021.org; matthew.torres@seiu1021.org; SF-DHR-Info@seiu1021.org; [Najuawanda Daniels](mailto:Najuawanda.Daniels); [Jason Klumb](mailto:Jason.Klumb); [Frigault, Noah \(HRC\)](mailto:Frigault,Noah@HRC); [Meyers, Julie \(HSA\)](mailto:Meyers,Julie@HSA); [Thomas Vitale](mailto:Thomas.Vitale); Ricardo.lopez@sfgov.org; Kbasconcillo@sfgwater.org; pcamarillo_seiu@sbcglobal.net; [Wendy Frigillana](mailto:Wendy.Frigillana); pscreview@seiu1021.org; ted.zarzecki@seiu1021.net; davidmkersten@gmail.com; [XiuMin Li](mailto:XiuMin.Li); Sin.Yee.Poon@sfgov.org; [David Canham](mailto:David.Canham); jtanner940@aol.com; [Pierre King - UAPD](mailto:Pierre.King-UAPD); tienkins@uapd.com; [Qin, Kevin \(DPH\)](mailto:Qin, Kevin (DPH)); [DHR-PSCCoordinator, DHR \(HRD\)](mailto:DHR-PSCCoordinator,DHR@HRD)
Subject: Receipt of Notice for new PCS over \$100K PSC # 43395 - 23/24
Date: Monday, January 22, 2024 9:15:18 AM

RECEIPT for Union Notification for PSC 43395 - 23/24 more than \$100k

The PUBLIC HEALTH -- DPH has submitted a request for a Personal Services Contract (PSC) 43395 - 23/24 for \$4,000,000 for Initial Request services for the period 06/01/2024 – 06/30/2029. 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/21652> 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

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC UTILITIES COMMISSION -- PUC

Dept. Code: PUC

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

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

Type of Service: Construction management (CM) staff augmentation services for the Islais Creek Bypass Project

Funding Source: Bay Corridor Transmission and Distribution PSC Duration: 3 years

PSC Amount: \$4,000,000

1. Description of Work

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

This PSC is to provide specialized, short-term staff to provide construction management services for an approximately \$20M Power Enterprise construction project to construct underground electrical duct bank and vaults, Emergency Firefighting Water System (EFWS) pipeline, San Francisco Water Department (SFWD) pipeline, installation of electrical cable and switches, inter-connection to high-voltage switchgear, and roadway and sidewalk work.

The construction management services required under this PSC would include, but are not limited to, construction contract administration, construction inspection, construction contracts management, and project controls.

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

The SFPUC does not have the staff resources to perform all of the required work nor could the SFPUC locate enough current staff be transferred from other City departments such as San Francisco Public Works (SFPW). Also, no new hires could be added to meet the timing and/or requirements of the limited duration and specialized expertise for this proposed work effort. If denied, there would not be adequate staff and the necessary construction management expertise to manage the construction, which would increase the likelihood of inadequate execution of the project and delays to the energization of the new City Distribution Division's headquarters at 2000 Marin Street.

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.

Construction management services have been provided in the past to augment City staff to handle peak, specialized, and temporary workloads. PRO.0160 is an example of a PSC that is providing construction management services.

D. Will the contract(s) be renewed?

No

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

2. Reason(s) for the Request

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

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

B. Explain the qualifying circumstances:

The skills and expertise required for this scope are directly related to construction management (CM) work in the following CM areas: construction administration and change management; construction inspection (general, warranty, & specialty); project controls (cost and schedule); special inspection (coating, welding, geotechnical, marine, tunnel, etc.); supplier quality surveillance; special laboratory testing; testing, startup, & commissioning assistance; surveying; construction safety inspection; and technical data entry and document control including engineering archives. To the fullest extent possible, City staff will be utilized to provide construction management services for the construction project. However, additional resources will be required on an as-needed basis to help accommodate peak workloads during relatively short-term capital projects and to provide specialized expertise for the anticipated work.

3. Description of Required Skills/Expertise

- A. Specify required skills and/or expertise: Construction management skills include contract administration, inspection services, contracts management, and project controls with expertise in underground electrical distribution construction, including: contractor means and methods, safety regulations, water quality standards, compliance with State and Federal regulations applicable to the work, system shutdowns and start-up procedures, equipment and performance testing, compliance with the latest building codes, and claims expertise.
- B. Which, if any, civil service class(es) normally perform(s) this work? 5207, Assoc Engineer; 5211, Eng/Arch/Landscape Arch Sr; 5241, Engineer; 6318, Construction Inspector; 6319, Senior Const Inspector;
- 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?

The SFPUC has previously used resources from SFPW to support projects throughout San Francisco. As such, the SFPUC and SFPW will continue to partner by augmenting existing CM staffing resources to meet the specialized needs and peak workload demands of SFPUC's construction projects. However, neither department has the staff available during the project's timeframe.

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

- A. Explain why civil service classes are not applicable.
The SFPUC does not have staff available to perform these services, as they are committed to other projects. Once project construction begins and if a SFPUC or SFPW staff person becomes available, then that person may be assigned to the project to gain experience and training for similar work on future construction projects.
- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. Not applicable. Existing civil service classifications can perform the work.

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 formal training is included in the scope of work. However, City and County employees will gain construction management knowledge and skills by working with the experienced contractors.
- 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 03/11/2024, 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: Shawndrea Hale Phone: (415) 551-4540 Email: shale@sfgwater.org

Address: 525 Golden Gate Ave 8th Floor San Francisco, CA 94102

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 41323 - 23/24

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 05/06/2024

Receipt of Union Notification(s)

From: dhr-psccordinator@sfgov.org on behalf of shale@sfgwater.org
To: [Hale, Shawndrea M.](mailto:Hale,Shawndrea.M.); junko.laxamana@sfgov.org; jnuti@ifpte21.org; sportillo@ifpte21.org; kdavis@ifpte21.org; jharding@ifpte21.org; mweirick@ifpte21.org; agarza@ifpte21.org; ewallace@ifpte21.org; WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; kschumacher@ifpte21.org; amakayan@ifpte21.org; L21PSCReview@ifpte21.org; [Hale, Shawndrea M.](mailto:Hale,Shawndrea.M.); dhr-psccordinator@sfgov.org
Subject: Receipt of Notice for new PCS over \$100K PSC # 41323 - 23/24
Date: Monday, March 11, 2024 2:38:27 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

RECEIPT for Union Notification for PSC 41323 - 23/24 more than \$100k

The PUBLIC UTILITIES COMMISSION -- PUC has submitted a request for a Personal Services Contract (PSC) 41323 - 23/24 for \$4,000,000 for Initial Request services for the period 06/30/2024 – 06/30/2027. Notification of 30 days (60 days for SEIU) is required.

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

<http://apps.sfgov.org/dhrdrupal/node/22155> 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

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: GENERAL SERVICES AGENCY - PUBLIC WORKS -- DPW

Dept. Code: DPW

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

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

Type of Service: Professional Design and Engineering Services

Funding Source: San Francisco Public Utilities Commission

PSC Amount: \$7,000,000

PSC Est. Start Date: 07/01/2024

PSC Est. End Date 09/01/2031

1. Description of Work

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

The consultant and their joint venture partners will provide the following services: Mechanical design, electrical design, plumbing design, structural design, civil (underground utility), security & technology, sustainability, energy modeling, daylighting, LEED (Leadership in Energy and Environmental Design) coordination and documentation, audio-visual and low-voltage design, fire protection, acoustic design, vertical transportation, building management systems integration, façade maintenance, wind consulting, signage and environmental graphic design, and waterproofing.

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

SF Public Works will provide architecture and landscape architecture design services for the project; Public Works in-house mechanical, electrical, and structural engineers will also provide services to some components of the project within their capacity. The services identified in the description of proposed work above are necessary and Public Works would like to secure those services via an RFP (Request for Proposal). Although consultant services can be obtained via our as-needed consultants, however most as-needed contracts are limited in capacity and has a max. of 3 to 5 years in duration. Due to the anticipated schedule and consultant fees for the SFPUC Millbrae Campus Improvement project, awarding the contract via an RFP would be the most appropriate option. This will help eliminate future contracting issues with respect to fees and early contract expirations. Additionally, due to the complexity and the scale of the project, Public Works is seeking consultants with certain qualifications and experience levels who can successfully complete the project, the consultant's proposals will be reviewed very carefully to ensure the highest ranking and most qualified proposer is selected.

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.

Service has not been provided in the past.

D. Will the contract(s) be renewed?

No

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

The San Francisco Public Utilities Commission (SFPUC) Millbrae Campus Improvement project consists of the design and construction of multiple buildings on a common site. The delivery of the project will be phased across several years, the consultants will be involved from the schematic design, design development, construction document, permit and bid, construction administration, and close-out phase of the project. Design will begin in 2024 and the final completion is anticipated in 2031.

2. Reason(s) for the Request

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

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

B. Explain the qualifying circumstances:

This service will only be utilized for the SFPUC Millbrae Campus Improvement project.

3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise: The types of skill required are design and engineering services in the mechanical, electrical, plumbing, civil, and structural engineering discipline. Professional experiences in the following expertise are also necessary: security, technology, sustainability, audio-visual and low-voltage, acoustic design, fire protection, vertical transportation, building management systems, façade maintenance, wind analysis, signage, graphic design, and waterproofing.

B. Which, if any, civil service class(es) normally perform(s) this work? 5218, Structural Engineer; 5241, Engineer;

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?

Public Works in-house mechanical, electrical, plumbing, civil, and structural engineers will work on some components of the project where their capacity allows, however they are not able to provide service for the full scope and advised the project team to procure services via outside consultants. Additionally, Public Works do not currently possess in-house expertise for the other areas of work outside of mechanical, electrical, plumbing, civil, and Structural engineering as listed in the Concise Description of Proposed Work.

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

A. Explain why civil service classes are not applicable.

Public Works in-house mechanical, electrical, plumbing, civil, and structural engineers will work on some components of the project where their capacity allows, however they are not able to provide service for the full scope and advised the project team to procure services via outside consultants. Additionally, Public Works do not currently possess in-house expertise for the other areas of work outside of mechanical, electrical, plumbing, civil, and Structural engineering as listed in Concise Description of Proposed 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. Due to the timing of the RFP schedule, establishing new civil service classes to perform the services listed in description of proposed work would be infeasible. Additionally, many of the services listed in description of proposed work are unique and are not regularly needed in other projects, thus, creating new civil service classes in those areas would not be practical.

6. Additional Information

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

B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contact? If so, please explain what that will entail; if not, explain why not.
No. The consultants will be providing professional services and training is not typically offered under their scope of work. This request is for a one-time service that is needed for the SFPUC Millbrae Campus Improvement project, there is no on-going service that requires training to 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 02/22/2024, the Department notified the following employee organizations of this PSC/RFP request:
Architect & Engineers, Local 21; 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: Alexander Burns Phone: 415-554-6411 Email: alexander.burns@sfdpw.org

Address: 49 South Van Ness Avenue Suite 1600 San Francisco, CA 94103

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 45763 - 23/24

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 05/06/2024

Receipt of Union Notification(s)

From: dhr-psccordinator@sfgov.org on behalf of alexander.burns@sfdpw.org
To: [RECEIPT for Union Notification for PSC 45763 - 23/24 more than \\$100k](mailto:Burns, Alexander (DPW); Laxamana, Junko (DBI); sportillo@ifpte21.org; agarza@ifpte21.org; amakayan@ifpte21.org; jnuti@ifpte21.org; kdavis@ifpte21.org; jharding@ifpte21.org; mweirick@ifpte21.org; dho@ifpte21.org; ewallace@ifpte21.org; ecassidy@ifpte21.com; WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; Kristen.Schumacher; kpage@ifpte21.org; eerbach@ifpte21.org; l21pscreview@ifpte21.org; Sy, Don (DPW); DHR-PSCCoordinator, DHR (HRD)
Subject: Receipt of Notice for new PCS over $100K PSC # 45763 - 23/24
Date: Thursday, February 22, 2024 4:10:22 PM</p><hr/></div><div data-bbox=)

The GENERAL SERVICES AGENCY - PUBLIC WORKS -- DPW has submitted a request for a Personal Services Contract (PSC) 45763 - 23/24 for \$7,000,000 for Initial Request services for the period 07/01/2024 – 09/01/2031. 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/21967> 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

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: Citywide Auction Services

Funding Source: General Fund

PSC Duration: 2 years

PSC Amount: \$500,000

1. Description of Work

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

Contractor will sell City-owned surplus assets (with the exception of City-owned fleet vehicles that will be publicly auctioned pursuant to a separate personal services contract), including seized, found, unclaimed, stolen, recovered, and retired property, to the general public. Public auctions will be conducted online through the contractor's online auction application. The auction services will generate revenue for the City. The cost to the City for the services will be paid from the net proceeds of each sale for the services performed by the contractor. Contractor was selected pursuant to Solicitation Number 012821 conducted by a service cooperative established by Minn. Stat Sec. 123A.21 to provide a Cooperative Purchasing Program to participating entities, of which City is one. Solicitation Number 012821 was publicly posted on December 8, 2020, and the contractor was ranked 1.

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

The purpose of this contract is to dispose of City assets in accordance with Section 21.03(i)(1) of the San Francisco Administrative Code which requires, in pertinent part, that "Commodities which have been determined to be surplus to City ... be disposed of in a manner which will best serve the interests of the City. For the purposes of this section, the interests of the City shall include the City's ability to maximize the City's economic return on surplus Commodities, the City's interest in maximizing the reuse of surplus Commodities by public entities, non-profit organizations and schools, and the City's interest in avoiding any unnecessary additions to the waste stream...." Section 21.03(i)(1) further requires that the Office of Contract Administration (OCA) "shall have the authority to ... advertise for Bids, and to sell Commodities belonging to the City on the recommendation of a department head that such Commodities are surplus to the needs of the department."

The purpose of entering into auction contracts, therefore, is to meet the requirements of Section 21.03(i) of the San Francisco Administrative Code to "to maximize the City's economic return on surplus Commodities." Specifically, public auctions through a reputable auction house ensure that the City is receiving a fair market value for its assets through a competitive bidding process. In addition to meeting the requirements of Section 21.03(i) of the San Francisco Administrative Code, the ability to dispose of surplus or seized assets provides City departments with a revenue stream that would not otherwise be available to them. Lastly, the use of auctions ensures that the City is able to manage its inventory and minimize its storage and warehousing needs.

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

These services have been provided under Citywide contracts for many years. Because the contracts from which auction services are secured are deemed revenue contracts requiring Accept and Expend Resolutions from the Board of Supervisors, they have not historically been presented to the Civil Service Commission for approval. However, OCA has determined that because there is a service component to such agreements, they should also be presented to the Civil Service Commission for approval.

D. Will the contract(s) be renewed?

No. However, upon contract termination, the City will solicit for one or more new contracts for auction services in future years.

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:

Services are required on an as-needed basis as City Departments identify surplus items within their inventory that are ready to be auctioned and removed from City inventory to make space for new incoming items. The City lacks the resources and expertise to perform auction services.

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

A. Specify required skills and/or expertise: Contractor must be a full-service auction service provider with the ability to sell, ship, pack, transport, and provide payment for surplus items, all on an online auction service platform. Contractor must also have expertise in determining marketability and provide haul-away services that may require specialized towing equipment on an as-needed basis.

B. Which, if any, civil service class(es) normally perform(s) this work? none

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: The contractor will conduct auctions live and receive bids 24/7.

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

No classifications perform live or online auction services. Additionally, the City does not have the infrastructure to conduct live or online auction services such as an auction platform, storage areas to house the assets, and access for the public to view, pack, ship, or pick up the assets. Certain seized, found, unclaimed, stolen, recovered, and retired property sold to the general public often requires verification of authorization to bid/purchase specified items where the costs to continuously train staff on current requirements and/or certifications would be cost prohibitive.

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

A. Explain why civil service classes are not applicable.

No classifications perform live or online auction services. Additionally, the City does not have the infrastructure to conduct live or online auction services such as an auction platform, storage areas to house the assets, and access for the public to view, pack, ship, or pick up the assets. Certain seized, found, unclaimed, stolen, recovered, and retired property sold to the general public often requires verification of authorization to bid/purchase specified items where the costs to continuously train staff on current requirements and/or certifications would be cost prohibitive.

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 classifications perform live or online auction services. Additionally, the City does not have the infrastructure to conduct live or online auction services such as an auction platform, storage areas to house the assets, and access for the public to view, pack, ship, or pick up the assets. Certain seized, found, unclaimed, stolen, recovered, and retired property sold to the general public often requires verification of authorization to bid/purchase specified items where the costs to continuously train staff on current requirements and/or certifications would be cost prohibitive.

6. Additional Information

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

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

No. No classifications perform live or online auction services. Additionally, the City does not have the infrastructure to conduct live or online auction services such as an auction platform, storage areas to house the assets, and access for the public to view, pack, ship, or pick up the assets. Certain seized, found, unclaimed, stolen, recovered, and retired property sold to the general public often requires verification of authorization to bid/purchase specified items where the costs to continuously train staff on current requirements and/or certifications would be cost prohibitive.

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. Revenue contract requires Board approval

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 04/03/2024, the Department notified the following employee organizations of this PSC/RFP request:
all unions were notified

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: 1 Dr Carlton B Goodlett Plaza San Francisco, CA, 94102

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 41297 - 23/24

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 05/06/2024

Receipt of Union Notification(s)

Choi, Suzanne (HRD)

From: dhr-psccordinator@sfgov.org on behalf of lynn.khaw@sfgov.org
Sent: Wednesday, April 3, 2024 4:54 PM
To: Khaw, Lynn (ADM); oumar.fall@sieu1021.org; mhenneberry@teamsters853.org; kristin.hardy@sieu1021.org; Chanel.Brown@sieu1021.org; Chanel.Brown@sieu1021.org; jnuti@ifpte21.org; jnuti@ifpte21.org; jegy.sering@sieu1021.org; joshv@smw104.org; oumar.fall@sieu1021.org; oumar.fall@sieu1021.org; sportillo@ifpte21.org; sportillo@ifpte21.org; matthew.torres@sieu1021.org; matthew.torres@sieu1021.org; cade.crowell@sieu1021.org; jduritz@uapd.com; kdavis@ifpte21.org; kdavis@ifpte21.org; jharding@ifpte21.org; mweirick@ifpte21.org; mweirick@ifpte21.org; agarza@ifpte21.org; dho@ifpte21.org; dho@ifpte21.org; dvickers@iam1414.org; SF-DHR-Info@sieu1021.org; SF-DHR-Info@sieu1021.org; sbabaria@cirseiu.org; andrea@sfmea.com; camaguey@sfmea.com (contact); camaguey@sfmea.com (contact); cpark@local39.org; cpark@local39.org; khughes@ibew6.org; ewallace@ifpte21.org; ewallace@ifpte21.org; plangrooferlocal40@gmail.com; rooferslocal40@gmail.com; Stan Eichenberger; dtuttle@oe3.org; dtubble@oe3.org; pkim@ifpte21.org; Najuawanda Daniels; Pierre King - UAPD; President; max.porter@sieu1021.org; kennethlomba@gmail.com; snaranjo@cirseiu.org; mdennis@twusf.org; roger marengo; pwilson@twusf.org; cmoyer@nccrc.org; Frigault, Noah (HRC); sfdpoa@icloud.com; mjayne@iam1414.org; Emanuel, Rachel (DEM); laborers261@gmail.com; Laxamana, Junko (DBI); jennifer.esteen@sieu1021.org; emathurin@cirseiu.org; abush@cirseiu.org; sbabaria@cirseiu.org; anthony@dc16.us; mlobre@sfpoa.org; @sfpoa.org; Tracy McCray; mleach; rooferslocal40@gmail.com; sal@local16.org; Criss@sfmea.com; Julie.Meyers@sfgov.org; Stan Eichenberger; Jason Klumb; camaguey@sfmea.com (contact); ablood@cirseiu.org; kcartermartinez@cirseiu.org; ecassidy@ifpte21.com; WendyWong26@yahoo.com; wendywong26@yahoo.com; sarah.wilson@sieu1021.org; Kristen Schumacher; kpage@ifpte21.org; tjenkins@uapd.com; eerbach@ifpte21.org; tmathews@ifpte21.org; amakayan@ifpte21.org; jb@local16.org; Ricardo.lopez@sfgov.org; Kbasconchillo@sfwater.org; Sandeep.lal@sieu1021.me; pcamarillo_sieu@sbcglobal.net; MRainsford@local39.org; Wendy Frigillana; pscreview@sieu1021.org; pkim@ifpte21.org; agonzalez@iam1414.org; ted.zarzecki@sieu1021.net; leah.berlanga@sieu1021.org; gail@sffdlocal798.org; cityworker@sfcwu.org; davidmkersten@gmail.com; djohnson@opcmllocal300.org; Ramon Hernandez; ablood@cirseiu.org; pkarinen@nccrc.org; tony@dc16.us; stevek@bac3-ca.org; XiuMin Li; Sin.Yee.Poon@sfgov.org; Sean McGarry; rmitchell@twusf.org; grojo@local39.org; jduritz@uapd.com; staff@sfmea.com; mike@dc16.us; khughes@ibew6.org; l21pscreview@ifpte21.org; sfsmsa@gmail.com; bart@dc16.us; David Canham; jtanner940@aol.com; Osha Ashworth; l21pscreview@ifpte21.org; laborers261@gmail.com; local200twu@sbcglobal.net; speedy4864@aol.com; christina@sfmea.com; ecdemvoter@aol.com; Thomas Vitale; Khaw, Lynn (ADM); DHR-PSCCoordinator, DHR (HRD)
Subject: Receipt of Notice for new PCS over \$100K PSC # 41297 - 23/24

RECEIPT for Union Notification for PSC 41297 - 23/24 more than \$100k

The GENERAL SERVICES AGENCY - CITY ADMIN -- ADM has submitted a request for a Personal Services Contract (PSC) 41297 - 23/24 for \$500,000 for Initial Request services for the period 07/01/2024 – 07/01/2026. 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/22213> 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

Modification

Personal Services Contracts

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: BOARD OF SUPERVISORS

Dept. Code: BOS

Type of Request: Initial Modification of an existing PSC (PSC # 43590 - 22/23)

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

Type of Service: New Legislative Management System

Funding Source: General Fund

PSC Original Approved Amount: \$540,000 PSC Original Approved Duration: 09/01/23 - 08/31/28 (5 years 1 day).

PSC Mod#1 Amount: \$460,000 PSC Mod#1 Duration: no duration added

PSC Cumulative Amount Proposed: \$1,000,000 PSC Cumulative Duration Proposed: 5 years 1 day.

1. Description of Work

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

The Office of the Clerk of the Board (COB) seeks a vendor to enhance or replace the current aging and costly LMS with a state-of-the-art solution to effectively address mandated requirements, streamline legislative workflow, and meet stakeholder expectations. The COB will adopt a legislative system that will streamline the process of 1) drafting, submitting, and accessing status of legislation, 2) developing and managing public meeting agendas and minutes, 3) ensuring the integrity and retention of legislative records, 4) providing a legislative drafting tool for city departments, and 5) providing a public portal accessible to the public for tracking legislation. The LMS would not only support the core business of the Board of Supervisors, but all City Departments and agencies that submit and recommend legislation and/or amendments. The technology solution will be developed, implemented, and supported through a software development and support agreement with the Contractor and internal COB IT staff.

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

The San Francisco Board of Supervisors (BOS) is the legislative branch of government that responds to the needs of the people of the City and County of San Francisco, establishes city policies, and adopts ordinances and resolutions. The Office of the Clerk of the Board (COB) has a chartered duty to process and maintain legislation impacting the lives of over 800,000 San Franciscans. On average, the COB processes over 1,400 legislative files/items on average annually and subject to legal noticing timeframes for meetings. The current contract for the existing LMS expires on 8/31/2023. Denial of this request will leave the city without an LMS for passing legislation and running Board and Committee Meetings.

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.

Yes

D. Will the contract(s) be renewed?

Yes, the contract will include options to renew.

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:

2. Reason(s) for the Request

A. Display all that apply

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).

Explain the qualifying circumstances:

The San Francisco Board of Supervisors (BOS) is the legislative branch of government that responds to the needs of the people of the City and County of San Francisco, establishes city policies, and adopts ordinances and

resolutions. The Office of the Clerk of the Board (COB) has a chartered duty to process and maintain legislation impacting the lives of over 800,000 San Franciscans. On average, the Office of the Clerk of the Board's (COB) processes over 1,400 legislative files/items on average annually and subject to legal noticing timeframes for meetings. The LMS is a mission-critical tool necessary to support the core business of the Board of Supervisors. Training by the selected Contractor is necessary due to the proprietary nature of LMS software, and will be required during the implementation stages. Contractor will also be providing a customized software solution, infrastructure, and support to ensure accountability and mitigate risk - resources that the City cannot provide.

B. Reason for the request for modification:

Increase the contract not-to-exceed amount from \$540,000 to \$1,000,000. The contract term and scope of work remain unchanged.

3. Description of Required Skills/Expertise

- A. Specify required skills and/or expertise: Requires experience and knowledge of proprietary LMS software and infrastructure. The Contractor will develop, customize, install, and provide user training for Legislative Management software to assist in meeting mandated requirements and unique business processes of the Board of Supervisors.
- B. Which, if any, civil service class(es) normally perform(s) this work? 1033, IS Trainer-Senior; 1044, IS Engineer-Principal; 1053, IS Business Analyst-Senior; 1054, IS Business Analyst-Principal; 1063, IS Programmer Analyst-Senior; 1064, IS Prg Analyst-Principal;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes, the Contractor will provide a customized software solution, infrastructure, and support overhead.

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

Not Applicable

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

- A. Explain why civil service classes are not applicable.
The City does not have the proprietary resources and expertise required to provide a customized solution and training program on the LMS.
- 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, it would not be practical to adopt a new civil service class to perform this work. Training will be specialized and required during the implementation stages only. The as-needed software support is also specialized and does not warrant the overhead of creating a new classification. Day-to-day maintenance can be provided by existing staff once they are trained.

6. Additional Information

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.
No.
- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contact? If so, please explain what that will entail; if not, explain why not.
Contractor will provide required training to ensure successful implementation and operation of the new LMS system. Contractor will provide approximately 120 hours of training to 200 City personnel including legislative aides, legislative clerks, assistant clerks, legislative liaisons, executive and management-level project stakeholders, clerical staff, and IT system administrators on City's premises in-person at no charge. Upon request by the City, Contractor will provide additional training at no charge to the City. The City requires that Contractor and all Subcontractors be present at City's premises for in-person training at no charge.
- 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.

yes, PSC 43590 - 22/23 approved by CSC on May 1, 2023

7. Union Notification: On 03/22/24, 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: Edward de Asis Phone: 415-554-7704 Email: edward.deasis@sfgov.org

Address: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 43590 - 22/23

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 05/06/2024

Receipt of Union Notification(s)

From: thr-psccordinator@sfgov.org on behalf of edward.deasis@sfgov.org
To: [De Asis, Edward \(BOS\); jnuti@ifpte21.org; kdavis@ifpte21.org; jharding@ifpte21.org; mweirick@ifpte21.org; dho@ifpte21.org; ewallace@ifpte21.org; ecassidy@ifpte21.com; WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; Kristen.Schumacher; kpage@ifpte21.org; eerbach@ifpte21.org; l21pscreview@ifpte21.org; DHR-PSCCoordinator, DHR \(HRD\)](mailto:DeAsis,Edward(BOS);jnuti@ifpte21.org;kdavis@ifpte21.org;jharding@ifpte21.org;mweirick@ifpte21.org;dho@ifpte21.org;ewallace@ifpte21.org;ecassidy@ifpte21.com;WendyWong26@yahoo.com;wendywong26@yahoo.com;tmathews@ifpte21.org;Kristen.Schumacher;kpage@ifpte21.org;eerbach@ifpte21.org;l21pscreview@ifpte21.org;DHR-PSCCoordinator,DHR(HRD))
Subject: Receipt of Modification Request to PSC # 43590 - 22/23 - MODIFICATIONS
Date: Friday, March 22, 2024 3:51:52 PM

PSC RECEIPT of Modification notification sent to Unions and DHR

The BOARD OF SUPERVISORS -- BOS has submitted a modification request for a Personal Services Contract (PSC) for \$460,000 for services for the period September 1, 2023 – August 31, 2028. For all Modification requests, there is a 7-Day noticed to the union(s) prior to DHR Review.

If SEIU is one of the unions that represents the classes you identified in the initial PSC and the cumulative amount of the request is over \$100,000, there is a 60 day review period for SEIU

After logging into the system please select link below:

<http://apps.sfgov.org/dhrdrupal/node/22196>

Email sent to the following addresses: L21PSCReview@ifpte21.org
eerbach@ifpte21.org kpage@ifpte21.org kschumacher@ifpte21.org
tmathews@ifpte21.org wendywong26@yahoo.com WendyWong26@yahoo.com
ecassidy@ifpte21.com ewallace@ifpte21.org dho@ifpte21.org
mweirick@ifpte21.org
jharding@ifpte21.org kdavis@ifpte21.org jnuti@ifpte21.org

Additional Attachment(s)

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: BOARD OF SUPERVISORS -- BOS

Dept. Code: BOS

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

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

Type of Service: New Legislative Management System

Funding Source: General Fund

PSC Amount: \$540,000

PSC Est. Start Date: 09/01/2023

PSC Est. End Date 08/31/2028

1. Description of Work

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

The Office of the Clerk of the Board (COB) seeks a vendor to enhance or replace the current aging and costly LMS with a state-of-the-art solution to effectively address mandated requirements, streamline legislative workflow, and meet stakeholder expectations. The COB will adopt a legislative system that will streamline the process of 1) drafting, submitting, and accessing status of legislation, 2) developing and managing public meeting agendas and minutes, 3) ensuring the integrity and retention of legislative records, 4) providing a legislative drafting tool for city departments, and 5) providing a public portal accessible to the public for tracking legislation. The LMS would not only support the core business of the Board of Supervisors, but all City Departments and agencies that submit and recommend legislation and/or amendments. The technology solution will be developed, implemented, and supported through a software development and support agreement with the Contractor and internal COB IT staff.

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

The San Francisco Board of Supervisors (BOS) is the legislative branch of government that responds to the needs of the people of the City and County of San Francisco, establishes city policies, and adopts ordinances and resolutions. The Office of the Clerk of the Board (COB) has a chartered duty to process and maintain legislation impacting the lives of over 800,000 San Franciscans. On average, the COB processes over 1,400 legislative files/items on average annually and subject to legal noticing timeframes for meetings. The current contract for the existing LMS expires on 8/31/2023. Denial of this request will leave the city without an LMS for passing legislation and running Board and Committee Meetings.

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 consultation with DT, the city considered bringing this service in-house. The functionality and scope of the LMS are complex making development and implementation of the LMS beyond the capabilities and job descriptions of existing city staff. This service has been provided in the past through a contractor. The second to the last LMS contract was approved in 2006 by Civil Service Commission Resolution No. 0617-06-8 (PSC No. 4039-06/07), and extended in 2013. The last LMS contract was approved in 2006 by Civil Service Commission Resolution No. 0617-06-8 (PSC No. 4039-06/07), and extended in 2013. The last LMS contract was approved in 2018 by Civil Service Commission (PSC No. 47220-16/17 , and extended in February 6, 2023.

D. Will the contract(s) be renewed?

Yes, the contract will include options to renew.

**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:

The San Francisco Board of Supervisors (BOS) is the legislative branch of government that responds to the needs of the people of the City and County of San Francisco, establishes city policies, and adopts ordinances and resolutions. The Office of the Clerk of the Board (COB) has a chartered duty to process and maintain legislation impacting the lives of over 800,000 San Franciscans. On average, the Office of the Clerk of the Board's (COB) processes over 1,400 legislative files/items on average annually and subject to legal noticing timeframes for meetings. The LMS is a mission-critical tool necessary to support the core business of the Board of Supervisors. Training by the selected Contractor is necessary due to the proprietary nature of LMS software, and will be required during the implementation stages. Contractor will also be providing a customized software solution, infrastructure, and support to ensure accountability and mitigate risk - resources that the City cannot provide.

3. Description of Required Skills/Expertise

- A. Specify required skills and/or expertise: Requires experience and knowledge of proprietary LMS software and infrastructure. The Contractor will develop, customize, install, and provide user training for Legislative Management software to assist in meeting mandated requirements and unique business processes of the Board of Supervisors.
- B. Which, if any, civil service class(es) normally perform(s) this work? 1033, IS Trainer-Senior; 1044, IS Engineer-Principal; 1053, IS Business Analyst-Senior; 1054, IS Business Analyst-Principal; 1063, IS Programmer Analyst-Senior; 1064, IS Prg Analyst-Principal;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes, the Contractor will provide a customized software solution, infrastructure, and support overhead.

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

This work requires proprietary knowledge of legislative software for proper development, implementation, and training. The department has scoped business requirements and determined that there will be significant liability and overhead by bringing services in-house.

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

- A. Explain why civil service classes are not applicable.
The City does not have the proprietary resources and expertise required to provide a customized solution and training program on the LMS.
- 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, it would not be practical to adopt a new civil service class to perform this work. Training will be specialized and required during the implementation stages only. The as-needed software support is also specialized and does not warrant the overhead of creating a new classification. Day-to-day maintenance can be provided by existing staff once they are trained.

6. Additional Information

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

- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not. Yes. Contractor will provide required training to ensure successful implementation and operation of the new LMS system. See attached for training requirements.
- 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 02/24/2023, 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: Edward de Asis Phone: 415-356-2850 Email: edward.deasis@sfgov.org

Address: 1 Dr. Carlton B. Goodlett Place, Room 244 San Francisco, CA 94102

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 43590 - 22/23

DHR Analysis/Recommendation:

action date: 05/01/2023

Commission Approval Required

Approved by Civil Service Commission

05/01/2023 DHR Approved for 05/01/2023