San Francisco Public Library

100 Larkin Street, San Francisco, CA 94102

To: San Francisco Library Commission

From: Mike Fernandez, San Francisco Public Library, Chief Financial Officer
Michelle Jeffers, San Francisco Public Library, Chief of Community Programs & Partnerships

Through: Michael Lambert, San Francisco Public Library, City Librarian

Date: March 16, 2023

Subject: Recommendation for Retroactive Approval

Pursuant to San Francisco Administrative Code Section 21G(8)a Rules & Regulations, the San Francisco Public Library ("SFPL") hereby respectfully submits our Recommendation of Sole Source Grant Award. Should you agree with our recommendation the code requires adoption of the resolution by this body (attached). Please see our justification for the sole source recommendation request below.

SFPL is seeking to support the activation and usage of the San FranDisco Roller Rink (Roller Rink) at Fulton and Larkin Streets by offering free family passes to SFPL library patrons via Discover & Go. The passes would be paid via a $20,000 grant to the Civic Center Community Benefits District.

Background

Discover & Go is a library platform that manages free passes to Bay Area museums and attractions for San Francisco Public Library. Via a partnership with Roller Rink and the Civic Center Community Benefit District (CCCBD), San Francisco Public Library is committed to reimbursing the cost of free family passes; each pass will admit 2 adults and 2 children to the roller rink, a value of $40 per family pass, available for use 5 days per week during the Roller Rink's hours of operation. San Francisco Public Library is willing to support up 250 of these family passes per month for San Francisco residents and families, at a cost of up to $10,000 per month. Discover & Go passes presented at the registration desk of Roller Rink will be collected and submitted to CCCBD. CCCBD will provide an accounting to San Francisco Public Library each month and San Francisco Public Library will reimburse for the exact usage of these family passes.

Effective January 1, 2022 Chapter 21G(8)(a) was modified and now reads:

> *Notwithstanding any other provision of this Chapter 21G, a Granting Agency may award a Grant without conducting an open and competitive process under Sections 21G.4, 21G.5, and 21G.6, in accordance with the Purchaser's rules and regulations. For Granting Agencies under the jurisdiction of a commission or a board, the Granting Agency shall not award a Grant without conducting an open and*

competitive process unless the commission or board approves the Granting Agency's recommendation that the Grant be awarded as a sole source. Before awarding such a Grant, the Granting Agency shall recommend to the commission or board concerned the approval and award of a Grant pursuant to this subsection (a) and such commission or board may then adopt a resolution approving the justification of the sole source and awarding the Grant.

Prior to this code change the Library Commission was not required to review grant agreements entered into with non-profit entities. This change now requires review when The San Francisco Public Library cannot engage in a competitive process. Grants awarded via a competitive process do not require review by this body. The City has developed a Waiver Form included with the resolution to guide the sole source approval process.

Justification for Waiver of Competitive Solicitation Process

Below are the Library's responses to the Office of Contract Administration's waiver form questions on why a competitive solicitation was infeasible or impracticable.

• Why is a competitive process infeasible or impracticable?

The CCCBD as established and renewed by the City and County of San Francisco is the only entity that can provide this public benefit. Competition in this instance is infeasible and impracticable because the Roller Rink is occupying the physical space between SFPL and the Asian Arts Museum. This Roller Rink started in October 2022 and will operate in this space through March 2023, as a pilot program issued by the CCCBD and the Office of Economic and Workforce Development (OEWD), intending to make this Roller Rink available as family friendly and safe activity in the Civic Center neighborhood. Currently the service is non-recurring and has been scheduled to exist from October 2022 through March 2023, which does not providing enough time for a competitive solicitation.

• Why is this the only entity that can fulfill this Public Purpose? What does the entity offer that is essential to fulfilling the Public Purpose?

The Roller Rink at Fulton & Larkin Streets offer the important public purpose of supporting family-friendly and safe activities for the neighborhood. SFPL wishes to help support their public purpose by supporting the funding described in the Background information above. Additionally, this will be an enhanced service to library patrons by offering them another free recreational attraction in the city. As the operator of the Roller Rink they are the only entity that can accept the Discover & Go Passes. As noted previously, the CCCBD as established and renewed by the City and County of San Francisco is the only entity that can provide this public benefit.

• What steps were taken to verify that this is the only entity that can fulfill this Public Purpose? Has the department contacted other entities to evaluate their ability to fulfill the Public Purpose, and if so, describe the entities and explain why they cannot meet the department's needs.

The Library confirmed with OEWD that the CCCBD is the only entity that can activate the space occupied by the Roller Rink and the only partner with the Roller Rink available for this partnership. OEWD sought activation for this space; SFPL only intends to help support the already existing recreational service via our funding.

Recommendation

Per the justification above and the waiver attached, the Library recommends award of the sole source grant effective February 1, 2023. It took additional time for staff to understand the new policy and its rules and develop process for this type of award resulting in delays. The Library Commission can accept this recommendation by adopting the attached Resolution.