

File No. 091766

Committee Item No. 4
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee BUDGET AND FINANCE

Date 12/2/09

Board of Supervisors Meeting

Date _____

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget Analyst Report |
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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
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| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
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OTHER

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Prevailing Wage Determination Report*

Completed by: Gail Johnson

Date 11/25/09

Completed by: _____

Date _____

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

1 [Prevailing wages for (1) workers on public works and improvement projects, (2) workers
2 doing janitorial services, (3) workers in public off-street parking lots, garages, or auto storage
3 facilities, (4) workers in theatrical services; (5) workers performing moving services; and (6)
workers hauling solid waste.]

4 **Resolution fixing prevailing wage rates for (1) workers performing work under City**
5 **contracts for public work and improvement; (2) workers performing work under City**
6 **contracts for janitorial services; (3) workers performing work in public off-street**
7 **parking lots, garages, or storage facilities for automobiles on property owned or leased**
8 **by the City; (4) workers engaged in theatrical or technical services for shows on**
9 **property owned by the City; (5) workers performing moving services under City**
10 **contracts at facilities owned or leased by the City; and (6) workers engaged in the**
11 **hauling of solid waste generated by the City in the course of City operations, pursuant**
12 **to a contract with the City.**

13
14 WHEREAS, The City and County of San Francisco (the "City") requires that prevailing
15 wage rates be paid on work performed under City contracts, as follows:

16 (1) *Public Works Contracts.* Charter Section A7.204(b) requires that City contracts for
17 public work or improvement provide that persons directly or indirectly performing work under
18 the contract be paid not less than the highest general prevailing rate of wages in private
19 employment for similar work, and Administrative Code Section 6.22(E) provides that
20 contractors and subcontractors performing a public work or improvement for the City shall pay
21 workers on such projects the highest general prevailing rate of wages, including per diem
22 wages and wages for holiday and overtime work, for various crafts and kinds of labor as paid
23 for similar work in private employment in San Francisco;

24 (2) *Janitorial Services Contracts.* Administrative Code Section 21.25-1 requires that
25 City contracts for janitorial services to be performed at facilities owned or leased by the City

1 provide that individuals performing janitorial services under the contract be paid not less than
2 the prevailing rate of wages, including wages for holiday and overtime work, and fringe
3 benefits or an equivalent amount, as paid in private employment for similar work in the area in
4 which the contract is being performed;

5 (3) *Parking Lot/Garage/Auto Storage Facility Contracts.* Administrative Code Section
6 21.25-2 requires that leases, management agreements, and other City contracts for the
7 operation of a public off-street parking lot, garage, or storage facility for automobiles on
8 property owned or leased by the City provide that employees as defined in Section 21.25-
9 2(a)(3) working at the parking lot, garage, or storage facility be paid not less than the
10 prevailing rate of wages, including wages for holiday and overtime work, and fringe benefits or
11 an equivalent amount, as paid in private employment for similar work in the area where the
12 lease, management agreement, or contract is being performed;

13 (4) *Theatrical Services Contracts.* Administrative Code Section 21.25-3 requires that
14 contracts, leases, franchises, permits, or agreements awarded, let, issued, or granted by the
15 City require that any employee as defined in Section 21.25-3(a)(4) engaged in theatrical or
16 technical services related to the presentation of a show, including, but not limited to, workers
17 engaged in rigging, sound, projection, theatrical lighting, videos, computers, draping,
18 carpentry, special effects, and motion picture services be paid not less than the prevailing rate
19 of wages, including wages for holiday and overtime work, and fringe benefits or an equivalent
20 amount, as paid in private employment for similar work in the area where the contract, lease,
21 franchise, permit, or agreement is being performed;

22 (5) *Moving Services Contracts.* Administrative Code Section 21.25-x requires that City
23 contracts for moving services to be performed at any facility owned or leased by the City
24 provide that individuals performing moving services be paid not less than the prevailing rate of
25

1 wages, including wages for holiday and overtime work, and fringe benefits or an equivalent
2 amount, as paid in private employment for similar work in the area where the contract is being
3 performed;

4 (6) *Solid Waste Hauling Contracts*. Administrative Code Section 21.25-5 requires that
5 every contract awarded by the City for the hauling of solid waste generated by the City in the
6 course of City operations require that any employee as defined in Section 21.25-5(a)(5)
7 engaged in the hauling of solid waste be paid not less than the prevailing rate of wages,
8 including wages for holiday and overtime work, and fringe benefits or the equivalent thereof,
9 as paid in private employment for similar work in the area where the contract is being
10 performed; and

11 WHEREAS, For the foregoing purposes, Administrative Code Sections 6.22(E), 21.25-
12 1, 21.25-2, 21.25-3, 21.25-x, and 21.25-5 respectively require the Board of Supervisors (the
13 "Board") annually to fix and determine the prevailing rate of wages paid in private employment
14 in San Francisco for the various crafts and kinds of labor used on public works and
15 construction projects; for janitorial services; for workers in public off-street parking lots,
16 garages, or automobile storage facilities; for theatrical and technical services related to the
17 presentation of shows; for moving services; and for solid waste hauling services; and

18 WHEREAS, To aid the Board in the aforementioned determinations of prevailing wage
19 rates, Administrative Code Sections 6.22(E), 21.25-1, 21.25.2, 21.25-3, 21.25-x, and 21.25-5
20 respectively require the Civil Service Commission ("the Commission") to furnish to the Board
21 relevant data as to prevailing wage rates; and

22 WHEREAS, For that purpose the Commission at its September 21, 2009 meeting
23 considered the issue of prevailing wages and a report on that subject prepared by the
24 Department of Human Resources (the "DHR report"), which is on file with the Clerk of the
25

1 Board in File No. , and is hereby declared to be a part of this resolution as if set forth
2 fully herein; and

3 WHEREAS, The Commission at its September 21, 2009 meeting certified the data in
4 and adopted the DHR report, which includes conclusions as to the prevailing wage rates to be
5 set in accordance with Administrative Code Sections 6.22(E), 21.25-1, 21.25-2, 21.25-3,
6 21.25-x, and 21.25-5 respectively; now, therefore, be it

7 RESOLVED, That the Board fixes and determines prevailing wage rates to be paid on
8 work performed under City contracts, as follows:

9 (1) *Public Works Contracts.* Pursuant to Administrative Code Section 6.22(E), the
10 Board fixes and determines the prevailing rate of wages, including per diem wages and wages
11 for holiday and overtime work, for the various crafts and kinds of labor paid in private
12 employment in San Francisco to be the prevailing wages identified in the DHR report,
13 specifically, the General Prevailing Wage Determinations made by the Director of Industrial
14 Relations, State of California, pursuant to California Labor Code Sections 1770, 1773, and
15 1773.1 (see Attachments 1-4 of the DHR report);

16 (2) *Janitorial Services Contracts.* Pursuant to Administrative Code Section 21.25-1,
17 the Board fixes and determines the prevailing rate of wages, including wages for holiday and
18 overtime work, and fringe benefits or an equivalent amount, paid in private employment for
19 janitorial work to be the prevailing wages identified in the aforementioned DHR report,
20 specifically, provisions of the collective bargaining agreement between the San Francisco
21 Maintenance Contractors Association and Service Employees International Union, Local 87,
22 in effect August 1, 2008 through July 31, 2012, and provisions of the collective bargaining
23 agreement between the San Francisco Window Cleaning Contractors Association and the
24
25

1 Window Cleaners Union, Service Employees International Union, Local 1877, in effect from
2 April 1, 2007 through March 31, 2010 (see Attachments 6 and 7 of the DHR report);

3 (3) *Parking Lot/Garage/Auto Storage Facility Contracts*. Pursuant to Administrative
4 Code Section 21.25-2, the Board fixes and determines the prevailing rate of wages, including
5 wages for holiday and overtime work, and fringe benefits or an equivalent amount, paid in
6 private employment for work in off-street parking lots, garages, or automobile storage facilities
7 to be the prevailing wages identified in the aforementioned DHR report, specifically, provisions
8 of the Garage and Parking Lot Agreement between the Jurisdictional Operators of Parking
9 Facilities and Teamsters Automotive and Allied Workers, Local 665, in effect from December
10 1, 2008 through November 30, 2012 (see Attachment 5 of the DHR report);

11 (4) *Theatrical Services Contracts*. Pursuant to Administrative Code Section 21.25-3,
12 the Board fixes and determines the prevailing rate of wages, including wages for holiday and
13 overtime work, and fringe benefits or an equivalent amount, paid for theatrical or technical
14 services related to the presentation of a show including, but not limited to, rigging, sound,
15 projection, theatrical lighting, videos, computers, draping, carpentry, special effects, and
16 motion picture services to be the prevailing wages identified in the aforementioned DHR
17 report, specifically, provisions of the 2009 Project Agreement of Local 16, International
18 Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts,
19 in effect from July 1, 2009 through December 31, 2009 (see Attachment 8 of the DHR report);

20 (5) *Moving Services Contracts*. Pursuant to Administrative Code Section 21.25-x, the
21 Board fixes and determines the prevailing rate of wages, including wages for holiday and
22 overtime work, and fringe benefits or an equivalent amount, paid in private employment for
23 moving services to be the prevailing wages identified in the aforementioned DHR report,
24 specifically, provisions of the Carpenters Truck Driver and Mover Agreement between the
25


1 Northern California Regional Council of Carpenters and the Carpenters 46 Northern California
2 Counties Conference Board, in effect September 1, 2008 through August 31, 2010 (see
3 Attachment 9 of the DHR report); and

4 (6) *Solid Waste Hauling Contracts*. Pursuant to Administrative Code Section 21.25-5,
5 the Board fixes and determines the prevailing rate of wages, including wages for holiday and
6 overtime work, and fringe benefits or the equivalent thereof, paid to employees engaged in the
7 hauling of solid waste, to be the wages identified in the aforementioned DHR report,
8 specifically, provisions of the Collective Bargaining Agreement Between Sanitary Truck
9 Drivers and Helpers Union Local 350, International Brotherhood of Teamsters, and NorCal
10 Waste Systems, Inc., Golden Gate Disposal & Recycling Company, Sunset Scavenger
11 Company, in effect from January 1, 2005 through December 31, 2011 (see Attachment 10 of
12 the DHR report).

13 RECOMMENDED:

14 CIVIL SERVICE COMMISSION

15
16 By:


17 ANITA SANCHEZ
18 EXECUTIVE OFFICER
19
20
21
22
23
24
25

CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF THE CITY ATTORNEY



DENNIS J. HERRERA
City Attorney

PAUL ZAREFSKY
Deputy City Attorney

DIRECT DIAL: (415) 554-4652
E-MAIL: paul.zarefsky@sfgov.org

October 30, 2009

File 091266

Ms. Angela Calvillo
Clerk, Board of Supervisors

Re: Resolution Fixing Prevailing Wage Rates Pursuant To Administrative Code Sections
6.22(E), 21.25-1, 21.25-2, 21.25-3, 21.25-x, and 21.25-5

Dear Ms. Calvillo:

On behalf of the Civil Service Commission, I am submitting the original and four copies of the proposed Resolution pertaining to the fixing of prevailing wage rates as noted above.

Please note that in the "Whereas" clause beginning at page 3, line 22, the Resolution references and incorporates the Human Resources Department report that was adopted by the Commission at its September 21, 2009 meeting and that includes the data forwarded by the Commission to the Board of Supervisors. The Executive Officer of the Civil Service Commission has forwarded this report and the accompanying data to the Clerk's Office.

Please also note that in the same "Whereas" clause, at page 4, line 1 of the Resolution, it will be necessary for the Clerk's Office to insert the File Number for this matter.

Thank you for processing this submission and for making the necessary arrangements for a timely hearing on the proposed Resolution.

Very truly yours,

DENNIS J. HERRERA
City Attorney

Paul Zarefsky
Paul Zarefsky
Deputy City Attorney

cc: Anita Sanchez, Executive Officer
Civil Service Commission

RECEIVED
BOARD OF SUPERVISORS
OCT 30 2009
3:00 PM



CIVIL SERVICE COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
GAVIN NEWSOM
MAYOR

RECEIVED
BOARD OF SUPERVISORS
2009 SEP 28 AM 9:53
BY *se*

September 23, 2009

MORGAN R. GORRONO
PRESIDENT

E. DENNIS NORMANDY
VICE PRESIDENT

JOY Y. BOATWRIGHT
COMMISSIONER

DONALD A. CASPER
COMMISSIONER

MARY Y. JUNG
COMMISSIONER

ANITA SANCHEZ
EXECUTIVE OFFICER

NOTICE OF CIVIL SERVICE COMMISSION ACTION

SUBJECT: CERTIFICATION OF THE HIGHEST PREVAILING RATE OF WAGES OF THE VARIOUS CRAFTS AND KINDS OF LABOR PAID IN PRIVATE EMPLOYMENT IN THE CITY AND COUNTY OF SAN FRANCISCO.

At its meeting of September 21, 2009 the Civil Service Commission had for its consideration the above matter.

It was the decision of the Commission to adopt the report; Forward to Board of Supervisors.

If this matter is subject to Code of Civil Procedure (CCP) Section 1094.5, the time within which judicial review must be sought is set forth in CCP Section 1094.6.

CIVIL SERVICE COMMISSION

ANITA SANCHEZ
Executive Officer

Attachment

c: Micki Callahan, Human Resources Director
Angela Calvillo, Clerk, Board of Supervisors w/attachment
Rafael Centeno, Airport Commission
Rich David, Department of Human Resources
Martin Gran, Department of Human Resources
Lavena Holmes-Williams, Port Commission
Jessica Huey, Department of Human Resources
Alice Kwong, Municipal Transportation Agency
Donna Levitt, Office of Contract Administration
Michele Modena, Public Utilities Commission
Steven Ponder, Department of Human Resources
Elizabeth Salvesson, City Attorney's Office
Tammy Wong, General Services Agency
Commission File
Chron

CIVIL SERVICE COMMISSION

1. CIVIL SERVICE COMMISSION REGISTER NUMBER: 0284-09-03
2. FOR CIVIL SERVICE COMMISSION MEETING OF SEPTEMBER 21, 2009
3. CHECK ONE:
- | | |
|----------------|-------------------------------------|
| CONSENT AGENDA | <input checked="" type="checkbox"/> |
| REGULAR AGENDA | <input type="checkbox"/> |
4. SUBJECT: CERTIFICATION OF THE HIGHEST PREVAILING RATE OF WAGES OF
THE VARIOUS CRAFTS AND KINDS OF LABOR PAID IN PRIVATE
EMPLOYMENT IN THE CITY AND COUNTY OF SAN FRANCISCO
5. RECOMMENDATION: ADOPT REPORT; FORWARD TO BOARD OF SUPERVISORS
6. REPORT PREPARED BY: RICH DAVID TELEPHONE NUMBER: 557-4965
7. NOTIFICATIONS: SEE ATTACHED
8. REVIEWED AND APPROVED FOR CIVIL SERVICE AGENDA:
HUMAN RESOURCES DIRECTOR: [Signature]
DATE: 9/4/09
9. SUBMIT THE ORIGINAL TIME-STAMPED COPY OF THIS FORM AND PERSONS TO BE
NOTIFIED (SEE ITEM 7 ABOVE) ALONG WITH THE REQUIRED COPIES OF THE REPORT
TO:

EXECUTIVE OFFICER
CIVIL SERVICE COMMISSION
25 VAN NESS, ROOM 720
SAN FRANCISCO, CA 94102

CSC RECEIPT STAMP

10. RECEIPT-STAMP THIS FORM IN THE "CSC RECEIPT STAMP" BOX TO THE RIGHT USING THE TIME-STAMP IN THE CSC OFFICE.

ATTACHMENT

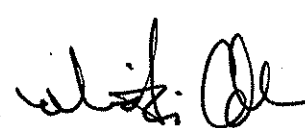
Gavin Newsom
Mayor



Micki Callahan
Human Resources Director

DATE: September 21, 2009

TO: The Honorable Civil Service Commission

THROUGH: Micki Callahan, Human Resources Director 

SUBJECT: CERTIFICATION OF THE HIGHEST PREVAILING RATE OF
WAGES OF THE VARIOUS CRAFTS AND KINDS OF LABOR
PAID IN PRIVATE EMPLOYMENT IN THE CITY AND
COUNTY OF SAN FRANCISCO

RECOMMENDATION: ADOPT REPORT; FORWARD TO BOARD OF SUPERVISORS

Section 6.22 of the Administrative Code requires the Civil Service Commission furnish the Board of Supervisors, on or before the first Monday in November of each year, data as to the highest general prevailing rate of wages of the various crafts and kinds of labor as paid in private employment in the City and County of San Francisco. The attached General Prevailing Wage Determinations made by the Director of Industrial Relations, State of California pursuant to the California Labor Code reports the highest prevailing rate of wages of the various crafts paid in private employment in the City and County of San Francisco (Please see Attachments 1-4).

In May 1999, the Board of Supervisors amended the Administrative Code by adding section 21.25-1 to require that "Every Contract issued by the City and County of San Francisco for Janitorial Services to be performed at any facility owned or leased by the City and County of San Francisco, where such work is to be done directly under the contract awarded (a "prime contract") must require that any individual performing Janitorial Services thereunder be paid not less than the Prevailing Rate of Wages, including fringe benefits or the matching equivalents thereof, paid in private employment for similar work in the area in which the Contract is being performed, as determined by the Civil Service Commission." Attachment 6 contains the contractual changes of the Collective Bargaining Agreement between the San Francisco Maintenance Contractors Association and Service Employees International Union, Building Service Employees Union, Local 1877 Division 87 in effect from August 1, 2008 through July 31, 2012, reflecting the prevailing wage rates for individuals performing janitorial services in San Francisco. The parties are currently in negotiations for a new contract (Please see Attachment 6).

Attachment 7 contains the contractual changes of the Collective Bargaining Agreement between the San Francisco Window Cleaning Contractors Association and Window Cleaners Union – SEIU Local 1877, AFL-CIO in effect from April 1, 2007 to March 31, 2010, reflecting the wage and benefits levels for individuals performing window cleaning services in San Francisco (Please see Attachment 7).

In January 2003, the Board of Supervisors further amended the Administrative Code by adding Section 21.25-2 to require workers employed in public off-street parking lots, garages, or storage

facilities for automobiles on property owned or leased by the City and County of San Francisco be paid the prevailing wage rate. Attachment 5 is the Garage and Parking Lot Agreement between Parking Employers and Teamsters Automotive Employees, Local 665 in effect from December 1, 2008 until November 30, 2012 which reflects the prevailing wage rates for parking and garage attendants (Please see Attachment 5).

In April 2004, the Board of Supervisors amended the Administrative Code by adding Section 21.25-3 (Ordinance 76-04) to the Administrative Code to require that workers engaged in rigging, sound, projection, theatrical lighting, videos, computers, draping, carpentry, special effects, and motion picture services for shows on property owned by the City and County of San Francisco be paid the prevailing wage rate. Attachment 8 is the International Alliance of Theatrical Stage Employees Bargaining Agreement, Local 16 in effect from July 1, 2009 through December 31, 2009 (Please see Attachment 8).

In July 2004, the Board of Supervisors amended the Administrative Code by adding Section 21.25-x (Ordinance 169-04) to the Administrative Code to require that "any individual performing moving services...be paid not less than the Prevailing Rate of Wages". Attachment 9 is the Carpenters Truck Driver and Mover Agreement between the Northern California Regional Council of Carpenters and the Carpenters 46 Northern California Counties Conference Board in effect from September 1, 2008 until August 31, 2010. The standard agreement is used for Employers in Northern California. Signed copies of the union's contracts with its larger employers in San Francisco, reflecting the same prevailing wage rates for furniture movers and related classifications are included for reference (Please see Attachment 9).

Finally, in December 2006, the Board of Supervisors amended the Administrative Code by adding Section 21.25-5, "Any employee engaged in the hauling of solid waste be paid not less than the Prevailing Rate of Wages". Attachment 10 is the Collective Bargaining Agreement between the Sanitary Truck Drivers and Helpers Union Local 350, IBT and NorCal Waste Systems Inc., Golden Gate Disposal & Recycling Company, Sunset Scavenger Company, in effect from January 1, 2005 until December 31, 2011, which reflects the prevailing wage rates for individuals performing the following: 1) driver of an 18 wheel truck with a leak proof/secured garbage pick-up is the Commercial Driver; and 2) individual performing the garbage pick-up, refuse and recyclables (the blue and black containers) and may drive the truck is the Route Lead Person/Fantastic 3 (Please see Attachment 10).

For ease of reference, also included is an alphabetical list of the occupations covered in these various Wage Determinations (Please see Attachment 11).

It is recommended that the Civil Service Commission certify the State Department of Industrial Relations Director's General Prevailing Wage Determination Report and Employee Bargaining Agreements, which reflect the highest prevailing rate of wages paid various crafts and kinds of labor paid in private employment in the City and County of San Francisco.

September 21, 2009

If the Civil Service Commission certifies these rates, companion legislation effectuating such proposed changes should be drafted by the City Attorney and transmitted to the Board of Supervisors concurrently with the certification.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be 'SP', is written over a horizontal line.

Steve Ponder
Classification and
Compensation Manager
Department of Human Resources



Attachment 1

Prevailing Wage Determination

California – Statewide Rates
