

File No. 120539

Committee Item No. 4

Board Item No. 57

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight Date June 14, 2012

Board of Supervisors Meeting Date 6/19/12

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

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| <input type="checkbox"/> | <input type="checkbox"/> | <u>Amended in Committee 6/14/12</u> |
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Completed by: Alisa Miller Date June 8, 2012

Completed by: _____ Date _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document can be found in the file.

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

GOVERNMENT AUDIT AND OVERSIGHT COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Mark Farrell, Chair
Government Audit and Oversight Committee

FROM: Rana Calonsag, Committee Clerk

DATE: June 15, 2012

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**
Tuesday, June 19, 2012

The following file should be presented as a **COMMITTEE REPORT** at the Board meeting, Tuesday, June 19, 2012. This item was acted upon at the Committee Meeting on June 14, 2012 at 1:00 p.m., by the votes indicated.

Item No. 4 **File No. 120539**

Resolution designating the Examiner to be the official newspaper of the City and County of San Francisco for all official advertising for FY2012-2013.

RECOMMENDED AS A COMMITTEE REPORT

Vote: Supervisor Mark Farrell - Aye
Supervisor Sean Elsbernd - Aye
Supervisor David Chiu - Aye

cc: Board of Supervisors
Angela Calvillo, Clerk of the Board
Rick Caldeira, Legislative Deputy Director
Cheryl Adams, Deputy City Attorney
Binder Copy

AMENDED, AMENDMENT OF THE WHOLE BEARING NEW TITLE
IN COMMITTEE ON 6/12/12

FILE NO. 120539

RESOLUTION NO.

1 [Official Advertising, FY2012-2013]

2
3 **Resolution designating the Examiner and the San Francisco Chronicle to be the official**
4 **newspapers of the City and County of San Francisco for all official advertising for**
5 **FY2012-2013.**

6
7 WHEREAS, In each year, the Board of Supervisors shall designate the official
8 newspaper of the City and County of San Francisco, pursuant to Section 2.80-1 and 2.81 of
9 the San Francisco Administrative Code; now therefore, be it;

10 RESOLVED, That the Examiner and the San Francisco Chronicle, newspapers of
11 general circulation in the City and County of San Francisco for the dissemination of local or
12 telegraphic news and intelligence of a general character, having a bona fide circulation of at
13 least 50,000 copies per calendar week, are hereby designated as an official newspapers of
14 the City and County of San Francisco for the publication of all official advertising of the City
15 and County for FY2012-2013; and, be it

16 FURTHER RESOLVED, That the Office of Contract Administration is hereby
17 authorized to enter into a contracts with the Examiner and the San Francisco Chronicle and
18 said contracts must be in accordance with all the contracting requirements of the City and
19 County of San Francisco.

TC95438 Summary of Official Advertising and Clearinghouse Bids for FY12-13
 Version Date: June 1, 2012
 DRAFT

Estimated Contract Value for FY12-13: \$50,000

San Francisco Chronicle is deemed non-responsive to minimum requirements according to Admin Code Section 2.81 because they are not printed locally.

In FY12-13 Bid Evaluation, The Examiner received 26.7 points out of 32 possible evaluation points. The SF Chronicle received 21.4 points for ads not using Clearinghouse Services (lower bid price) and 19.8 points for the ads using Clearinghouse Services (higher bid price).

The apparent high scorer is The Examiner.

In FY11-12, the contract was awarded to both the SF Chronicle and The Examiner in 6 month increments. The Examiner was awarded the business for the first half of the year. The SF Chronicle was awarded the business for the back half of the year.

Minimum Qualifications	Bidder 2 SF Chronicle	Bidder 3 The Examiner
Frequency of Publication: ability to place ads for at least 2 consecutive days	yes	yes
General Circulation and Adjudication: copy of decree of adjudication by SF Superior Court	yes	yes
Circulation: at least 50k copies per calendar week. Declaration re: Home Deliveries (form P-17)	yes	yes
Print Location: Printed in City and County for 3 or more days in a calendar week	no (printed in Fremont, GA)	yes

Evaluation Points	Without Clearinghouse Services			With Clearinghouse Services		
	SF Chronicle Points	The Examiner Bid	The Examiner Points	SF Chronicle Bid	The Examiner Bid	The Examiner Points
<i>Evaluation factors per Admin. Code Sec. 2.81</i>						
Advertising Price	11.4	\$ 3.26	15	\$ 4.99	\$ 3.26	15
Circulation	10	772,885	4.7	1,651,957	772,885	4.7
Newsstand Price	0	Free	5	\$1.00 - \$3.00	Free	5
Locally Owned and operated	0	Local	2	No	Local	2
Total Evaluation Points	21.4		26.7			26.7

LBE Preference	10%	n/a	0%	n/a	n/a	0%
Prompt Payment Discount	max 2%	2% Net 30	0%	2% Net 30	1% Net 10	0%
Sales Tax Discount	1.25%	local office	1.25%	local office	local office	1.25%
Total Points with Bid Discounts Applied	22.1		27.0			27.0
						20.4
						27.0



Edwin M. Lee
Mayor

Jaci Fong
Director and Purchaser

Purchasing

June 1, 2012

To: Angela Calvillo
Clerk of the Board

From: Jaci Fong 
Director of OCA

Subject: Resolution Designating Official Newspaper for FY 12-13
Term Contract No. Change from 95437 to 95438

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2012 JUN -1 AM 10:11

The requirement for Official Advertising & Clearinghouse Services was originally released for bid on April 18, 2012. However, it was "No Awarded" on May 16, 2012 in order to add language to the "Default; Remedies" contract condition which would address missed and/or misplaced ads by the newspaper and/or clearinghouse. That language was reviewed and approved by the City Attorney and added to the new contract proposal/rebid. The new contract proposal/rebid was released for bid on May 23, 2012 and bids were received on June 1, 2012.

The bids received on June 1, 2012 for TC95438 were identical to those received for TC95437 (No Award) and all Minimum Requirements were met. Therefore, the bid evaluation and point results remain unchanged and OCA's recommended awardee is *The Examiner*.

OCA regulations require that we officially recommend only responsive bidders for contract awards but the Board of Supervisors has historically used its discretion to award the Official Advertising contract to multiple bidders to best serve the City's official advertising needs.

Included in this submission are the Draft Resolution, Bid Evaluation Sheet and Ethics Forms with updated dates.

If you have any questions or require additional information, please contact Jennifer Browne on my team at 415-554-4751.

City and County of San Francisco

Office of Contract Administration



Edwin M. Lee
Mayor

Jaci Fong
Director and Purchaser
Purchasing

May 8, 2012

To: Angela Calvillo
Clerk of the Board

From: Jaci Fong *JF*
Director of OCA

Subject: Resolution Designating Official Newspaper for FY 12-13

RECEIVED
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2012 MAY -9 PM 1:51
JF

Enclosed is the resolution that would designate *The Examiner* as the City's official newspaper for all advertising for Fiscal Year 12-13.

The attached table, "Summary of Official Advertising Bids for FY 12-13," shows that *The Examiner* submitted the only responsive bid for official advertising. The *San Francisco Chronicle's* bid was non-responsive because the *San Francisco Chronicle* is not printed in San Francisco.

The total estimated contract value for FY 12-13 is \$50,000. Contract value has decreased over the last two fiscal years due to an increase in information being published on City department websites per legislative ordinance 318-10 (December 14, 2010) amending Chapter 2 of the San Francisco Administrative Code by adding Article XII, Sections 2.96 through 2.100.

The third and fourth attachments are the Mayor's and Board's versions of San Francisco Ethics Commission form 126, "Notification of Contract Approval."

If I can provide any additional information, please let me know.

Enclosures: Summary of Official Advertising Bids for FY 12-13

Resolution designating *The Examiner* as the official newspaper

S.F. Ethics Commission form 126, Notification of Contract Approval (Mayor)

S.F. Ethics Commission form 126, Notification of Contract Approval (Board)

**FORM SFEC-126:
NOTIFICATION OF CONTRACT APPROVAL**
(S.F. Campaign and Governmental Conduct Code § 1.126)

City Elective Officer Information <i>(Please print clearly.)</i>	
Name of City elective officer(s): Members, Board of Supervisors	City elective office(s) held: Members, Board of Supervisors
Contractor Information <i>(Please print clearly.)</i>	
Name of contractor: The Examiner	
<p><i>Please list the names of (1) members of the contractor's board of directors; (2) the contractor's chief executive officer, chief financial officer and chief operating officer; (3) any person who has an ownership of 20 percent or more in the contractor; (4) any subcontractor listed in the bid or contract; and (5) any political committee sponsored or controlled by the contractor. Use additional pages as necessary.</i></p> <p>David Black, CEO and Director Todd Vogt, President and COO Patrick Brown, CFO</p>	
Contractor address: 71 Stevenson Street, Suite 200, San Francisco, CA 94105	
Date that contract was approved: <i>(By the SF Board of Supervisors)</i>	Amount of contracts: Based on formula for an estimated value of \$50,000.
Describe the nature of the contract that was approved: Official Advertising	
Comments: Jaci Fong, Director of Office of Contract Administration. 415-554-6701	

This contract was approved by (check applicable):

the City elective officer(s) identified on this form

a board on which the City elective officer(s) serves: San Francisco Board of Supervisors
Print Name of Board

the board of a state agency (Health Authority, Housing Authority Commission, Industrial Development Authority Board, Parking Authority, Redevelopment Agency Commission, Relocation Appeals Board, Treasure Island Development Authority) on which an appointee of the City elective officer(s) identified on this form sits

Print Name of Board

Filer Information <i>(Please print clearly.)</i>	
Name of filer: Angela Calvillo, Clerk of the Board	Contact telephone number: (415) 554-5184
Address: City Hall, Room 244, 1 Dr. Carlton B. Goodlett Pl., San Francisco, CA 94102	E-mail: Board.of.Supervisors@sfgov.org

Signature of City Elective Officer (if submitted by City elective officer)

Date Signed

Signature of Board Secretary or Clerk (if submitted by Board Secretary or Clerk)

Date Signed