

File No. 150917

Committee Item No. 3  
Board Item No. \_\_\_\_\_

**COMMITTEE/BOARD OF SUPERVISORS**  
AGENDA PACKET CONTENTS LIST

Committee: Budget & Finance Committee

Date September 30, 2015

Board of Supervisors Meeting

Date \_\_\_\_\_

**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** (Use back side if additional space is needed)

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Completed by: Linda Wong Date September 25, 2015  
Completed by: Linda Wong Date \_\_\_\_\_

1 [Accept Gift - Salesforce.com, Inc. - District Attorney's Crime Strategies Unit - \$37,800]

2  
3 **Resolution retroactively authorizing the Office of the District Attorney to accept a gift of**  
4 **a one-year software subscription service valued at \$37,800 from Salesforce.com, Inc.,**  
5 **for the period of July 14, 2015, and July 13, 2016.**

6  
7 WHEREAS, The San Francisco Office of the District Attorney (SFDA) has established  
8 a Crime Strategies Unit to implement a proactive, data driven approach to prosecution, which  
9 harnesses technology to focus on hot spots and crime drivers to make a significant impact on  
10 public safety in San Francisco; and

11 WHEREAS, Salesforce.com, Inc. is a private global company specializing in cloud  
12 computing and data management; and

13 WHEREAS, Salesforce.com, Inc., in partnership with SFDA, will offer the San  
14 Francisco District Attorney's Office Salesforce software to integrate criminal justice data  
15 sources to advance effective prosecution and promote public safety; and

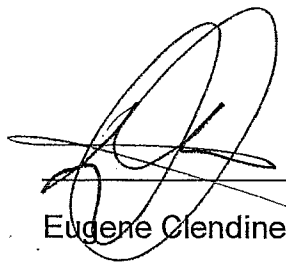
16 WHEREAS, Salesforce.com, Inc. has proposed to provide the City with a gift of a one-  
17 year subscription service for 20 users and 2 administrators of the Salesforce Force Unlimited  
18 Edition, valued at \$37,800 per year, at no cost, to the SFDA's Crime Strategies Unit; and

19 WHEREAS, The gift does not require an ASO Amendment; now, therefore, be it

20 RESOLVED, That the Board of Supervisors hereby authorizes SFDA to accept the gift  
21 valued at \$37,800 from Salesforce.com, Inc. for a one year subscription of software for 20  
22 users and 2 administrators.

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Recommended:



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Eugene Clendinen  
for George Gascón, District Attorney

Approved: Kate Lee

for Edwin M. Lee, Mayor

Approved: Ben Rosenfield

for Ben Rosenfield, Controller

**TO:** Angela Calvillo, Clerk of the Board of Supervisors  
**FROM:** Maria McKee, Principal Analyst  
**DATE:** July 8, 2015  
**SUBJECT:** Accept and Expend Resolution for Subject Grant  
**GRANT TITLE:** Salesforce.com, Inc. gift for SFDA Crime Strategies Unit

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Attached please find the original\* and 1 copy of each of the following:

- X  Proposed grant resolution; original\* signed by Department, Mayor, Controller
- X  Grant information form, including disability checklist
- n/a  Grant budget
- n/a  Grant application
- X  Grant award letter from funding agency
- n/a  Ethics Form 126 (if applicable)
- n/a  Contracts, Leases/Agreements (if applicable)
- n/a  Other (Explain):

**Special Timeline Requirements:**

Please schedule for the earliest available date.

**Departmental representative to receive a copy of the adopted resolution:**

Name: Sheila Arcelona

Phone: 415-734-3018

Interoffice Mail Address: Hall of Justice, Room 322

Certified copy required Yes

No

(Note: certified copies have the seal of the City/County affixed and are occasionally required by funding agencies. In most cases ordinary copies without the seal are sufficient).



June 30<sup>th</sup>, 2015

District Attorney George Gascón  
San Francisco District Attorney's Office  
850 Bryant Street, Room 322  
San Francisco, CA 94103

**Subject: Gift/Donation to San Francisco District Attorney's Office**

Dear District Attorney Gascón:

To support the first year of the Crimeforce pilot and program, Salesforce.com, Inc. would be pleased to offer to San Francisco District Attorney's Office:

A One-year subscription service of 20 users and 2 administrators of the Salesforce Force Unlimited Edition with a GSA price of \$37,800.00 per year. There will be no cost for the first 12 months but thereafter the cost of \$37,800.00 will apply annually. No additional users will be provided under this agreement. No services will be provided for year 2 unless the City issues a PO.

It is the intent of Salesforce that this offer complies with all applicable laws, regulations and ethics rules regarding gifts and donations. The Salesforce Crimeforce program is intended for the use and benefit of the San Francisco District Attorney's Office in furtherance of its goals, not the personal use or benefit of any official or employee of the San Francisco District Attorney's Office.

Salesforce makes this offer without seeking promises or favoritism for Salesforce in any bidding arrangements. Further, no exclusivity will be expected by either party in consideration for the offer. Finally, Salesforce makes the offer with the understanding that it will not, as a result of such offer, be prohibited from any procurement opportunities or be subject to any reporting requirements.

Please have your ethics officer or counsel advise us in writing, below, if it would be appropriate to receive the above referenced program, based upon our understandings outlined above.

If you have any questions or concerns, please feel free to call me at (415) 901-7000.

Sincerely,

A handwritten signature in black ink that reads "Amy E. Weaver". The signature is fluid and cursive.

Amy E. Weaver  
Salesforce.com, Inc.

**ACCEPTED AND AGREED:**

Name of Agency/Institution: \_\_\_\_\_

Name of Approving official (Please Print): \_\_\_\_\_

Title (Please Print): \_\_\_\_\_

I accept and approve of this offer from Salesforce.com, Inc. to fund the gift of the Crimeforce program valued at \$37,800.00 per year.

120.0552 **Software Licensing.** A software products company markets a comprehensive mechanical computer aided engineering software system. The program, which is licensed, is an application program that permits a computer to perform specific tasks. The engineering technology is transferred to the end user on magnetic tape. The end user/customer signs one Master License Agreement.

Additional software may be ordered by executing a supplemental Licensed Software Designation Agreement. The customer can obtain either an annual license or perpetual (an extended term) license.

When a customer obtains a perpetual license, they will frequently also obtain optional maintenance and support services. These services entitle the end user to receive services including:

- (1) updates and extensions on amendments of user documentation (manuals),
- (2) new versions of licensed programs which encompass improvements, extensions and other changes, and
- (3) corrections to user documentation and/or program codes.

The transactions in question are:

- (1) The customer obtains a perpetual license for two simultaneous users. Eight months later, the customer executes a new Agreement to expand to four simultaneous users. No additional tapes or manuals will be sent to the customer, but the customer is charged a fee for the addition of the two simultaneous users.
- (2) The customer obtains a perpetual license for a drafting module. After three months, the customer adds the solid modeling module that is embodied on the same magnetic media as the drafting module. No additional tapes are sent to the customer. An additional manual is sent and a fee is charged for the additional module.
- (3) The customer has obtained an annual license for a module and renews for an additional year. No additional tapes or manuals are sent to the customer, but an annual license fee is charged. The customer claims that additional charges are nontaxable because no additional tangible personal property was transferred.

The regulation provides that charges are nontaxable when the purchaser does not obtain possession of any tangible personal property. Under the facts provided, possession of tangible personal property was transferred and a charge was made for the customer's

**File Number:** \_\_\_\_\_  
(Provided by Clerk of Board of Supervisors)

**Grant Resolution Information Form**  
(Effective July 2011)

Purpose: Accompanies proposed Board of Supervisors resolutions authorizing a Department to accept and expend grant funds.

The following describes the grant referred to in the accompanying resolution:

1. Grant Title: **Salesforce.com, Inc. gift for SFDA Crime Strategies Unit**
2. Department: **Office of the District Attorney**
3. Contact Person: **Maria McKee** Telephone: **415-553-1189**
4. Grant Approval Status (check one):  
 Approved by funding agency                       Not yet approved
5. Amount of Grant Funding Approved or Applied for: **Gift of one year subscription service of 20 users and 2 administrators of the Salesforce Force Unlimited Edition, valued at \$37,800**
- 6a. Matching Funds Required: **N/A**  
b. Source(s) of matching funds (if applicable):
- 7a. Grant Source Agency: **Salesforce.com, Inc.**  
b. Grant Pass-Through Agency (if applicable):
8. Proposed Grant Project Summary: **To support the "Crimeforce" pilot program of the Crime Strategies Unit, Salesforce.com, Inc. will offer to San Francisco District Attorney's Office: A one year subscription service of 20 users and 2 administrators of the Salesforce Force Unlimited Edition, valued at \$37,800, at no cost.**
9. Grant Project Schedule, as allowed in approval documents, or as proposed:  
Start-Date: **July 14, 2015** End-Date: **July 13, 2016**
- 10a. Amount budgeted for contractual services: **N/A**  
b. Will contractual services be put out to bid? **N/A**  
c. If so, will contract services help to further the goals of the Department's Local Business Enterprise (LBE) requirements? **N/A**  
d. Is this likely to be a one-time or ongoing request for contracting out? **N/A**
- 11a. Does the budget include indirect costs?                       Yes                       No  
b1. If yes, how much? **N/A**  
b2. How was the amount calculated? **N/A**  
c1. If no, why are indirect costs not included?  
 Not allowed by granting agency                       To maximize use of grant funds on direct services

[X] Other (please explain): **This is a gift.**

c2. If no indirect costs are included, what would have been the indirect costs?

**This is a gift of software licenses and any indirect costs are born by the provider, and no actual or indirect costs will be incurred by the District Attorney's Office. If calculated at the FY13-14 ICRP rate of 41.85%, the indirect cost for this gift would have been \$15,819.30.**

12. Any other significant grant requirements or comments: **None**

**\*\*Disability Access Checklist\*\*\*(Department must forward a copy of all completed Grant Information Forms to the Mayor's Office of Disability)**

13. This Grant is intended for activities at (check all that apply):

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Existing Site(s) | <input type="checkbox"/> Existing Structure(s)      | <input type="checkbox"/> Existing Program(s) or Service(s)       |
| <input type="checkbox"/> Rehabilitated Site(s)       | <input type="checkbox"/> Rehabilitated Structure(s) | <input checked="" type="checkbox"/> New Program(s) or Service(s) |
| <input type="checkbox"/> New Site(s)                 | <input type="checkbox"/> New Structure(s)           |  |

14. The Departmental ADA Coordinator or the Mayor's Office on Disability have reviewed the proposal and concluded that the project as proposed will be in compliance with the Americans with Disabilities Act and all other Federal, State and local disability rights laws and regulations and will allow the full inclusion of persons with disabilities. These requirements include, but are not limited to:

1. Having staff trained in how to provide reasonable modifications in policies, practices and procedures;
2. Having auxiliary aids and services available in a timely manner in order to ensure communication access;
3. Ensuring that any service areas and related facilities open to the public are architecturally accessible and have been inspected and approved by the DPW Access Compliance Officer or the Mayor's Office on Disability Compliance Officers.

If such access would be technically infeasible, this is described in the comments section below:

Comments:

Departmental ADA Coordinator or Mayor's Office of Disability Reviewer:

Jessica Geiger

(Name)

Finance Division Analyst

(Title)

Date Reviewed: 7/31/15

  
(Signature Required)

Department Head or Designee Approval of Grant Information Form:

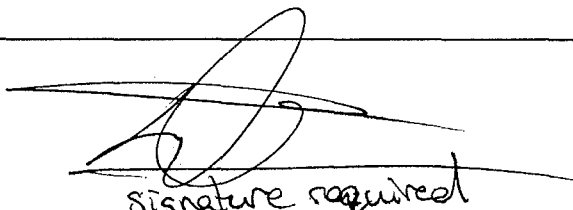
Eugene Clendinen

(Name)

Chief Administrative & Financial Officer

(Title)

Date Reviewed 7/31/15

  
signature required



# Introduction Form

By a Member of the Board of Supervisors or the 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 [ ] inquires"
- 5. City Attorney request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Reactivate File No. [ ]
- 10. Question(s) 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 a Imperative Form.**

**Sponsor(s):**

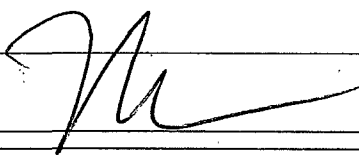
Supervisor Mark E. Farrell

**Subject:**

Accept and Expend - Salesforce.com, Inc. gift for District Attorney's Crime Strategies Unit - \$37,800

**The text is listed below or attached:**

Attached.

Signature of Sponsoring Supervisor: 

**For Clerk's Use Only:**

