

1 [Concurring in Actions to Meet Local Emergency - Coronavirus Response - Thirty-Fifth
2 Supplement]

3 **Motion concurring in actions taken by the Mayor in the Thirty-Fifth Supplement to the**
4 **Proclamation of Emergency to meet the ongoing local emergency related to the novel**
5 **coronavirus COVID-19 pandemic by allowing departments to extend COVID-19-related**
6 **contracts through a streamlined process for an additional twelve months; allowing the**
7 **Civil Service Commission to approve emergency personal service contracts without**
8 **requiring advance union notification otherwise required by memoranda of**
9 **understanding; authorizing the Controller to adopt a policy concerning streamlined**
10 **approval of certain amendments to non-COVID-19-related contracts; and authorizing**
11 **the Controller to adopt a policy under which the City may provide expedited payments**
12 **of funds covering cost-of-doing-business or cost-of-living increases to nonprofit**
13 **organizations that provide services under existing agreements with the City.**

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15 WHEREAS, On February 25, 2020, Mayor London N. Breed declared a local
16 emergency to exist in connection with the spread of the novel coronavirus COVID-19; and

17 WHEREAS, The Mayor transmitted a copy of that Proclamation Declaring the
18 Existence of a Local Emergency to the Board of Supervisors (the "Proclamation"), and on
19 March 3, 2020, the Board of Supervisors concurred in the Proclamation and in the actions
20 taken by the Mayor to meet the emergency; the Proclamation and the Board's concurring
21 motion are on file with the Clerk of the Board of Supervisors in File No. 200228; and

22 WHEREAS, On May 19, 2020, the Board of Supervisors concurred in the Mayor's
23 Thirteenth Supplement to the Proclamation, dated May 11, 2020, which established
24 streamlined procedures for contracts of one year or less for procurements related to the
25 emergency response, and authorized departments to modify existing agreements without

1 competitive solicitation and procurement procedures to extend those agreements by up to six
2 months but no later than June 30, 2021; and

3 WHEREAS, On February 19, 2021, the Mayor took additional steps to meet the
4 emergency by issuing the Thirty-Fifth Supplement to the Proclamation, ordering four actions
5 to meet the emergency; the Thirty-Fifth Supplement is on file with the Clerk of the Board of
6 Supervisors in Board File No. 210200;

7 WHEREAS, Government Code, Sections 8550 et seq., and Charter, Section 3.100,
8 provide for the concurrence by members of the Board of Supervisors in such emergency
9 declaration and in action taken by the Mayor to meet the emergency; and now, therefore, be it

10 MOVED, That the Board of Supervisors concurs with the following four actions taken
11 by the Mayor to meet the local emergency included in the Mayor's Thirty-Fifth Supplement to
12 the Proclamation, dated February 19, 2021, as such actions are described in full in the Thirty-
13 Fifth Supplement and summarized as follows:

14 Action 1: Allowing COVID-19-related contracts entered into under the 13th
15 Supplement to be extended for an additional 12 months, and revising the 13th Supplement to
16 no longer require departments to submit all COVID-19-related contracts to the Mayor and
17 Board, but to instead maintain a list of such contracts, and requiring the Controller to maintain
18 a list of such contracts and report to the Mayor and the Board, and waiving the requirement
19 that a department submit such contracts to commission overseeing the department, unless
20 requested.

21 Action 2: Revising and replacing Section 3 of the 13th Supplement to the
22 Proclamation concerning Civil Service Commission approval of COVID-19-related contracts to
23 modify the process for emergency approval of such contracts by waiving advance union
24 notification otherwise required by Memoranda of Understanding and requiring that unions be
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1 notified after approval, and requiring certain reporting to the Civil Service Commission of such
2 contracts.

3 Section 3: Authorizing the Controller to adopt a policy for short term
4 extensions of existing agreements unrelated to the City’s COVID-19 response without
5 competitive solicitation or compliance with the Administrative Code procurement procedures.

6 Section 4: Authorizing the Controller to adopt a policy under which the City
7 may provide expedited payments of funds covering cost-of-doing-business or cost-of-living
8 increases in the current fiscal year appropriated in the Budget and Annual Appropriation
9 Ordinance enacted on October 1, 2020, to nonprofit organizations that provide services under
10 existing agreements with the City in place on the date of this Order.

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