

File No. 220469

Committee Item No. _____

Board Item No. 33

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____

Date: _____

Board of Supervisors Meeting

Date: May 3, 2022

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

OTHER

- Forty-Seventh Supplement to Mayoral Proclamation
- _____
- _____
- _____
- _____
- _____
- _____

Prepared by: Brittney Harrell

Date: April 28, 2022

Prepared by: _____

Date: _____

1 [Concurring in Actions to Meet Local Emergency - Coronavirus Response - Forty-Seventh
2 Supplement]

3 **Motion concurring in actions taken by the Mayor in the Forty-Seventh Supplement to**
4 **the Proclamation of Emergency to meet the ongoing local emergency related to the**
5 **novel coronavirus COVID-19 pandemic by authorizing City departments to modify**
6 **specified agreements to extend the term of such agreements up to June 30, 2023, and**
7 **to increase the not to exceed amount as necessary given the extension duration,**
8 **without complying with the competitive solicitation and procurement procedures in the**
9 **Administrative Code; and authorizing departments to extend until June 30, 2023, any**
10 **prequalified list of contractors that expires before August 31, 2022.**

11
12 WHEREAS, On February 25, 2020, Mayor London N. Breed declared a local
13 emergency to exist in connection with the spread of the novel coronavirus COVID-19; and

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

19 WHEREAS, On March 6, 2020, the Health Officer declared a local health emergency
20 under Section 101080 of the California Health and Safety Code, and the Board of Supervisors
21 concurred in that declaration on March 10, 2020; and

22 WHEREAS, Section 2 of the Thirteenth Supplemental Proclamation authorized the
23 Controller to adopt a policy allowing City departments to modify agreements in place on May
24 11, 2020, without complying with competitive solicitation and procurement procedures that
25 would otherwise be required; the order permitted the Controller's policy to authorize contract

1 modifications that extend agreements by up to six months but no later than June 30, 2021;
2 and

3 WHEREAS, Section 3 of the Thirty-Fifth Supplemental Proclamation authorized the
4 Controller to adopt a policy to allow an additional extension of certain agreements in place at
5 that time up to June 30, 2022; and

6 WHEREAS, The COVID-19 pandemic and the related closures of City workplaces for
7 extended periods of time, including most recently during the Omicron surge, has caused
8 significant complications for City workers to conduct timely contract procurement processes
9 and the pandemic has dramatically slowed the process of hiring employees and filling vacant
10 contract administration positions in various departments; these staffing shortages have further
11 exacerbated the backlog of contract procurements; and

12 WHEREAS, It is in the public interest to authorize the extension of contracts to allow
13 departments time to catch up on this backlog; and

14 WHEREAS, On April 12, 2022, the Mayor took additional steps to meet the emergency
15 by issuing the Forty-Seventh Supplement to the Proclamation, ordering one action to meet the
16 emergency; the Forty-Seventh Supplement is on file with the Clerk of the Board of
17 Supervisors in Board File No. 220469; and

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

21 MOVED, That the Board of Supervisors concurs with the following action taken by the
22 Mayor to meet the local emergency included in the Mayor's Forty-Seventh Supplement to the
23 Proclamation, dated April 12, 2022, as such action is described in full in the Forty-Seventh
24 Supplement and summarized as follows:

25

1 Action 1: Authorizing City departments to modify existing agreements for
2 commodities and services contracts, grant agreements, and construction contracts that expire
3 on or before August 31, 2022, and agreements that expired within 60 days prior to the date of
4 the order, to extend the term of such agreements up to June 30, 2023 and to increase the not-
5 to-exceed amount as necessary given the extension duration, without complying with the
6 competitive solicitation and procurement procedures in the Administrative Code, and
7 authorizing departments to extend until June 30, 2023 any prequalified list of contractors
8 established under Section 21.4 of the Administrative Code that expires before August 31,
9 2022.

10
11
12 n:\govern\as2022\2000377\01595881.docx
13
14
15
16
17
18
19
20
21
22
23
24
25



**FORTY-SEVENTH SUPPLEMENT TO MAYORAL PROCLAMATION
DECLARING THE EXISTENCE OF A LOCAL EMERGENCY DATED
FEBRUARY 25, 2020**

Authority to Extend Existing Contracts

WHEREAS, California Government Code Sections 8550 et seq., San Francisco Charter Section 3.100(14) and Chapter 7 of the San Francisco Administrative Code empower the Mayor to proclaim the existence of a local emergency, subject to concurrence by the Board of Supervisors as provided in the Charter, in the case of an emergency threatening the lives, property or welfare of the City and County or its citizens; and

WHEREAS, On February 25, 2020, the Mayor issued a Proclamation (the “Proclamation”) declaring a local emergency to exist in connection with the imminent spread within the City of a novel (new) coronavirus (“COVID-19”); and

WHEREAS, On March 3, 2020, the Board of Supervisors concurred in the Proclamation and in the actions taken by the Mayor to meet the emergency; and

WHEREAS, On March 4, 2020, Governor Gavin Newsom proclaimed a state of emergency to exist within the State due to the threat posed by COVID-19; and

WHEREAS, On March 6, 2020, the Health Officer declared a local health emergency under Section 101080 of the California Health and Safety Code, and the Board of Supervisors concurred in that declaration on March 10, 2020; and

WHEREAS, Section 2 of the Thirteenth Supplemental Proclamation authorized the Controller to adopt a policy allowing City departments to modify agreements in place on May 11, 2020 without complying with competitive solicitation and procurement procedures that would otherwise be required. The order permitted the Controller’s policy to authorize contract modifications that extend agreements by up to six months but no later than June 30, 2021; and

WHEREAS, Section 3 of the Thirty-Fifth Supplemental Proclamation authorized the Controller to adopt a policy to allow an additional extension of certain agreements in place at that time up to June 30, 2022; and



WHEREAS, The COVID-19 pandemic and the related closures of City workplaces for extended periods of time, including most recently during the Omicron surge, has caused significant complications for City workers to conduct timely contract procurement processes. Additionally, the pandemic has dramatically slowed the process of hiring employees and filling vacant contract administration positions in various departments. These staffing shortages have further exacerbated the backlog of contract procurements. It is in the public interest to authorize the extension of contracts to allow departments time to catch up on this backlog;

NOW, THEREFORE,

I, London N. Breed, Mayor of the City and County of San Francisco, proclaim that there continues to exist an emergency within the City and County threatening the lives, property or welfare of the City and County and its citizens;

In addition to the measures outlined in the Proclamation and in the Supplements to the Proclamation issued on various dates, it is further ordered that:

(a) Departments are authorized to modify agreements in place on the date of this Order that expire on or before August 31, 2022, and agreements that expired within 60 days prior to the date of this Order, to extend the term of such agreements up to June 30, 2023 and to increase the not-to-exceed amount of the agreement as necessary given the extension duration, without complying with the competitive solicitation and procurement procedures in the Administrative Code. This Order shall apply to commodities and services contracts, grant agreements, and construction contracts. Any department modifying an agreement under this Order shall make a written finding concerning the need to rely on the authorization provided by this Order and shall include such finding in the agreement. All other applicable requirements of local law shall continue to apply to modifications of agreements under this Order, including the approval requirements of Charter Section 9.118 and Civil Service Commission approval requirements, if applicable. This Order shall not apply to agreements subject to Section 2 of the Forty-Fifth Supplement to the Proclamation pertaining to agreements entered into by the Human Services Agency to for the use of hotel rooms to house individuals experiencing homelessness or individuals who are at risk of developing severe COVID-19.



(b) Departments are authorized to extend until June 30, 2023 any pre-qualified list of contractors in place on the date of this Order established under Section 21.4 of the Administrative Code that expires before August 31, 2022.

(c) This Order shall remain in place until August 31, 2022, unless terminated earlier by the Mayor or the Board of Supervisors.

DATED: April 12th, 2022

A handwritten signature in blue ink, reading "London N. Breed".

London N. Breed
Mayor of San Francisco

Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor inquiries"
- 5. City Attorney Request.
- 6. Call File No. from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Walton

Subject:

Concurring in Actions to Meet Local Emergency - Coronavirus Response

The text is listed:

Motion concurring in actions taken by the Mayor in the Forty-Seventh Supplement to the Proclamation of Emergency to meet the ongoing local emergency related to the novel coronavirus COVID-19 pandemic by authorizing City departments to modify specified agreements to extend the term of such agreements up to June 30, 2023 and to increase the not-to-exceed amount as necessary given the extension duration, without complying with the competitive solicitation and procurement procedures in the Administrative Code; and authorizing departments to extend until June 30, 2023 any prequalified list of contractors that expires before August 31, 2022.

Signature of Sponsoring Supervisor: /s/ Shamann Walton